

N° 3417.

**AUTRICHE
ET GRANDE-BRETAGNE,
FRANCE, ITALIE ET JAPON
(Conférence des Ambassadeurs).**

Accord aéronautique en vue d'assurer l'application de l'article 144 du Traité de Saint-Germain-en-Laye, comportant un protocole signé à Paris, le 27 octobre 1927, avec pièces jointes A, B, C, D et E, et annexes N^{os} 1 à 7.

**AUSTRIA
AND GREAT BRITAIN,
FRANCE, ITALY AND JAPAN
(Conference of Ambassadors).**

Agreement on Aerial Navigation with a View to the Application of Article 144 of the Treaty of Saint-Germain-en-Laye, including a Protocol signed at Paris, October 27th, 1927, with Documents A, B, C, D and E, and Annexes Nos. 1 to 7

N° 3417. — ACCORD ¹ AÉRONAUTIQUE ENTRE LES GOUVERNEMENTS BRITANNIQUE, FRANÇAIS, ITALIEN ET JAPONAIS (CONFÉRENCE DES AMBASSADEURS) ET LE GOUVERNEMENT AUTRICHIEN, EN VUE D'ASSURER L'APPLICATION DE L'ARTICLE 144 DU TRAITÉ DE SAINT-GERMAIN-EN-LAYE. FAIT A PARIS, LE 27 OCTOBRE 1927.

Texte officiel français communiqué par le secrétaire général de la Conférence des Ambassadeurs. L'enregistrement de cet accord a eu lieu le 27 avril 1934.

French official text communicated by the Secretary-General of the Conference of Ambassadors. The registration of this Agreement took place April 27th, 1934.

I.

PROTOCOLE

1. Les soussignés constatent leur accord sur les documents ci-après énumérés qu'ils ont paraphés. Ils déclarent vouloir attirer l'attention de leurs gouvernements respectifs sur les liens étroits qui existent entre ces différents documents dont, par conséquent, ils recommanderont à ces gouvernements l'acceptation sans réserves et sans modifications :

a) Lettre du président de la Conférence des Ambassadeurs au ministre d'Autriche à Paris, au sujet du régime à appliquer à l'avenir à la navigation aérienne autrichienne (pièce A) ;

b) Lettre du ministre d'Autriche à Paris au président de la Conférence des Ambassadeurs, au sujet du régime à appliquer à l'avenir à la navigation aérienne autrichienne (pièce B) ;

c) et d) Annexes aux deux lettres précitées (pièces C et D) ;

e) Lettre du ministre d'Autriche à Paris au président de la Conférence des Ambassadeurs, au sujet du stockage des pièces détachées d'aéronefs (pièce E).

2. Les soussignés sont d'accord pour préciser que la mise en vigueur des mesures d'application que le Gouvernement fédéral autrichien doit prendre en vue d'assurer l'exécution de l'accord ci-dessus visé impliquera l'abrogation des dispositions actuellement en vigueur afin d'assurer l'exécution de l'article 144 du Traité de Saint-Germain-en-Laye, ainsi que la cessation immédiate des fonctions actuellement exercées en matière aéronautique par l'Organe de liquidation de la Commission de contrôle. Les mesures d'application ci-dessus visées (Ordonnances, etc.) font l'objet des sept annexes au présent protocole.

Si les mesures ainsi édictées pour l'application de l'accord intervenu se révèlent insuffisantes dans la pratique, il appartiendra au Gouvernement fédéral autrichien, dont l'attention aura été attirée sur ces insuffisances, d'y remédier dans la mesure où l'expérience en aura montré la nécessité.

Il en sera ainsi, en particulier, si, en ce qui concerne la formation du personnel, le développement en Autriche de l'aviation à voile (*Segelflug*), par ses répercussions sur la situation générale de l'aviation autrichienne, affecte l'application de l'article 144 du Traité de Saint-Germain-en-Laye.

¹ Entré en vigueur le 18 février 1929.

¹ Came into force February 18th, 1929.

ANNEXE 5 AU PROTOCOLE

N° 859/3.

LETTRE DE M. LE MINISTRE D'AUTRICHE A PARIS
AU PRÉSIDENT DE LA CONFÉRENCE DES AMBASSADEURS.

1^{er} mars 1929.

MONSIEUR LE PRÉSIDENT,

Me référant aux lettres échangées à la date du 18 février 1929, j'ai l'honneur de faire savoir à Votre Excellence, d'ordre de mon gouvernement, que mon gouvernement s'est engagé à n'accorder de subvention ni aux organisations, sociétés ou individus se consacrant à l'aviation de sport, ou dont l'activité aurait pour objet, à titre principal ou accessoire, l'entraînement ou l'instruction d'élèves-pilotes ou de pilotes dans l'aviation de sport, ni, en général, au personnel destiné au fonctionnement des lignes commerciales en service ou nécessaire aux besoins normaux des usines.

De telles subventions ne pourront non plus être accordées par aucune administration publique ayant la gestion de deniers publics, sans excepter les administrations municipales.

Mon gouvernement s'est de même engagé à ne subventionner l'aviation commerciale que dans une mesure correspondant à son développement normal et à prendre les mesures appropriées pour assurer l'observation des obligations résultant du troisième alinéa de l'article IV de l'annexe I à la lettre N° 859/1 du 18 février 1929.

Veuillez agréer, Monsieur le Président, les assurances de ma très haute considération.

GRUNBERGER.

Pour copie conforme :

Le Secrétaire général
de la Conférence des Ambassadeurs,
R. Massigli.

TEXTE ALLEMAND. — GERMAN TEXT.

1¹ TRADUCTION. — TRANSLATION.

ANLAGE 6 ZUM PROTOKOLL.

ANNEXE 6 AU PROTOCOLE

75. REGELUNG DER AUSÜBUNG DES FLUGSPORTS
DURCH HEERESANGEHÖRIGE.INSTRUCTIONS DESTINÉES A ASSURER L'APPLI-
CATION DANS L'ARMÉE FÉDÉRALE AUTRI-
CHENNE DES DISPOSITIONS DE L'ARTICLE V
DE LA PIÈCE C (annexe I aux pièces A et B).

(Erlass 20.599—I vom 27. April 1929.)

27 avril 1929.

Im Sinne des am 27. Oktober 1927 in Paris unterfertigten Abkommens mit den alliierten Hauptmächten, betreffend die Begriffsbestimmungen für die Unterscheidung der zivilen und militärischen Luftfahrzeuge (Bundesgesetzblatt Nr. 137 von 1929, 33. Stück), wird verfügt :

1. Weisung.

Es ist allen Teilen oder Personen des Bundesheeres verboten, zu einem militärischen Zweck

Première instruction.

Il est interdit à tous les groupements (*Teile*) ou membres de l'armée fédérale d'entretenir

1¹ Traduction de la Conférence des Ambassadeurs.1¹ Translation of the Conference of Ambassadors.

¹ TRADUCTION. — TRANSLATION.

ANLAGE 7 ZUM PROTOKOLL.

ANNEXE 7 AU PROTOCOLE

BUNDESKANZLERAMT.
INNERES.
Zl. 128577/8.

N^o 128577/8.

WIEN, 20 März 1930.

20 mars 1930.

PROJET D'INSTRUCTIONS DESTINÉES A ASSURER
L'APPLICATION PAR LA POLICE AUTRICHIENNE
DES DISPOSITIONS DE LA PIÈCE D (annexe II
aux pièces A et B).

An { 1. Alle Landesregierungen.
2. Polizeidirektion in Wien.

A { l'Office du Gouvernement (*Landesregierung*)
de
la Direction de la police de Vienne.

Auf Grund des im Protokolle vom 27. Oktober 1927 samt dessen Beilagen, kundgemacht im B. G. Bl. Nr. 137 vom Jahre 1929, enthaltenen Staatsvertrages über Massnahmen zur Sicherung der Durchführung der Artikel 122, 128 und 144 des Staatsvertrages von Saint-Germain-en-Laye wird verfügt :

En vertu de, il est ordonné ce qui suit :

Es ist den Polizeibehörden und ihren Angehörigen verboten, zu einem militärischen Zweck entgegen den im Artikel 144 des Staatsvertrages von Saint-Germain-en-Laye enthaltenen Verpflichtungen irgendwie geartete Beziehungen zur Luftfahrt jedeweder Gattung zu unterhalten. Den Angehörigen der Polizeibehörden ist sowohl einzel als auch in Gruppen jedwede Ausbildung und jedwede Betätigung in der Luftfahrt, welcher Art sie auch sei, verboten.

Il est interdit aux autorités policières, ainsi qu'à leur personnel, d'entretenir dans un but militaire, contrairement aux obligations stipulées à l'article 144 du Traité de Saint-Germain-en-Laye, des rapports quelconques avec l'aviation, quelle qu'en soit la catégorie. Toute instruction ou toute activité, individuelle ou collective, dans l'aviation, quelle qu'en soit la catégorie, est interdite au personnel de la police.

Ausnahmsweise können zwölf Polizeibeamte eine Luftfahrtausbildung erhalten und Inhaber eines Flugfahrerscheines sein.

A titre exceptionnel, douze fonctionnaires de police peuvent recevoir une instruction aéronautique et être titulaires d'un brevet de pilote.

Die Flugzeugführerscheine werden jedoch nicht erteilt, um den Polizeibeamten zu ermöglichen, Luftfahrt zu treiben, sondern nur, um die technischen Kenntnisse zu vervollkommen, die sie benötigen, um die Beaufsichtigung der Handelsluftfahrt mit voller Sachkenntnis durchführen zu können.

Toutefois, ces brevets ne sont pas délivrés afin de permettre aux fonctionnaires de police de pratiquer l'aviation, mais exclusivement afin de perfectionner les connaissances techniques qui leur sont nécessaires pour exercer, en toute connaissance de cause, le contrôle de l'aéronautique commerciale.

¹ Traduction de la Conférence des Ambassadeurs.

¹ Translation of the Conference of Ambassadors.

¹ TRADUCTION. — TRANSLATION.

No. 3417. — AGREEMENT ON AERIAL NAVIGATION BETWEEN THE BRITISH, FRENCH, ITALIAN AND JAPANESE GOVERNMENTS (CONFERENCE OF AMBASSADORS) AND THE AUSTRIAN GOVERNMENT WITH A VIEW TO THE APPLICATION OF ARTICLE 144 OF THE TREATY OF SAINT-GERMAIN-EN-LAYE. DONE AT PARIS, OCTOBER 27TH, 1927.

I.

PROTOCOL.

1. The undersigned record their agreement upon the documents hereinafter enumerated, which they have initialled. They express their desire to draw the attention of their respective Governments to the close connection between these different documents, which they consequently recommend to those Governments to accept without reservation or modification :

(a) Letter from the President of the Conference of Ambassadors to the Austrian Minister in Paris regarding the regime to be applied in future to Austrian civil aviation (Document A) ;

(b) Letter from the Austrian Minister in Paris to the President of the Conference of Ambassadors regarding the regime to be applied in future to Austrian civil aviation (Document B) ;

(c) and (d) Annexes to the two letters mentioned above (Documents C and D) ;

(e) Letter from the Austrian Minister in Paris to the President of the Conference of Ambassadors with regard to storage of the component parts of aircraft (Document E).

2. The undersigned agree in stating that the putting into force of the measures of application to be taken by the Austrian Federal Government in order to ensure the execution of the above-mentioned Agreement will imply the cancelling of the provisions at present in force for the purpose of ensuring the execution of Article 144 of the Treaty of Saint-Germain-en-Laye, and the immediate cessation of the duties at present exercised in the matter of aircraft by the Liquidation Board of the Commission of Control. The measures of application referred to above (Decrees, etc.) are contained in the seven Annexes to the present Protocol.

If the measures thus enacted in application of the Agreement concluded prove insufficient in practice, it will be for the Austrian Federal Government, when its attention has been drawn to this deficiency, to supply the remedy whenever experience shows the necessity of doing so.

This shall apply in particular if, as regards the training of personnel, the development of motorless flight (*Segelflug*) in Austria, through its effects upon the general situation of Austrian aviation, affects the application of Article 144 of the Treaty of Saint-Germain-en-Laye.

The lists of pilots and cadet pilots in motorless flying shall be kept up to date. These lists shall, if necessary, be placed at the disposal of the League of Nations in the event of the application of Article 159 of the Treaty of Saint-Germain-en-Laye in the circumstances provided for in the previous paragraph.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

3. It is understood that the names of the members of the army mentioned in Article V, paragraph (c), 2, of Annex I to Documents A and B, who are in possession of pilots' certificates issued before July 1st, 1927, shall be communicated to the Conference of Ambassadors at the time when the measures of application mentioned in paragraph 2 above come into force.

The licences granted and the cancellations effected in conformity with the provisions of Article V, paragraph (c), of Annex I above mentioned shall be published annually in the *Official Journal*, the cancellations referred to in the last paragraph of Article V (c) being published separately.

4. The provisions concerning pilots and cadet pilots must be understood as applying in general to any person capable of flying an aircraft, whatever its category.

5. The provisions concerning the keeping of lists of material and personnel shall not refer to balloons without engines or to kites employed for purely civilian purposes.

6. The exchange of letters to which paragraph 1 above relates shall take place, and the Agreement constituted by the present Protocol shall thereby come into force, as soon as the Austrian Federal Government has obtained the powers required for the purpose under the Federal Constitution.

Done in Paris, in duplicate, on October twenty-seventh, one thousand nine hundred and twenty-seven.

(Signed)	A. HOLMAN.	A. GRUNBERGER.
	R. MASSIGLI.	
	G. MANZONI.	
	C. MIYAKOSHI.	

DOCUMENT A.

LETTER FROM THE PRESIDENT OF THE CONFERENCE OF AMBASSADORS TO THE AUSTRIAN MINISTER IN PARIS.

SIR,

On behalf of the British, French, Italian and Japanese Governments, I have the honour to bring to your notice the following communication :

1. " The negotiations which have taken place at Paris between the delegates of these Governments, of the one part, and the delegates of the Austrian Federal Government, of the other part, with regard to the regime to be applied in future to Austrian civil aviation with a view to the execution of Article 144 of the Treaty of Saint-Germain-en-Laye have resulted in an Agreement on the following basis :

" The Austrian Federal Government shall apply the regulations given in detail in the attached Annexes and shall take the measures requisite to this end without delay. As soon as the Austrian Federal Government has put these measures into force, the Liquidation Board of the Military Commission of Control shall cease to perform the duties which it at present performs in regard to aeronautical matters.

" From that date, the provisions of Article 159 of the Treaty of Saint-Germain-en-Laye shall apply to the obligations mentioned above and in general to the obligations entered into by the Austrian Federal Government in air matters in pursuance of the Treaty of Saint-Germain-en-Laye.

" The registration lists shall be held at the disposal of the League of Nations in conformity with the conditions to be fixed by the latter in pursuance of Article 159.

" The notes exchanged at the conclusion of negotiations and their Annexes, together with the regulations enacted by the Austrian Federal Government, shall be communicated to the Council of the League of Nations, with a view to the application of Article 159 of the Treaty of Saint-Germain-en-Laye. "

2. I have the honour to inform you that the British, French, Italian and Japanese Governments approve these Agreements and that they hereby recognise that the application of the measures agreed upon will involve the abrogation of the provisions at present applied to ensure the execution of Article 144 of the Treaty of Saint-Germain-en-Laye.

Furthermore, it is, of course, understood that, in pursuance of Article 144 of that Treaty, the armed forces of Austria will not include any military or naval air forces.

We have the honour to be, etc.

A. H.

A. G.

R. M.

G. M.

C. M.

DOCUMENT B.

LETTER FROM THE AUSTRIAN MINISTER IN PARIS TO THE PRESIDENT OF THE CONFERENCE OF AMBASSADORS.

SIR,

I am instructed by my Government to forward to you the following communication :

1. " The negotiations which have taken place in Paris between the delegates of the Austrian Federal Government and the delegates of the British, French, Italian and Japanese Governments with regard to the regime to be applied in future to Austrian civil aviation with a view to the execution of Article 144 of the Treaty of Saint-Germain-en-Laye have resulted in an Agreement on the following basis :

" The Austrian Federal Government shall apply the regulations given in detail in the attached Annexes and shall take the measures requisite to this end without delay. As soon as the Austrian Federal Government has put these measures into force, the Liquidation Board of the Commission of Control shall cease to perform the duties which it at present performs in regard to aeronautical matters.

" From that date, the provisions of Article 159 of the Treaty of Saint-Germain-en-Laye, shall apply to the obligations mentioned above and in general to the obligations entered into by the Austrian Federal Government in air matters in pursuance of the Treaty of Saint-Germain-en-Laye.

" The registration lists shall be held at the disposal of the League of Nations in conformity with the conditions to be fixed by the latter in pursuance of Article 159.

" The notes exchanged at the conclusion of negotiations and their Annexes, together with the regulations enacted by the Austrian Federal Government, shall be communicated to the Council of the League of Nations with a view to the application of Article 159 of the Treaty of Saint-Germain-en-Laye. "

2. I am instructed by my Government to confirm the fact that, in pursuance of Article 144 of the Treaty of Saint-Germain-en-Laye, the armed forces of Austria will not include any military or naval air forces, and I have the honour to inform you that the Austrian Federal Government approves the Agreement referred to above and that it is prepared to execute the obligation which this Agreement imposes upon it.

It is further understood that the British, French, Italian and Japanese Governments recognise that the application of the measures agreed upon will involve the abrogation of the provisions at present applied to ensure the execution of Article 144 of the Treaty of Saint-Germain-en-Laye.

We have the honour to be, etc.

A. H.

A. G.

R. M.

G. M.

C. M.

DOCUMENT C.

ANNEX I (to Documents A and B).

MEASURES FOR ENSURING THE EXECUTION OF ARTICLE 144 OF THE TREATY
OF SAINT-GERMAIN-EN-LAYE.

I.

The Austrian Federal Government shall issue and put into force a Decree to the following effect :

1. No aircraft armoured or protected in any way whatsoever or equipped to receive any engine of war such as guns, machine-guns, torpedoes, bombs or parts for the sighting or discharge of those engines of war shall be built, maintained, imported or introduced in traffic.

2. Offences against Article 1 above shall be punished by a fine not exceeding 10,000 schillings and a term of imprisonment not exceeding three months, or by either of these penalties. The aircraft shall be seized and rendered useless.

3. The provisions of the Decrees of December 27th, 1926, and March 29th, 1927, for ensuring the execution of Articles 122 and 128 of the Treaty of Saint-Germain-en-Laye shall be applicable to any association offending against paragraph 1 above.

II.

The Austrian Federal Government shall see that Austrian civil aviation is kept within the limits of normal development both in regard to commercial aviation, which shall not be subsidised in excess of these requirements, and in regard to aircraft employed in flying schools, and, further, in regard to amateur aviation, subject to the limitations arising out of the following provisions.

III.

(a) The construction or importation of aircraft having the technical characteristics of modern fighting aeroplanes as regards dead weight, ratio of dead weight to engine power, seating accommodation, factor of safety, climbing speed, air speed and maximum attainable altitude shall be made dependent upon a special licence issued by the Austrian Federal Government.

(b) Such special licenses shall be issued to such aircraft exclusively for the purpose of taking part in international races or competitions, publicly announced, or of establishing records officially checked and for such preparation as may be necessary for taking part in the competitions. Such preparation shall not include practising in flying schools. The number of aircraft of this kind shall not exceed the number of civil aircraft of the same kind which are in use for these purposes in any other European country of similar size and population where amateur aviation is practiced.

(c) The number of air pilots who are licensed to fly these aircraft shall not exceed the requirements mentioned in paragraph (b) above.

IV.

The Austrian authorities shall not grant subsidies, either to associations or societies, or individuals who engage in amateur aviation, or whose main or subsidiary occupation consists in the elementary or advanced training of cadet pilots in amateur aviation, nor, in general, to persons who are engaged in flying, with the exception of the personnel employed by air lines or for the normal requirements of aircraft factories.

Such subsidies shall not be granted by other public administrative bodies which have public funds to administer, not excepting communal authorities.

Money prizes offered in flying competitions and appropriations made for the preparatory organisation of such competitions shall not, either as regards their amount or their number, bear the

character of subsidies. These prizes and appropriations shall be granted for officially recognised competitions only.

V.

(a) Training and instruction in flying which is of a military character or for a military purpose, contrary to the undertaking given under Article 177 of the Treaty of Saint-Germain, shall be prohibited.

(b) All public administrations and their staffs concerned with the organisation or administration of armed forces shall be prohibited from having any dealings for a military purpose in contravention of Article 144 of the Treaty of Saint-Germain in regard to aircraft of any category whatever. These provisions shall not, however, be applicable to such measures as may be necessary for anti-aircraft defence from the ground.

(c) 1. Members of the army may not, either individually or collectively, receive any instruction in or engage in any activities in connection with aviation in any form.

2. As an exceptional measure, members of the army may, at their own request, be authorised to fly or to learn to fly as private persons, but only in connection with amateur aviation and at their own expense. The Austrian authorities shall not grant them any special subsidies or special leave for the purpose.

It is to be understood that these exceptional authorisations shall, in conformity with paragraph (a) above, exclude all training in flying of a military character or for a military purpose.

Such authorisations may be granted up to a maximum of twelve. This maximum may only be reached in six years as from July 1st, 1927, with the proviso that not more than two authorisations may be granted each year.

When the maximum number of twelve has been reached, it may be maintained by the grant of fresh authorisations, not more than three being granted each year.

If the holder of any such authorisation ceases to be a member of the army, either through death or by retirement, a fresh authorisation may be issued at the beginning of the following year over and above the normal number for that year in place of the one which has lapsed.

A list of persons holding such authorisations shall be drawn up at the beginning of each year.

Members of the army who hold a pilot's licence issued before July 1st, 1927, may continue to act as pilots if they do not exceed the maximum number of six. These six pilots, who may be replaced and whose names shall appear on a special list, are not included in the number of pilots referred to in the above paragraph.

VI.

Lists shall be kept of :

- (a) All factories manufacturing aviation material ;
- (b) All aircraft or aero-engines completed or in process of construction, a separate list being kept of all aircraft or aero-engines intended for export ;
- (c) All air pilots and cadet pilots (air pilots qualified to fly aircraft of the kind specified under the heading III above shall be entered on a separate list) ;
- (d) All organisations which own air transport lines ;
- (e) All associations or companies or individuals engaged in aviation or using aircraft ;
- (f) All other owners of aircraft.

These lists shall always be kept up to date.

VII.

Aircraft without pilots are prohibited.

A. H.
R. M.
G. M.
C. M.

A. G.

DOCUMENT D.

ANNEX II (to Documents A and B).

PROVISIONS REGARDING POLICE.

The general provisions laid down in Article V, Sections (a), (b) and (c), paragraph 1, also apply to the police.

Nevertheless, as an exceptional measure, twelve police officers may be given aeronautical training and hold the pilot's certificate.

It is agreed that these pilots' certificates will not be issued to the police officers to enable them to engage in aviation, but solely to enable them to acquire the technical knowledge required for the efficient supervision of commercial aviation.

The twelve pilots' certificates thus issued may only be replaced when their holders retire from the police force or reach their forty-eighth year.

The twelve holders of these pilots' certificates shall be distributed among the different aerial ports.

The police may not possess aircraft.

A. H.

A. G.

R. M.

G. M.

C. M.

DOCUMENT E.

LETTER FROM THE AUSTRIAN MINISTER IN PARIS TO THE PRESIDENT
OF THE CONFERENCE OF AMBASSADORS.

SIR,

In accordance with the Agreement of to-day's date between the Conference of Ambassadors and the Austrian Federal Government to the effect that, as soon as the legislative provisions referred to in the said Agreement have been put into force, all types of aircraft which are prohibited under the terms of the said Agreement, all war machines which might be used for air armaments, may neither be manufactured in Austria, nor imported into Austria, nor exported from Austria.

It is understood, further, that the undertaking given by the Austrian Federal Government to keep Austrian aviation within the limits of normal development involves the storage only of detached portions of aircraft essential for the normal requirements of commercial aviation.

We have the honour to be, etc.

A. H.

A. G.

R. M.

G. M.

C. M.

ANNEX 1 TO THE PROTOCOL.

DECREE OF 1927 REGARDING THE CONSTRUCTION OF AIRCRAFT.

In virtue of the Protocol dated October 27th, 1927, published in the *Federal Legal Gazette (Bundesgesetzblatt)* No. . . . , and with a view to ensuring the application of Articles 122, 128 and 144 of the Treaty of Saint-Germain-en-Laye, it is hereby decreed as follows :

I.

No aircraft armoured or protected in any way whatsoever or equipped to receive any engine of war, such as guns, machine-guns, torpedoes, bombs or apparatus for tube sighting or discharge of these engines of war shall be built, maintained, imported or introduced in traffic.

2.

Any person contravening the provisions of paragraph 1 of the present Decree shall be punished by the local administrative authorities, or by the Federal authorities where the police are directly subject to the latter, by a fine not exceeding 10,000 schillings and by a term of imprisonment not exceeding three months or by one or other of these penalties.

3.

The aircraft referred to in paragraph 1 above shall be declared confiscate in accordance with criminal procedure. Aircraft so confiscated shall be rendered useless.

4.

Article 3 of Decree No. 379 of December 27th, 1926, for ensuring the execution of Article 128 of the Treaty of Saint-Germain-en-Laye, as amended by Decree No. 103 of March 29th, 1927, shall apply to any association contravening paragraph 1 of the present Decree.

A. H.

A. G.

R. M.

G. M.

C. M.

ANNEX 2 TO THE PROTOCOL.

DECREE OF 1927 REGARDING AIRCRAFT WITHOUT PILOTS AND AIRCRAFT WITH THE TECHNICAL CHARACTERISTICS OF MODERN FIGHTER AEROPLANES.

In virtue of the Protocol dated October 27th, 1927, published in the *Federal Legal Gazette (Bundesgesetzblatt)* No. . . . , and with a view to ensuring the application of Articles 122, 128 and 144 of the Treaty of Saint-Germain-en-Laye, it is hereby decreed as follows :

I.

Aircraft without pilots are prohibited.

2.

Aircraft possessing the technical characteristics of modern fighter aeroplanes in respect of dead weight, ratio of dead weight to engine power, arrangement of seats, factor of safety, climbing speed, air speed and maximum attainable altitude may only be constructed or imported with the consent of the Ministry of Commerce and Communications, which shall decide whether or not the requisite licences shall be granted.

3.

The aircraft mentioned in paragraph 2 may only be flown by pilots holding a special licence issued by the Ministry of Commerce and Communications.

4.

Flying schools are forbidden to carry out exercises with the aircraft described in paragraph 2.

5.

Infringements of paragraphs 1 to 4 of the present Decree shall be punished by the local administrative authorities, or by the Federal authorities where the police are directly subject to the latter, by a fine not exceeding 10,000 schillings and a term of imprisonment not exceeding three months or by one or other of these penalties.

6.

Aircraft of the kind described in paragraph 1 and of the kind described in paragraph 2, if constructed or imported without the necessary licence, shall be declared confiscate in accordance with the criminal procedure. Aircraft so confiscated shall be rendered useless.

A. H.

A. G.

R. M.

G. M.

C. M.

ANNEX 3 TO THE PROTOCOL.

DECREE OF 1927 REGARDING THE RESTRICTION OF AIR TRAINING.

In virtue of the Protocol dated October 27th, 1927, published in the *Federal Legal Gazette (Bundesgesetzblatt)* No. . . . , and with a view to ensuring the application of Articles 122, 128 and 144 of the Treaty of Saint-Germain-en-Laye, it is hereby decreed as follows :

1.

All air training of a military character or serving a purpose contrary to the undertaking contained in Article 144 of the Treaty of Saint-Germain-en-Laye is prohibited.

2.

Any person contravening the provisions of paragraph 1 of the present Decree shall be punished by the local administrative authorities, or by the Federal authorities where the police are directly

subject to the latter, by a fine not exceeding 10,000 schillings and by a term of imprisonment not exceeding three months or by one or other of these penalties.

3.

Article 3 of Decree No. 379 of December 27th, 1926, for ensuring the execution of Article 128 of the Treaty of Saint-Germain-en-Laye, as amended by Decree No. 103 of March 29th, 1927, shall apply to any association contravening paragraph 1 of the present Decree.

A. H.

A. G.

R. M.

G. M.

C. M.

ANNEX 4 TO THE PROTOCOL.

DECREE OF 1927 REGARDING THE KEEPING OF AVIATION LISTS.

In virtue of the Protocol dated October 27th, 1927, published in the *Federal Legal Gazette* (*Bundesgesetzblatt*) No....., and with a view to ensuring the application of Articles 122, 128 and 144 of the Treaty of Saint-Germain-en-Laye, it is hereby decreed as follows :

1.

Factories manufacturing aviation material must notify the fact to the Ministry of Commerce and Communications.

2.

Aircraft and aero-engines, whether completed or in process of construction, shall be entered in registers on the model given in Annex 1 to the present Decree.

3.

Every person who trains flying pupils must keep a list showing the names, occupations and residences of the pupils and the dates on which training began and ended.

4.

The manager of an aerodrome must keep lists showing the names, occupations and residences of all persons who have flown aircraft at the aerodrome.

5.

Associations, companies or individuals engaged in aviation or employing aircraft, as well as all other owners of aircraft, must notify the Ministry of Commerce and Communications.

The notification must contain :

- (1) Name, address or residence of the association, company or individual ;
- (2) Type and registration number of the aircraft.

6.

The notifications referred to in paragraphs 1 and 5 must be made before the end of the month following the month in which the case for notification arises.

Factories, associations, companies or individuals in whose case the conditions entailing notification are already fulfilled at the time when the present Decree comes into force must make such notification before the end of the month following the month in which the present Decree is promulgated.

7.

Copies of the lists in paragraphs 2, 3 and 4 must be submitted to the Ministry of Commerce and Communications twice yearly, on July 31st in respect of the first half-year and on January 31st in respect of the second half-year, starting from the end of the third month following the coming into force of the present Decree.

8.

Any person contravening paragraphs 1 to 7 of the present Decree shall be punished by the local administrative authorities, or by the Federal authorities where the police is directly subject to the latter, by a fine not exceeding 200 schillings and a term of imprisonment or one or other of these penalties.

A. H.

A. G.

R. M.

G. M.

C. M.

ANNEX 5 TO THE PROTOCOL.

LETTER FROM THE AUSTRIAN MINISTER IN PARIS TO THE PRESIDENT
OF THE CONFERENCE OF AMBASSADORS.

With reference to the exchange of letters of..... I am instructed by my Government to inform you that my Government has given an undertaking not to grant subsidies to any organisations, societies or individuals engaged in amateur flying, or whose main or subsidiary occupation consists in the elementary or advanced training of cadet pilots or pilots for amateur flying, nor in general to persons who are engaged in flying, with the exception of the personnel employed by commercial air lines or for the normal requirements of aircraft factories.

Such subsidies shall also not be granted by other public administrative bodies which have public funds at their disposal, not excluding municipal authorities.

My Government has further undertaken not to subsidise commercial aviation in excess of the requirements of normal development, and to take the necessary measures to ensure the fulfilment of the undertakings arising out of the third paragraph of Article IV of Annex 1 to letter No.....

A. H.

A. G. :

R. M.

G. M.

C. M.

ANNEX 6 TO THE PROTOCOL.

INSTRUCTIONS FOR ENSURING THE APPLICATION BY THE AUSTRIAN FEDERAL ARMY
OF THE PROVISIONS OF ARTICLE V OF DOCUMENT C.

(Annex I to Documents A and B.)

First Instruction.

All units (*Teile*) or members of the Federal Army are prohibited from maintaining any connection whatsoever with aviation in any form for a military purpose, in contravention of Article 144 of the Treaty of Saint-Germain-en-Laye. Nevertheless, the above prohibitions shall not apply to the necessary measures undertaken for ground anti-aircraft defence.

Members of the army may not, either individually or collectively, receive any instruction in or engage in any activities in connection with aviation in any form.

As an exceptional measure, members of the army may, at their own request, be authorised to fly or learn to fly aircraft, but only in connection with amateur aviation and at their own expense. The Austrian authorities shall not grant them any special subsidies or special leave for the purpose. Federal Decree No. prohibiting all training in flying of a military character or for a military purpose shall not be affected by such authorisations.

The grant of such authorisations shall be based on the following principles :

A.

The number of authorisations may not exceed twelve, this maximum being reached after six years as from January 1st, 1927, with the proviso that not more than two authorisations may be granted a year.

When the maximum number of twelve has been reached, it may be maintained by the grant of not more than three authorisations a year.

If the holder of any such authorisation ceases to be a member of the army, either through death or by retirement, a fresh authorisation may be issued at the beginning of the following year over and above the normal number for that year in place of the one which has lapsed.

At the beginning of each calendar year, the Federal Ministry of Defence shall draw up a list of members of the army holding such authorisations.

B.

Members of the army who hold a pilot's licence issued before July 1st, 1927, may continue to fly, if they do not exceed the maximum number of six. These six pilots, who may not be replaced and whose names are not included in the number of pilots referred to in paragraph A, shall be entered in a special list by the Federal Ministry of Defence.

Any offence against the above regulations committed by the holder of an authorisation or in his behalf shall entail the immediate cancellation of the authorisation granted.

The form in which requests for such authorisations are to be submitted shall be regulated by special instructions.

Second Instruction.

Members of the Federal Army who desire to practise amateur flying under the conditions laid down by Instruction No. must apply for authorisation to do so in writing to the Federal

Ministry of Defence. Applications must be submitted through their superior officers, and reach the Federal Ministry of Defence as soon as possible in respect of the year 1928, and in respect of subsequent years at the beginning of November of the preceding year.

In order to avoid the grant of such authorisations to persons physically unfit to engage in amateur flying, candidates must explicitly state in their applications that they have passed the medical examination for cadet pilots prescribed by the Federal Ministry of Commerce and Communications.

The names of members of the army allowed to engage in amateur flying shall be published at the beginning of each year in the *Army Gazette (Heeresverordnungsblatt)*. The names of the members of the army whose authorisations have expired or been withdrawn shall similarly be published.

A. H.	A. G.
R. M.	
G. M.	
C. M.	

ANNEX 7 TO THE PROTOCOL.

DRAFT INSTRUCTIONS FOR ENSURING THE APPLICATION BY THE AUSTRIAN POLICE OF THE PROVISIONS OF DOCUMENT D.

(Annex II to Documents A and B.)

To { Office of the Provincial Government (*Landesregierung*) of
Police Headquarters, Vienna.

In virtue of it is hereby decreed as follows :

Police authorities, as well as their personnel, are prohibited from maintaining any connection whatsoever with aviation in any form for a military purpose in contravention of Article 144 of the Treaty of Saint-Germain-en-Laye. Members of the police force may not, either individually or collectively, receive any instruction in or engage in any activities in connection with aviation in any form.

As an exceptional measure, twelve police officials may receive instruction in aviation and be given pilots' licences.

Nevertheless, such licences shall not be issued in order to enable the police officials to engage in aviation, but solely to enable them to acquire the technical knowledge required for the efficient supervision of commercial aviation.

The twelve licences thus issued may not be renewed until their holders cease to be members of the police or attain the age of forty-eight.

The police officials holding pilots' licences shall be distributed among the different air ports. It is clearly understood that police organisations may not possess any aircraft.

A. H.	A. G.
R. M.	
G. M.	
C. M.	

II.

COPY OF DOCUMENTS SUBSEQUENTLY DRAWN UP ON THEIR RESPECTIVE DATES
IN EXECUTION OF THE PROTOCOL.

DOCUMENT A.

LETTER FROM THE PRESIDENT OF THE CONFERENCE OF AMBASSADORS
TO THE AUSTRIAN MINISTER IN PARIS.PARIS, *February* 18th, 1929.

SIR,

On behalf of the British, French, Italian and Japanese Governments, I have the honour to bring to your notice the following communication :

1. " The negotiations which have taken place at Paris between the delegates of these Governments and the delegates of the Austrian Federal Government with regard to the regime to be applied in future to Austrian civil aviation with a view to the execution of Article 144 of the Treaty of Saint-Germain-en-Laye have resulted in an Agreement on the following basis :

" The Austrian Federal Government shall apply the regulations given in detail in the attached Annexes and shall take the measures requisite to this end without delay.

" As soon as the Austrian Federal Government has put these measures into force, the Liquidation Board of the Military Commission of Control shall cease to perform its present duties in air matters.

" From that date, the provisions of Article 159 of the Treaty of Saint-Germain-en-Laye shall apply to the obligations mentioned above and in general to the obligations entered into by the Austrian Federal Government in air matters in pursuance of the aforesaid Treaty.

" The registration lists shall be held at the disposal of the League of Nations in conformity with the conditions to be fixed by the latter in pursuance of Article 159.

" The notes exchanged at the conclusion of negotiations and their Annexes, together with the regulations enacted by the Austrian Federal Government, shall be communicated to the Council of the League of Nations, with a view to the application of Article 159 of the Treaty of Saint-Germain-en-Laye."

2. I have the honour to inform you that the British, French, Italian and Japanese Governments approve this Agreement and that they hereby recognise that the application of the measures agreed upon will involve the abrogation of the provisions at present applied to ensure the execution of Article 144 of the Treaty of Saint-Germain-en-Laye. Furthermore, it is of course understood that, in pursuance of Article 144 of that Treaty, the armed forces of Austria will not include any military or naval air forces.

I have the honour to be, etc.

(Signed) Jules CAMBON.

DOCUMENT B.

LETTER FROM THE AUSTRIAN MINISTER IN PARIS
TO THE PRESIDENT OF THE CONFERENCE OF AMBASSADORS.PARIS, *February* 18th, 1929.

SIR,

I am instructed by my Government to bring to your notice the following communication :

1. " The negotiations which have taken place in Paris between the delegates of my Government and the delegates of the British, French, Italian and Japanese Governments

with regard to the regime to be applied in future to Austrian civil aviation with a view to the execution of Article 144 of the Treaty of Saint-Germain-en-Laye have resulted in an Agreement on the following basis :

“ The Austrian Federal Government shall apply the regulations given in detail in the Annexes and shall take the measures requisite to this end without delay.

“ As soon as the Austrian Federal Government has put these measure into force, the Liquidation Board of the Military Commission of Control shall cease to perform its present duties in air matters.

“ From that date, the provisions of Article 159 of the Treaty of Saint-Germain-en-Laye shall apply to the obligations mentioned above and in general to the obligations entered into by the Austrian Federal Government in air matters in pursuance of the aforesaid Treaty.

“ The registration lists shall be held at the disposal of the League of Nations in conformity with the conditions to be fixed by the latter in pursuance of Article 159.

“ The notes exchanged at the conclusion of negotiations and their Annexes, together with the regulations enacted by the Austrian Federal Government, shall be communicated to the Council of the League of Nations, with a view to the application of Article 159 of the Treaty of Saint-Germain-en-Laye.”

2. I am instructed by my Government to confirm the fact that, in pursuance of Article 144 of the Treaty of Saint-Germain-en-Laye, the armed forces of Austria will not include any military or naval air forces, and I have the honour to inform you that the Austrian Federal Government approves the Agreement referred to above and that it is prepared to execute the obligation which this Agreement imposes upon it.

It is further understood that the British, French, Italian and Japanese Governments recognise that the application of the measures agreed upon will involve the abrogation of the provisions hitherto applied to ensure the execution of Article 144 of the Treaty of Saint-Germain-en-Laye.

I have the honour to be, etc.

(Signed) GRUNBERGER,
Austrian Minister.

DOCUMENT C.

ANNEX I (to Documents A and B).

MEASURES FOR ENSURING THE EXECUTION OF ARTICLE 144 OF THE TREATY OF SAINT-GERMAIN-EN-LAYE.

I.

The Austrian Federal Government shall issue and put into force a Decree to the following effect :

(1) No aircraft armoured or protected in any way whatsoever or equipped to receive any engine of war such as guns, machine-guns, torpedoes, bombs or apparatus for the sighting or discharge of those engines of war shall be built, maintained, imported or introduced in traffic.

(2) Any infringement of paragraph 1 above shall be punishable by a fine not exceeding 10,000 schillings and by a term of imprisonment not exceeding three months, or by the one or other of these penalties. The aircraft shall be seized and rendered useless.

(3) The provisions of the Decrees of December 27th, 1926, and March 29th, 1927, for ensuring the execution of Articles 122 and 128 of the Treaty of Saint-Germain-en-Laye shall be applicable to any association offending against paragraph 1 above.

II.

The Austrian Federal Government shall see that Austrian civil aviation is kept within the limits of normal development both in regard to commercial aviation, which shall not be subsidised in excess of these requirements, and in regard to aircraft employed in flying schools, and, further, in regard to amateur aviation, subject to the limitations arising out of the following provisions.

III.

(a) The construction or import of aircraft having the technical characteristics of modern fighting aeroplanes as regards dead weight, ratio of dead weight to engine power, arrangement of seats, factor of safety, climbing speed, air speed and maximum attainable altitude shall be made dependent upon a special licence issued by the Austrian Federal Government.

(b) These licences shall be issued to such aircraft exclusively for the purpose of taking part in international races or competitions, publicly announced, or of establishing records officially checked and for such preparation as may be necessary for taking part in the competitions. Such preparation shall not include practising in flying schools. The number of aircraft of this kind shall not exceed the number of civil aircraft of the same kind which are in use for the purpose in any other European country of similar size and population where amateur aviation is practised.

(c) The number of air pilots who are licensed to fly these aircraft shall not exceed the requirements mentioned in paragraph (b) above.

IV.

The Austrian authorities shall not grant subsidies, either to associations or societies or individuals who devote themselves to amateur aviation, or whose main or subsidiary occupation consists in the elementary or advanced training of cadet pilots or pilots in amateur aviation, nor, in general, to persons who are engaged in flying, with the exception of the personnel employed by air lines or for the normal requirements of aircraft factories.

Such subsidies shall not be granted by other public administrative bodies which have public funds to administer, not excepting municipal authorities.

Money prizes offered in flying competitions and appropriations made for the preparatory organisation of such competitions shall not, either as regards their amount or their number, bear the character of subsidies. These prizes and appropriations shall be granted for officially recognised competitions only.

V.

(a) Training and instruction in flying which is of a military character or for a military purpose contrary to the undertaking given under Article 144 of the Treaty of Saint-Germain-en-Laye shall be prohibited.

(b) All public administrations and their staff concerned with the organisation or administration of armed forces shall be prohibited from having any connection with any form of aviation for a military purpose in contravention of Article 144 of the Treaty of Saint-Germain-en-Laye. These provisions shall not, however, be applicable to such measures as may be necessary for anti-aircraft defence from the ground.

(c) 1. Members of the army may not, either individually or collectively, receive any instruction in or engage in any activities in connection with aviation in any form.

2. As an exceptional measure, members of the army may, at their own request, be authorised to fly or to learn to fly as private persons, but only in connection with amateur aviation and at their own expense. The Austrian authorities shall not grant them any special subsidies or special leave for the purpose.

It is to be understood that these exceptional authorisations shall, in conformity with paragraph (a) above, exclude all training in flying of a military character or for a military purpose.

Such authorisations may be granted up to a maximum of twelve. This maximum may only be reached in six years as from July 1st, 1927, with the proviso that not more than two authorisations may be granted each year.

When the maximum number of twelve has been reached, it may be maintained by the grant of fresh authorisations, not more than three being granted each year.

If the holder of any such authorisation ceases to be a member of the army, either through death or by retirement, a fresh authorisation may be issued at the beginning of the following year over and above the normal number for that year in place of the one which has lapsed.

A list of persons holding such authorisations shall be drawn up at the beginning of each year.

Members of the army who hold a pilot's licence issued before July 1st, 1927, may continue to act as pilots if they do not exceed the maximum number of six. These six pilots, who may not be replaced and whose names shall appear on a special list, are not included in the number of pilots referred to in the above paragraphs.

VI.

Lists shall be kept of :

- (a) All factories manufacturing aviation material ;
- (b) All aircraft or aero-engines completed or in process of construction, a separate list being kept of all aircraft or aero-engines intended for export ;
- (c) All air pilots and cadet pilots (air pilots qualified to fly aircraft of the kind specified under Article III above shall be entered on a separate list) ;
- (d) All organisations which own air transport lines ;
- (e) All associations or companies or individuals engaged in aviation or using aircraft ;
- (f) All other owners of aircraft.

These lists shall always be kept up to date.

VII.

Aircraft without pilots are prohibited.

DOCUMENT D.

ANNEX II (to Documents A and B).

PROVISIONS REGARDING THE POLICE.

The general provisions laid down in Article V, Sections (a), (b) and (c), paragraph 1, also apply to the police.

Nevertheless, as an exceptional measure, twelve police officers may be given aeronautical training and hold a pilot's certificate.

It is agreed that pilots' certificates will not be issued to police officers to enable them to engage in aviation, but solely to enable them to acquire the technical knowledge required for the efficient supervision of commercial aviation.

The twelve pilots' certificates thus issued may only be replaced when their holders cease to be members of the police force or reach their forty-eighth year.

The twelve holders of these pilot's certificates shall be distributed among the different air ports.

Police organisations may not possess aircraft.

DOCUMENT E.

LETTER FROM THE AUSTRIAN MINISTER IN PARIS
TO THE PRESIDENT OF THE CONFERENCE OF AMBASSADORS.⁷PARIS, *February* 18th, 1929.

SIR,

In accordance with the Agreement of to-day's date between the Conference of Ambassadors and the Austrian Federal Government to the effect that, as soon as the legislative provisions referred to in the said Agreement have been put into force, all types of aircraft which are prohibited under the said Agreement, all war machines which might be used for air armaments, may neither be manufactured in Austria, nor imported into Austria, nor exported from Austria.

It is understood, further, that the undertaking given by the Austrian Federal Government to keep Austrian aviation within the limits of normal development involves the storage only of component parts of aircraft essential for the normal requirements of commercial aviation.

I have the honour to be, etc.

(Signed) GRUNBERGER,
Austrian Minister.

ANNEX 1 TO THE PROTOCOL.

DECREE NO. 317 DATED SEPTEMBER 30TH, 1929, REGARDING THE CONSTRUCTION OF AIRCRAFT.

In virtue of the Protocol dated October 27th, 1929, published in the *Federal Legal Gazette* No. . . . and with a view to ensuring the execution of Articles 122, 128 and 144 of the Treaty of Saint-Germain-en-Laye, it is hereby decreed as follows :

1.

No aircraft armoured or protected in any way whatsoever or equipped to receive any engines of war such as guns, machine-guns, torpedoes, bombs or apparatus for the sighting or discharge of these engines of war shall be built, maintained, imported or introduced in traffic.

2.

Offences against paragraph 1 above shall be punished, by the local administrative authorities, or by the Federal authorities where the police are directly subject to the latter, by a fine not exceeding 10,000 schillings and a term of imprisonment not exceeding three months or by one or other of these penalties.

3.

Aircraft of the kind referred to in paragraph 1 above shall be declared confiscate in accordance with the penal procedure and shall be rendered useless.

4.

Article 3 of Decree No. 379 dated December 27th, 1926, to secure the execution of Article 128 of the Treaty of Saint-Germain-en-Laye, as amended by Decree No. 103 dated March 29th, 1927, shall be applicable to any association offending against paragraph 1 above.

ANNEX 2 TO THE PROTOCOL.

DECREE No. 318 DATED SEPTEMBER 30TH, 1929, REGARDING AIRCRAFT WITHOUT PILOTS AND AIRCRAFT WITH THE TECHNICAL CHARACTERISTICS OF MODERN FIGHTER AEROPLANES.

In virtue of the Protocol dated October 27th, 1927, published in the *Federal Legal Gazette* No. . . . and with a view to ensuring the execution of Articles 122, 128 and 144 of the Treaty of Saint-Germain-en-Laye, it is hereby decreed as follows :

1.

Aircraft without pilots are prohibited.

2.

Aircraft possessing the technical characteristics of modern fighter aeroplanes in respect of dead weight, ratio of dead weight to engine power, seating accommodation, factor of safety, climbing speed, air speed and maximum attainable altitude may only be constructed or imported with the consent of the Ministry of Commerce and Communications, which shall decide whether the necessary licences shall or shall not be granted.

3.

The aircraft mentioned in paragraph 2 may only be flown by pilots holding a special licence issued by the Ministry of Commerce and Communications.

4.

Flying schools are forbidden to carry out exercises with the aircraft described in paragraph 2.

5.

Offences against paragraphs 1 to 4 of the present Decree shall be punished by the local administrative authorities, or by the Federal authorities where the police are directly subject to the latter, by a fine not exceeding 10,000 schillings and a term of imprisonment not exceeding three months or by the one or other of these penalties.

6.

Aircraft of the kind described in paragraph 1 and of the kind described in paragraph 2, if constructed or imported without the necessary licence, shall be declared confiscate in accordance with the penal procedure and shall be rendered useless.

ANNEX 3 TO THE PROTOCOL.

DECREE NO. 319 DATED SEPTEMBER 30TH, 1929, REGARDING THE RESTRICTION
OF AIR TRAINING.

In virtue of the Protocol dated October 27th, 1927, published in the *Federal Legal Gazette* No. . . . and with a view to ensuring the execution of Articles 122, 128 and 144 of the Treaty of Saint-Germain-en-Laye, it is hereby decreed as follows :

1.

All air training of a military character or serving a purpose contrary to the undertaking contained in Article 144 of the Treaty of Saint-Germain-en-Laye is prohibited.

2.

Any person contravening the provisions of paragraph 1 of the present Decree shall be punished by the local administrative authorities, or by the Federal authorities where the police are directly subject to the latter, by a fine not exceeding 10,000 schillings and a term of imprisonment not exceeding three months of by one or other of these penalties.

3.

Article 3 of Decree No. 379 dated December 27th, 1926, to ensure the execution of Article 128 of the Treaty of Saint-Germain-en-Laye, as amended by Decree No. 103 dated March 29th, 1927, shall be applicable to any association offending against paragraph 1 above.

ANNEX 4 TO THE PROTOCOL.

DECREE NO. 320 DATED SEPTEMBER 30TH, 1929, REGARDING THE KEEPING
OF AVIATION REGISTRATION LISTS.

In virtue of the Protocol dated October 27th, 1927, published in the *Federal Legal Gazette* No. . . . and with a view to ensuring the execution of Articles 122, 128 and 144 of the Treaty of Saint-Germain-en-Laye, it is hereby decreed as follows :

1.

Factories manufacturing aviation material must notify the fact to the Ministry of Commerce and Communications.

2.

Aircraft and aero-engines, whether completed or in process of construction, shall be entered in registers on the model given in Annex 1 to the present Decree.

3.

Every person who trains flying pupils must keep a list showing the names, occupations and residences of the pupils and the dates on which training began and ended.

4.

The manager of an aerodrome must keep lists showing the names, occupations and residences of those persons who have piloted aircraft at that aerodrome.

5.

Associations, companies or individuals engaged in aviation or employing aircraft, as well as all other owners of aircraft, must notify the Ministry of Commerce and Communications.

The notifications must contain :

- (1) Name, address or residence of the association, company or individual ;
- (2) Type and registration number of the aircraft.

6.

The notifications referred to in paragraphs 1 and 5 must be made before the end of the month following the month in which the case for notification arises.

Factories, associations, companies or individuals in respect of whom notification is already due at the time when the present Decree comes into force, must make such notification before the end of the month following the month in which the present Decree is promulgated.

7.

Copies of the lists mentioned in paragraphs 2, 3 and 4 must be submitted to the Ministry of Commerce and Communications twice yearly, on July 31st in respect of the first half year, and on January 31st in respect of the second half year, starting from the end of the third month following the coming into force of the present Decree.

8.

Any person contravening the provisions of paragraphs 1 to 7 of the present Decree shall be punished by the local administrative authorities, or by the Federal authorities where the police are directly subject to the latter, by a fine not exceeding 200 schillings and a term of imprisonment, or by one or other of these penalties.

ANNEX 5 TO THE PROTOCOL.

859/3.

LETTER FROM THE AUSTRIAN MINISTER IN PARIS TO THE PRESIDENT
OF THE CONFERENCE OF AMBASSADORS.*March 1st, 1929.*

SIR,

With reference to the exchange of Notes on February 18th, 1929, I am instructed by my Government to inform you that it has given an undertaking not to grant subsidies to any organisations, associations or individuals engaged in amateur flying, or whose main or subsidiary occupation consists in the training or instruction of cadet pilots, or pilots for amateur flying, nor in general to the personnel employed by commercial air lines, or for the normal requirements of aircraft factories.

Neither may such subsidies be granted by any public administrative bodies which have public funds to administer, not excluding municipal authorities.

My Government has further undertaken not to subsidise commercial aviation in excess of the requirements of normal development and to take the necessary measures to ensure the fulfilment of the undertakings arising out of the third paragraph of Article IV, Annex I to Letter 859/I, dated February 18th, 1929.

I have the honour, etc.

GRUNBERGER.

ANNEX 6 TO THE PROTOCOL.

INSTRUCTIONS TO ENSURE THE APPLICATION IN THE AUSTRIAN FEDERAL ARMY OF THE PROVISIONS OF ARTICLE V OF DOCUMENT C (Annex I to Documents A and B).

April 27th, 1929.

First Instruction.

All units (*Teile*) or members of the Federal Army are prohibited from maintaining any connection whatsoever with aviation of whatever category for a military purpose in contravention of Article 144 of the Treaty of Saint-Germain-en-Laye. Nevertheless, the above prohibition shall not apply to the necessary measures undertaken for ground anti-aircraft defence.

Members of the army may not be trained or take part in aviation of any category whatever, whether individually or collectively.

As an exceptional measure, members of the army may, at their own request, be authorised to fly or to learn to fly aircraft, but only in connection with amateur aviation and at their own expense. The Austrian authorities shall not grant them any special subsidies or special leave for the purpose.

Federal Decree No. prohibiting all training in flying of a military character or for a military purpose shall not be affected by such authorisations.

The grant of such authorisations shall be based on the following principles :

A.

The number of authorisations may not exceed twelve, this maximum to be reached after six years as from July 1st, 1927, and at the rate of two authorisations each year.

When the maximum number of twelve has been reached, it may be maintained by the grant of not more than three authorisations each year.

If the holder of any such authorisation ceases to be a member of the army, either through death or by retirement, a fresh authorisation may be issued at the beginning of the following year over and above the normal number for that year in place of the one which has lapsed.

The Federal Ministry of Defence shall draw up at the beginning of each calendar year a list of members of the army holding such authorisations.

B.

Members of the army who hold a pilot's licence issued before July 1st, 1927, may continue to practise flying if they do not exceed the maximum number of six. The names of these six pilots, who may not be replaced, and who are not included in the number of pilots referred to in paragraph A, shall be entered in a special list drawn up by the Federal Ministry of Defence.

Any infringement of the foregoing provisions committed by the holder of the authorisation or on his behalf shall entail the immediate cancellation of the authorisation.

The form in which requests for such authorisations are to be submitted shall be regulated by special instructions.

Second Instruction.

Members of the Federal Army desirous of practising amateur flying under the conditions laid down in instruction No. 20 599 must apply in writing for an authorisation to the Federal Ministry of Defence. Applications must be submitted through their superior officers and must reach the said Department in respect of the year 1928 as soon as possible and in respect of the following years at the beginning of November of the preceding year.

In order to avoid the grant of such authorisations to persons physically unfit to engage in amateur flying, candidates must explicitly state in their applications that they have passed the medical examination for cadet pilots prescribed by the Federal Ministry of Commerce and Communications.

The names of the members of the army allowed to engage in amateur flying shall be published at the beginning of each year in the *Army Gazette (Heeresverordnungsblatt)*. The names of members of the army whose authorisations have expired or been withdrawn shall similarly be published therein.

ANNEX 7 TO THE PROTOCOL.

No. 128577/8.

DRAFT INSTRUCTIONS FOR ENSURING THE APPLICATION BY THE AUSTRIAN POLICE OF THE PROVISIONS OF DOCUMENT D (Annex to Documents A and B).

March 20th, 1930.

To { Office of the Provincial Government (*Landesregierung*) of
 { The Police Headquarters, Vienna.

In virtue of it is hereby decreed as follows :

Police authorities as well as their personnel are prohibited from maintaining any connection whatsoever with aviation of whatever category for a military purpose in contravention of Article 144 of the Treaty of Saint-Germain-en-Laye. Members of the police force may not, either individually or collectively, receive any instruction in or engage in any activities in connection with aviation in any form.

As an exceptional measure, twelve police officials may receive instruction in aviation and be granted pilots' licences.

Nevertheless, such licences shall not be issued to enable the police officials to engage in aviation, but solely to enable them to acquire the technical knowledge required for the efficient supervision of commercial aviation.

The twelve licences thus issued may not be renewed until their holders cease to be members of the police force or attain the age of forty-eight.

The police officials holding a pilot's licence shall be distributed among the different air ports. Lastly, it is clearly understood that police organisations may not possess any aircraft.