

TIGHT BINDING.

Members of the British Commonwealth represented at the Hague Conference of 1930 signed the Nationality Convention there concluded. Since 1930 legislation on the lines recommended in the Hague Convention has been passed in the United Kingdom, Canada, the Commonwealth of Australia, and New Zealand, and the introduction of similar legislation in the Union of South Africa is contemplated.

The Australian and New Zealand Delegations in opening the discussion called attention to the further legislation recently passed in the Commonwealth of Australia and New Zealand which does not affect the common status of British subjects but under which a woman who prior to her marriage was a British subject but ceased to be a British subject by reason of her marriage to an alien may retain within the Commonwealth of Australia or New Zealand respectively the political and other rights and liabilities of a British subject.

A full discussion took place on the various aspects of the whole question, including:—

(a) the enactment of legislation to provide that the nationality of married women should not necessarily be dependent on that of their husbands,

(b) the possibility of securing reciprocal arrangements on the basis of the general adoption of legislation on the lines of the Australian and New Zealand legislation referred to in the second paragraph of this part of this report, and

(c) the state of the law in countries outside the British Commonwealth.

It was not found possible to arrive at an agreement in favour of any change in the existing law. While therefore the Committee was unable to put forward any recommendations, it was assumed that the matter would be the subject of further consideration by and consultation between the respective Governments.

XV.—CIVIL AVIATION.

Questions concerning civil air communications were referred to a Committee under the Chairmanship of the Hon. Sir Archdale Parkhill, K.C.M.G., M.P., Minister for Defence, Commonwealth of Australia.

The Committee discussed the prospect of establishing a British Commonwealth chain of air communications inter-connecting all parts of the Empire, and the methods of co-operation which might be adopted by Members of the British Commonwealth with this aim in view.

The Committee arranged that the proposed air services across the Tasman Sea and Pacific Ocean should be discussed by representatives of the Delegations concerned.

On the recommendation of the Committee, the Conference adopted the following Resolution:—

(i) Appreciating the many benefits, direct and indirect, immediate and potential, to be secured by nations possessing substantial and extensive civil aviation enterprises, the Conference is unanimous in its approval of the Members of the British Commonwealth of Nations pursuing a vigorous policy in regard to their air services, embracing expansion within each of their territories and interconnection between Members.

(ii) In order to promote arrangements whereby air lines of the Members of the British Commonwealth of Nations will link them together, the Conference affirms the willingness of the countries represented to co-operate with each other to the greatest possible extent.

(iii) In emphasising the importance of continued co-operation in the development of air services connecting the territories of the various Members, the Conference recognises that the most effective method of co-operation and efficient organisation can best be settled by the Governments concerned in each particular case as it arises, but any method should recognise, where desired by a Government, local control not only over services operating within its own territory but also, by agreement with the other Governments concerned, in adjacent areas in which it is particularly interested.

(iv) It is agreed that, whenever an application received by one Member for facilities for foreign air services is likely to affect another Member, there should be consultation between the respective Governments concerned before facilities are granted; and if an agreement has been reached between the Commonwealth Governments concerned as to the service to be required in return for such facilities, the Commonwealth Government to whom the foreign application has been made will use its best endeavours to secure the reciprocal facilities agreed upon.

(v) The Conference notes with approval the practice followed by Nations of the Commonwealth whereby, when operational rights are granted to a foreign air line, the concession expressly provides for reciprocal rights as and when desired; and suggests for consideration the desirability of including in such concessions a general safeguard of the right of the Government, at its option, to take over the ground organisation within its territory on suitable terms.

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