

EXCHANGE OF NOTES BETWEEN CANADA AND THE UNITED STATES  
OF AMERICA CONSTITUTING AN UNDERSTANDING RELAT-  
ING TO CIVIL AVIATION AT THE LEASED BASES IN NEW-  
FOUNDLAND

I

*The United States Ambassador  
to the Secretary of State for External Affairs*

AMERICAN EMBASSY

OTTAWA, Canada, June 4, 1949.

No. 134

EXCELLENCY:

I have the honor to refer to the Agreement (hereinafter referred to as "Bases Agreement") made on March 27, 1941, between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland, \*and to related documents providing for the lease to the United States of certain areas in the Western Hemisphere upon the terms and conditions set out in the Bases Agreement.

Article XI (5) of the Bases Agreement provides that "commercial aircraft will not be authorized to operate from any of the Bases (save in case of emergency or for strictly military purposes under the supervision of the War or Navy Departments) except by agreement between the United States and the Government of the United Kingdom; provided that in the case of Newfoundland, such agreement shall be between the United States and the Government of Newfoundland".

As a result of the Union which became effective on April 1, 1949, the Government of Canada has replaced the Government of Newfoundland in the making of laws for certain purposes including the regulation of civil aviation.

In the circumstances I have the honor to propose that an Agreement providing for the use by civil aircraft of the United States military air Bases at Stephenville and Argentia be entered into as follows:

ARTICLE I

The air Base at Stephenville shall be available for use in lieu of Gander Airfield for civil aircraft engaged in international civil aviation and otherwise authorized by the Government of Canada to use Gander Airfield for traffic or non-traffic stops

- (a) at such times as the responsible Canadian authorities at Gander shall determine that operational conditions do not permit the landing or take-off of such civil aircraft under regular operating practices at Gander Airfield or

\* For the text of this Agreement, see *Canada Treaty Series, 1941, No. 2.*