

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
- (b) at such time as the operating minima established by the country of registry of such aircraft do not permit the use of Gander Airfield in accordance with regular operating practices;

provided that the country of registry of such aircraft maintains satisfactory civil aviation relations with the United States and Canada.

ARTICLE II

The Air Base at Stephenville may be used by civil aircraft of Canadian nationality engaged in domestic air services within Canada.

ARTICLE III

The Air Base at Argentia may be used as an alternate by civil aircraft of Canadian nationality engaged in domestic scheduled air services within Canada at such times as the operating minima established by the Government of Canada for the civil use of the airport at Torbay do not permit the use of Torbay Airfield by such aircraft.

ARTICLE IV

In the light of the military nature of the air Bases at Stephenville and Argentia the two Contracting Parties agree that the exercise of the rights granted by this Agreement shall be subject to such non-discriminatory rules, regulations and practices (including the right to limit or suspend civil air operations, or to impose conditions or restrictions of a continuing or temporary nature) with respect to the control of civil aviation as may be established by the National Military Establishment of the United States of America, or any