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EXCHANGE OF NOTES (SEPTEMBER 1 AND 2, 1944) BETWEEN CANADA AND THE UNITED STATES OF AMERICA RECORDING CANADA'S PERMISSION TO PAN AMERICAN AIRWAYS INCORPORATED TO FLY INTO, THROUGH AND AWAY FROM CANADA AND TO USE THE AIRPORT AT BOTWOOD (NEWFOUNDLAND) IN CONNECTION WITH THE OPERATION OF ITS ATLANTIC SERVICES

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

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, September 1, 1944.

No. 93

EXCELLENCY,

I have the honour to inform you that at the request of the United States Government and in order to assist in the effective prosecution of the war, the Government of Canada, in so far as it is concerned, grants permission to Pan American Airways, Incorporated, in connection with the operation of its Atlantic services, to fly into, through and away from Canada and, subject to the consent of the Newfoundland Government, to use the airport at Botwood which is under Canadian operational control, for the purpose of conducting a civil air transport service, for the period of the present hostilities, in both directions between New York, Shediac, Botwood and Foynes for the carriage of passengers, goods and mail between these places with such number of frequencies as are necessary in the prosecution of the war.

These permissions are granted on the understanding that:

(i) In view of the emergency nature of these operations, and taking full cognizance thereof, the Canadian Government understands that the points to be served on these operations may be served in whatever order and omitting such points as may be necessary from time to time; and that whenever necessary in the war effort additional non-Canadian points may be added, but in such event the Canadian Government shall be informed thereof as early as practicable.

(ii) Aircraft flying over Canadian territory shall comply with the Defence Air Regulations, 1942, and shall be subject to such other restrictions as it may be necessary to impose as a result of military operations.

(iii) In the event that any part of the route becomes an area of active warfare the Canadian Government reserves the right to reconsider the conditions on which the permit is granted.

(iv) The aircraft of Pan American Airways shall conform with existing arrangements for contraband, censorship and passenger control or such modifications of them as may from time to time be made.

(v) The permissions may be withdrawn at any time on six months' notice.

(vi) The rights granted to Pan American Airways Company under the permit issued on February 10, 1937, and reissued on December 2, 1941, to Pan American Airways Incorporated, are not in any way prejudiced by the grant of these temporary permissions since these temporary permissions are supplementary to and separate and apart from the rights therein conferred.