

# EXCHANGE OF NOTES

(July 28, 1938)

## RECORDING AN AGREEMENT

BETWEEN

## CANADA AND THE UNITED STATES OF AMERICA

RELATING TO

## THE ISSUANCE OF CERTIFICATES OF COMPETENCY OR LICENCES FOR THE PILOTING OF CIVIL AIRCRAFT

IN FORCE AUGUST 1, 1938



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J. O. PATENAUDE, I.S.O.

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ARTICLE IV  
subject to the provisions of Article 1 and 2 pilot certificates of competency or licences issued by the competent United States authorities to nationals of Canada shall entitle them to the same privileges in the matter of piloting of civil aircraft as those granted to nationals of the United States.

**EXCHANGE OF NOTES (JULY 28, 1938) RECORDING AN AGREEMENT BETWEEN CANADA AND THE UNITED STATES OF AMERICA RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPETENCY OR LICENCES FOR THE PILOTING OF CIVIL AIRCRAFT**

*From the United States Secretary of State to the Canadian Minister to the United States*

July 28, 1938.

SIR,—I have the honour to refer to negotiations which have recently taken place between the Government of the United States of America and the Government of Canada for the conclusion of a reciprocal arrangement for the issuance by each country of certificates of competency or licences to nationals of the other country for the piloting of civil aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that the arrangement shall be as follows:

**ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND CANADA RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPETENCY OR LICENCES FOR THE PILOTING OF CIVIL AIRCRAFT.**

**ARTICLE I**

(a) The present arrangement between the United States of America and Canada relates to the issuance by the competent authorities of each country of pilot certificates of competency or licences to nationals of the other country for the piloting of civil aircraft.

(b) The term "civil aircraft" shall for the purpose of this arrangement be understood to mean all aircraft other than military, naval, customs and police aircraft.

(c) Either country issuing certificates of competency or licences to nationals of the other country for the piloting of civil aircraft, as defined in the preceding paragraph, reserves, however, the right to limit such issuance to the operation of civil aircraft for noncommercial purposes.

**ARTICLE II**

Pursuant to the provisions of Article 1, the competent United States authorities will issue pilot certificates of competency or licences to nationals of Canada, upon a showing that they are qualified under the regulations of the United States covering the issuance of such certificates or licences.

**ARTICLE III**

Pursuant to the provisions of Article 1, the competent Canadian authorities will issue pilot certificates of competency or licences to nationals of the United States, upon a showing that they are qualified under the regulations of Canada covering the issuance of such certificates or licences.

## ARTICLE IV

Subject to the provisions of Articles 1 and 2, pilot certificates of competency or licences issued by the competent United States authorities to nationals of Canada shall entitle them to the same privileges in the matter of air pilotage as are granted by pilot certificates of competency or licences issued to nationals of the United States.

## ARTICLE V

Subject to the provisions of Articles 1 and 3, pilot certificates of competency or licences issued by the competent Canadian authorities to nationals of the United States shall entitle them to the same privileges in the matter of air pilotage as are granted by pilot certificates of competency or licences issued to nationals of Canada.

## ARTICLE VI

(a) The present arrangement shall be subject to termination by either Government upon sixty days' notice given in writing to the other Government.

(b) On the date that the present arrangement becomes effective, the reciprocal arrangement between the United States of America and Canada for the admission of civil aircraft, the issuance by each country of pilots' licences to nationals of the other country and the reciprocal acceptance of certificates of airworthiness for aircraft imported as merchandise, entered into by an exchange of notes dated August 29, 1929, and October 22, 1929, will be supplanted in so far as it sets forth the conditions governing the issuance by each country of pilots' licences to nationals of the other country.

I shall be glad to have you inform me whether it is the understanding of your Government that the terms of the arrangement agreed to in the negotiations are as above set forth. If so, it is suggested that the arrangement become effective on August 1, 1938. If your Government concurs in this suggestion the Government of the United States will regard it as becoming effective on that date.

Accept, Sir, the renewed assurances of my highest consideration.

CORDELL HULL

## ARTICLE II

Pursuant to the provisions of Article I, the competent United States authorities will issue pilot certificates of competency or licences to nationals of Canada upon a showing that they are qualified under the regulations of the United States governing the issuance of such certificates or licences.

## ARTICLE III

Pursuant to the provisions of Article I, the competent Canadian authorities will issue pilot certificates of competency or licences to nationals of the United States upon a showing that they are qualified under the regulations of Canada governing the issuance of such certificates or licences.

*From the Canadian Minister to the United States to the Secretary of State of the United States*

No. 176.

July 28, 1938.

SIR,—I have the honour to acknowledge the receipt of your note of July 28th, 1938, in which you communicated to me the terms of a reciprocal arrangement between Canada and the United States of America for the issuance by each country of certificates of competency or licences to nationals of the other country for the piloting of civil aircraft, as understood by you to have been agreed to in negotiations, now terminated, between the Government of Canada and the Government of the United States of America.

The terms of this arrangement which you have communicated to me are as follows:

ARRANGEMENT BETWEEN CANADA AND THE UNITED STATES OF AMERICA RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPETENCY OR LICENCES FOR THE PILOTING OF CIVIL AIRCRAFT.

ARTICLE I

(a) The present arrangement between the United States of America and Canada relates to the issuance by the competent authorities of each country of pilot certificates of competency or licences to nationals of the other country for the piloting of civil aircraft.

(b) The term "civil aircraft" shall for the purpose of this arrangement be understood to mean all aircraft other than military, naval, customs and police aircraft.

(c) Either country issuing certificates of competency or licences to nationals of the other country for the piloting of civil aircraft, as defined in the preceding paragraph, reserves, however, the right to limit such issuance to the operation of civil aircraft for noncommercial purposes.

ARTICLE II

Pursuant to the provisions of Article 1, the competent United States authorities will issue pilot certificates of competency or licences to nationals of Canada, upon a showing that they are qualified under the regulations of the United States covering the issuance of such certificates or licences.

ARTICLE III

Pursuant to the provisions of Article 1, the competent Canadian authorities will issue pilot certificates of competency or licences to nationals of the United States, upon a showing that they are qualified under the regulations of Canada covering the issuance of such certificates or licences.

ARTICLE IV

Subject to the provisions of Articles 1 and 2, pilot certificates of competency or licences issued by the competent United States authorities to nationals of Canada shall entitle them to the same privileges in the matter of air pilotage as are granted by pilot certificates of competency or licences issued to nationals of the United States.

## ARTICLE V

Subject to the provisions of Articles 1 and 3, pilot certificates of competency or licences issued by the competent Canadian authorities to nationals of the United States shall entitle them to the same privileges in the matter of air pilotage as are granted by pilot certificates of competency or licences issued to nationals of Canada.

## ARTICLE VI

(a) The present arrangement shall be subject to termination by either Government upon sixty days' notice given in writing to the other Government.

(b) On the date that the present arrangement becomes effective, the reciprocal arrangement between the United States of America and Canada for the admission of civil aircraft, the issuance by each country of pilots' licences to nationals of the other country and the reciprocal acceptance of certificates of airworthiness for aircraft imported as merchandise, entered into by an exchange of notes dated August 29, 1929, and October 22, 1929, will be supplanted in so far as it sets forth the conditions governing the issuance by each country of pilots' licences to nationals of the other country.

I am instructed to state that the terms of the arrangement as communicated to me are agreed to by my Government.

I am further instructed to inform you that my Government concurs in your suggestion that the arrangement become effective on August 1st, 1938, and will accordingly regard it as becoming effective on that date.

I have the honour to be with the highest consideration, Sir,

Your most obedient humble servant,

HERBERT M. MARLER

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