

CANADA

TREATY SERIES, 1944

No. 25

EXCHANGE OF NOTES

(September 1 and 2, 1944)

BETWEEN

CANADA

AND

THE UNITED STATES OF AMERICA

RECORDING CANADA'S PERMISSION TO
AMERICAN EXPORT AIRLINES INCORPORATED
TO FLY INTO, THROUGH AND AWAY FROM CANADA AND
TO USE THE AIRPORTS AT BOTWOOD AND GANDER
LAKE (NEWFOUNDLAND) IN CONNECTION
WITH THE OPERATION OF ITS
ATLANTIC SERVICES

In Force September 1, 1944



OTTAWA
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ACANADA

(iv) Les aéronefs de Pan American Airways Inc. et de la compagnie de transport aérien des voyages ou toutes autres compagnies aériennes qui partent y arrivent et y partent.

TREATY SERIES, 1944

Il n'est pas touché par la présente permission d'exportation aux États-Unis de la compagnie aérienne Pan American Airways Company par le permis en date du 10 février 1944 et de la compagnie aérienne Pan American Airways Incorporated le 2 décembre 1941.

EXCHANGE OF NOTES

2. Nous croyons savoir que le Gouvernement du Royaume-Uni, d'Irlande et de Terre-Neuve, a demandé au Gouvernement des États-Unis un permis d'exportation en vertu de la Loi sur le Commerce International, 1916 (septembre 1 and 2, 1944).

3. Nous entendons que, dans la mesure où il est compétent, le Gouvernement des États-Unis accordera de son côté des permis d'exportation de Canada qui pourront lui en faire la demande toutes les fois qu'il pourra avoir besoin pour aider à poursuivre les opérations de guerre dans les installations semblables existant dans les États-Unis ou dans leurs territoires ou leurs possessions.

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THE UNITED STATES OF AMERICA
RECORDING CANADA'S PERMISSION TO
AMERICAN EXPORT AIRLINES INCORPORATED
LAKE (NEWFOUNDLAND) IN CONNECTION
WITH THE OPERATION OF ITS
ATLANTIC SERVICES



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(vi) The permissions may be withdrawn at any time on six months notice

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

I

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

DEPARTMENT OF EXTERNAL AFFAIRS

No. 92

OTTAWA, September 1, 1944.

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 American Export Airlines, 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, Botwood, Foynes and Port Lyautey 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 American Export Airlines 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) Emergency stops for refuelling and on account of weather or other operating conditions may be made at Halifax and Shediac and, subject to the consent of the Newfoundland Government, at Gander Lake, provided that no commercial traffic is loaded or disembarked at these ports.



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

2. It is understood that the Government of the United States has also sought the necessary permissions from the Governments of the United Kingdom, Ireland and Newfoundland.

3. It is my understanding that the United States Government will for its part and so far as it is concerned grant similar permissions in the event that applications are received by it for similar Canadian air services, needed to assist in the effective prosecution of the war, to use similar facilities in the United States, its territories or possessions.

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

N. A. ROBERTSON,
For the Secretary of State
for External Affairs.

OTTAWA, September 1, 1944

SUMMARY

II

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

EMBASSY OF THE UNITED STATES OF AMERICA

OTTAWA, September 2, 1944.

No. 206

SIR:

I have the honour to acknowledge the receipt of your note No. 92 of September 1, 1944, informing me that at the request of my Government and in order to assist in the effective prosecution of the war the Government of Canada, insofar as it is concerned, grants permission to American Export Airlines, 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, Botwood, Foynes and Port Lyautey 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.

In your note you set forth the conditions under which this service may be operated and certain understandings of your Government. I am authorized to inform you that the conditions stipulated are acceptable to my Government and that the understanding of the intentions of my Government are correct.

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

RAY ATHERTON