

ÉTATS-UNIS D'AMÉRIQUE  
ET CANADA

Echange de notes comportant un accord en vue de l'admission des aéronefs civils, de la délivrance des brevets de pilotes et de l'acceptation de certificats de navigabilité pour les aéronefs importés comme marchandise. Washington, les 29 août et 22 octobre 1929.

---

UNITED STATES OF AMERICA  
AND CANADA

Exchange of Notes constituting an Agreement for the Admission of Civil Aircraft, the Issuance of Pilots' Licenses, and the Acceptance of Certificates of Airworthiness for Aircraft imported as Merchandise. Washington, August 29, and October 22, 1929.

No. 2229. — EXCHANGE OF NOTES<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE CANADIAN GOVERNMENT, CONSTITUTING AN AGREEMENT FOR THE ADMISSION OF CIVIL AIRCRAFT, THE ISSUANCE OF PILOTS' LICENSES, AND THE ACCEPTANCE OF CERTIFICATES OF AIRWORTHINESS FOR AIRCRAFT IMPORTED AS MERCHANDISE. WASHINGTON, AUGUST 29 AND OCTOBER 22, 1929.

---

*Texte officiel anglais communiqué par le " Advisory Officer " du Dominion du Canada auprès de la Société des Nations. L'enregistrement de cet échange de notes a eu lieu le 18 décembre 1929. Cet échange de notes a été transmis au Secrétariat par le " Department of State " du Gouvernement des Etats-Unis d'Amérique, le 6 février 1930.*

---

I.

FROM THE UNITED STATES SECRETARY OF STATE, TO THE CANADIAN CHARGÉ D'AFFAIRES,  
WASHINGTON, D.C.

August 29, 1929.

SIR,

The Department refers to the negotiations which have been conducted between this Department and your Legation for the conclusion of a reciprocal arrangement between the United States and Canada for the admission of civil aircraft, the issuance of pilots' licenses, and the acceptance of certificates of airworthiness for aircraft imported as merchandise.

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

(1) All State aircraft other than military, naval, customs and police aircraft, shall be treated as civil aircraft, and as such shall be subject to the requirements hereinafter provided for civil aircraft.

(2) Subject to the conditions and limitations hereinafter contained and set forth, Canadian civil aircraft shall be permitted to operate in the United States and, in like manner, civil aircraft of the United States shall be permitted to operate in the Dominion of Canada.

(3) Canadian aircraft, before entering the United States, must be registered and passed as airworthy by the Canadian Department of National Defense and must bear the registration markings allotted to it by that Department. Aircraft of the United States, before

---

<sup>1</sup> En vigueur à partir du 22 octobre 1929.

entering Canada, must be registered and passed as airworthy by the United States Department of Commerce, and must bear the registration markings allotted to it by that Department, preceded by the letter " N ", placed on it in accordance with the air Commerce Regulations of the Department of Commerce.

(4) Canadian aircraft making flights into the United States must carry aircraft, engine and journey logbooks, and the certificates of registration and airworthiness, issued by the Canadian Department of National Defense. The pilots shall bear licenses issued by said Department of National Defense. Like requirements shall be applicable in Canada with respect to aircraft of the United States and American pilots making flights into Canada. The certificates and licenses in the letter case shall be those issued by the United States Department of Commerce ; provided, however, that pilots who are nationals of the one country shall be licensed by the other country under the following conditions :

(a) The Department of National Defense of the Dominion of Canada will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots ; and the United States Department of Commerce will issue pilots' licenses to Canadian nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) Pilots' licenses issued by the United States Department of Commerce to Canadian nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals, and pilots' licenses issued by the Department of National Defense of the Dominion of Canada to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Canadian nationals.

(c) Pilots' licenses granted to nationals of the one country by the other country shall not be construed to accord to them the rights to register aircraft in such other country.

(d) Pilots' licenses granted to nationals of the one country by the other country shall not be construed to accord to them the right to operate aircraft in air commerce unless the aircraft is registered in such other country in accordance with its registration requirements except as provided for in Paragraphs (a) and (b) of Clause 6, with respect to discharging and taking on through passengers and or cargo.

(5) No Canadian aircraft in which photographic apparatus has been installed shall be permitted to operate in the United States, nor shall any photographs be taken from Canadian aircraft while operating in or over United States territory, except in case where the entrance of such aircraft or the taking of photographs is specifically authorized by the Department of Commerce of the United States. Like restrictions shall be applicable to aircraft of the United States desiring to operate in or over Canadian territory, and in such cases the entrance of aircraft in which photographic apparatus has been installed, and the taking of photographs shall not be permissible without the specific authorization of the Department of National Defense of Canada.

(6) (a) If the Canadian aircraft and pilot are licensed to carry passengers and/or cargo in the Dominion of Canada, they may do so between Canada and the United States, but not between points in the United States, except that subject to compliance with customs, quarantine and immigration requirements, such aircraft shall be permitted to discharge through passengers and/or cargo destined to the United States at one airport in the United States, according landing facilities to foreign aircraft, and to proceed with the remaining passengers and/or cargo to any other airports in the United States, according landing facilities to foreign aircraft, for the purpose of discharging the remaining passengers

and /or cargo ; and they shall in like manner be permitted to take on passengers and/or cargo destined to Canada at different airports in the United States on the return trip to Canada.

(b) If the United States aircraft and pilot are licensed to carry passengers and/or cargo in the United States, they may do so between the United States and Canada, but not between points in Canada, except that subject to compliance with customs, quarantine and immigration requirements such aircraft shall be permitted to discharge through passengers and/or cargo destined to Canada at one airport in Canada, according landing facilities to foreign aircraft, and to proceed with the remaining passengers and/or cargo to any other airports in Canada, according landing facilities to foreign aircraft, for the purpose of discharging the remaining passengers and/or cargo ; and they shall in like manner be permitted to take on passengers and/or cargo destined to the United States or different airports in Canada on the return trip to the United States.

(7) The right accorded to Canadian pilots and aircraft to make flights over United States territory under the conditions provided for in the present arrangement shall be accorded, subject to compliance with the laws, rules and regulations in effect in the United States governing the operation of civil aircraft. The right accorded to American pilots and aircraft of the United States to make flights over Canadian territory, under the conditions herein provided for, shall be accorded, subject to compliance with the laws, rules and regulations in effect in Canada governing the operation of civil aircraft.

(8) Certificates of airworthiness for export issued in connection with aircraft built in Canada imported into the United States from Canada as merchandise will be accepted by the Department of Commerce of the United States if issued by the Department of National Defense of the Dominion of Canada in accordance with its requirements as to airworthiness. Certificates of airworthiness for export issued in connection with aircraft built in the United States imported into Canada from the United States as merchandise will, in like manner, be accepted by the Department of National Defense of Canada, if issued by the Department of Commerce of the United States in accordance with its requirements as to airworthiness.

(9) It shall be understood that this arrangement shall be subject to termination by either Government on sixty days' notice given to the other Government, by a further arrangement between the two Governments dealing with the same subject, or by the enactment of legislation in either country inconsistent therewith.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed upon is as herein set forth. If so, the arrangement will be considered to be operative from the date of the receipt of your note so advising me.

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

H. L. STIMSON.

811. 79642/83.

Mr. Hume Wrong,  
Chargé d'Affaires *ad interim* of  
the Dominion of Canada.

## II.

FROM THE CANADIAN MINISTER TO THE UNITED STATES, WASHINGTON, TO THE SECRETARY  
OF STATE OF THE UNITED STATES.

No. 207.

October 22, 1929.

SIR,

I have the honour to refer to your note of August 29, 1929, concerning the proposed reciprocal arrangement between the United States and Canada for the admission of civil aircraft, the issuance of pilots' licenses, and the acceptance of certificates of airworthiness for aircraft imported as merchandise. I have been instructed to inform you that His Majesty's Government in Canada concur in the terms of the agreement as set forth in your note, and will, therefore, consider it to be operative from this date.

I have the honour to be, with the highest consideration, Sir, Your most obedient, humble servant,

Vincent MASSEY.

The Hon. Henry L. Stimson,  
Secretary of State of the United States,  
Washington, D.C.

Certified to be a true copies.

(*Signé*) W. H. Walkers,  
*Acting Under-Secretary of State  
for External Affairs.*