

No. 2934

PHILIPPINES
and
NETHERLANDS

Exchange of notes constituting a temporary air arrangement. Manila, 15 March, 31 May, 12 June, 10 July, 26 September and 30 October 1952, and 5 January and 5 February 1953

Official text: English.

Registered by the International Civil Aviation Organization on 13 September 1955.

PHILIPPINES
et
PAYS-BAS

Échange de notes constituant un arrangement provisoire relatif aux transports aériens. Manille, 15 mars, 31 mai, 12 juin, 10 juillet, 26 septembre et 30 octobre 1952, et 5 janvier et 5 février 1953

Texte officiel anglais.

Enregistré par l'Organisation de l'aviation civile internationale le 13 septembre 1955.

No. 2934. EXCHANGE OF NOTES CONSTITUTING A TEMPORARY AIR ARRANGEMENT¹ BETWEEN THE GOVERNMENT OF THE PHILIPPINES AND THE GOVERNMENT OF THE NETHERLANDS. MANILA, 15 MARCH, 31 MAY, 12 JUNE, 10 JULY, 26 SEPTEMBER AND 30 OCTOBER 1952, AND 5 JANUARY AND 5 FEBRUARY 1953

I

NETHERLANDS LEGATION, MANILA

No. 5BP/905

March 15, 1952

Sir :

I beg to refer to the Honorable Undersecretary's notes of December 5 and of December 10, 1951, Nos. 370.53, concerning landing rights at Manila International Airport for K.L.M. Royal Dutch Airlines, and have the honor to inform Your Excellency that in recent months conversations have taken place between representatives of the air navigation companies of both our countries which have led to an understanding about the desirability of an extension of the above mentioned landing rights.

This understanding reached with the Philippine national carrier implies temporary limited commercial traffic rights for K.L.M. at Manila on their routes : Europe/Philippines/Biak/Sydney and Europe/Philippines/Tokyo to the following extent :

- 1.— Carriage of mail, passengers and cargo between Manila and Bangkok in either direction.
- 2.— Carriage of mail, passengers and cargo between Manila, Biak and Sydney in either direction.
- 3.— Carriage of diplomatic Netherlands Government mail and K.L.M. Company material between the Netherlands and the Philippines in either direction.
- 4.— Stopover privileges at Manila for passengers between Bangkok, Biak and Sydney in either direction.
- 5.— No stopover privileges at Manila for passengers not originating and/or terminating at Bangkok, Biak or Sydney.
- 6.— The granting of these limited commercial rights at Manila to be limited to the temporary period of six (6) months and subject to renewal by mutual agreement.

¹ Came into force on 5 February 1953 by the exchange of the said notes.

Awaiting the appropriate time for the conclusion of a complete and more liberal Air Agreement between the two respective Governments, I take pleasure in soliciting Your Excellency's kind intermediary to approach the Philippine Civil Aeronautics Board to seek a favorable consideration in the matter of the extension of the K.L.M. landing rights at Manila with the above quoted limitations.

On the other hand, I may confirm that the Netherlands Government is prepared at any time during the duration of this arrangement to grant to the Philippine national carrier commercial landing rights in the Netherlands and on Netherlands territory.

I should highly appreciate to be informed by Your Excellency's Department of the decision of the Authorities concerned.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Signed A. J. D. STEENSTRA-TOUSSAINT
Netherlands Minister

H.E. Monsieur Joaquín M. Elizalde
Secretary of Foreign Affairs
Manila

II

Manila, May 31, 1952

Sir :

I refer to your note No. 5BP/905 dated March 15, 1952, relative to the request of the K.L.M. Royal Dutch Airlines for a grant of temporary limited traffic rights at Manila, under the terms and conditions and on the routes therein specified.

In the consideration of the aforesaid request, it has been noted that the specified routes are given in a general way and that intermediate points other than those mentioned in Nos. 1 and 2 of paragraph 2 of the note under reference, are not specified. Since the Philippine Government may not consider the grant of traffic rights at Manila in respect to points not mentioned in Nos. 1 and 2, it will be appreciated if this Department can be furnished with information as to the other points of landing aside from those mentioned in Nos. 1 and 2.

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

(Signed) J. M. ELIZALDE
Secretary

The Honorable A. J. D. Steenstra-Toussaint
Netherlands Minister
Manila

III

No. 5BP/1770

Manila, June 12th, 1952

Sir :

I beg to refer to Your Excellency's note dated May 31st, 1952 No. 370.53, concerning traffic rights in Manila for K.L.M. Royal Dutch Airlines. In order to clarify my original request of March 15th, 1952, No. 5BP/905, copy of which is enclosed herewith, I take the liberty to point out that for the time being these commercial rights are only requested for traffic between Bangkok and Manila in either direction and between Biak-Sydney and Manila in either direction, these segments being sectors of the K.L.M. regular services :

- a) Amsterdam-Frankfurt or Munchen-Beirut-Karachi-Bangkok-Manila-Biak-Sydney, vice versa;
- b) Amsterdam-Frankfurt or Munchen-Beirut-Karachi-Calcutta-Bangkok-Manila-Tokio, vice versa.

Additional rights might be requested at a later date, but not before an understanding on the matter will be reached between the national carriers of both our countries.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Netherlands Minister

H.E. Monsieur Joaquín M. Elizalde
Secretary of Foreign Affairs
Manila

IV

Manila, July 10, 1952

Sir :

I wish to refer to your notes Nos. 5BP/905 of March 15, 1952 and 5BP/1770 of June 12, 1952 and to previous exchange of correspondence concerning your request for traffic rights at Manila for the K.L.M. Royal Dutch Airlines and the understanding reached between the national carriers of our two countries.

I am pleased to inform you that the Philippine Government agrees to grant temporary limited traffic rights in Manila to the K.L.M. Royal Dutch Airlines, subject to the following terms and conditions :

1. A service of not more than one frequency a week in either direction on the following route : (a) Amsterdam-Frankfurt or Munchen-Beirut-Karachi-Bangkok-Manila-Biak-Sydney with right to pick up and set down mail, passengers and cargo originating from Manila and destined for Bangkok, and vice versa, only.

2. A service of not more than one frequency each week in either direction on the following route: (b) Amsterdam-Frankfurt or Munchen-Beirut-Karachi-Calcutta-Bangkok-Manila-Tokyo, with right to pick up and set down mail, passengers, and cargo originating from Manila and destined for Biak-Sydney, and vice versa, only.

3. Carriage of diplomatic Netherlands Government mail and K.L.M. Company material is permitted between the Netherlands and the Philippines in either direction.

4. The air service will be operated in accordance with the rules and regulations promulgated by the Philippine Civil Aeronautics Board and the Philippine Civil Aeronautics Administration, and the rates to be charged shall be those approved by the Philippine Aeronautics Board.

5. The Philippine law and regulations as to the admission to or departure from Philippine territory of passengers, crew, or cargo, such as those relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with upon entrance into or departure from, or while within Philippine territory.

6. The inclusion or exclusion of any particular provision in this authority shall in no way prejudice the terms of any agreement that may subsequently be negotiated between the two governments.

7. The authority granted hereunder shall remain in force for a period of (3) months computed from the date of the first flight constituting the commencement of the operation of the airlines extended services as herein authorized on either of the two routes above specified, subject to renewal by mutual agreement of the two governments.

8. Pending the conclusion of a bilateral air agreement that may be negotiated between the Governments of the Philippines and of the Netherlands, the latter shall forthwith grant upon request of the former such reciprocal rights as are granted hereunder in points to be designated by the former.

If the terms and conditions set forth above are acceptable to the Netherlands Government, the corresponding application for the necessary permit to operate should be filed by the K.L.M. Royal Dutch Airlines with the Philippine Civil Aeronautics Board together with a copy of this exchange of notes.

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

(Signed) J. M. ELIZALDE
Secretary

The Honorable A. J. D. Steenstra-Toussaint
Netherlands Minister
Manila

V

NETHERLANDS LEGATION, MANILA

SBP/2903

September 26, 1952

Sir :

I beg to refer to Your Excellency's note of July 10, 1952, whereby the Philippine Government agreed to grant temporary limited traffic rights in Manila to the K.L.M. (Royal Dutch Airlines) for a period of 3 months.

In view of the fact that this period of three months is bound to expire on or about October 23rd next, and with reference to point 7 of the abovementioned note, I have the honour to request on behalf of the Netherlands Government the renewal of this authority for another period of three months.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Netherlands Chargé d'Affaires a.i.

H.E. Monsieur Joaquín M. Elizalde
Secretary of Foreign Affairs
Manila

VI

Manila, October 30, 1952

Sir :

I wish to refer to my note dated July 10, 1952 containing the terms and conditions under which the K.L.M. (Royal Dutch Airlines) was granted temporary limited traffic rights in Manila, and to inform you that in pursuance of the understanding arrived at between the Legation and this Department conditions Nos. 1 and 2 have been accordingly amended so as to read as follows:

1. A service of not more than one frequency a week in either direction on the following route : (a) Amsterdam-Frankfurt or Munchen-Beirut-Karachi-Bangkok-Manila-Biak-Sydney with right to pick up and set down mail, passengers and cargo originating from Manila and destined for Biak-Sydney, and vice versa, only.

2. A service of not more than one frequency each week in either direction on the following route : (b) Amsterdam-Frankfurt or Munchen-Beirut-Karachi-Calcutta-Bangkok-Manila-Tokyo, with right to pick up and set down mail, passengers, and cargo originating from Manila and destined for Bangkok, and vice versa, only.

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

(Signed) J. M. ELIZALDE
Secretary

Dr. B. J. Slingenberg
Chargé d'Affaires a.i.
Netherlands Legation
Manila

VII

NETHERLANDS LEGATION, MANILA

No. 46

Manila, January 5th, 1953

Excellency :

I herewith have the honour to refer to previous correspondence regarding temporary limited traffic rights in Manila for K.L.M. (Royal Dutch Airlines).

Under the conditions of the present permit K.L.M. (Royal Dutch Airlines) has the right to pick up and set down passengers, cargo and mail originating from Manila and destined for Biak-Sydney in either direction and originating from Manila and destined for Bangkok in either direction respectively on the routes Amsterdam-Frankfort or Munich-Beirut-Karachi-Bangkok-Manila-Biak-Sydney in either direction and Amsterdam-Frankfort or Munich-Beirut-Karachi-Calcutta-Bangkok-Manila-Tokyo.

For technical reasons K.L.M. temporarily suspended its intermediate landings at Manila on the service from Amsterdam to Tokyo in either direction.

However, a series of bi-weekly special flights is now operated between Amsterdam and Biak as from January 5th, 1953.

It would be highly appreciated if through Your Excellency's kind intermediary the Philippine Civil Aeronautics Board could be approached to seek a favourable consideration in the matter of the extension of the K.L.M. landing rights at Manila with regard to the following stretches of the route Amsterdam-Biak in either direction, to wit: Manila-Biak in either direction and Manila-Bangkok in either direction.

I should highly appreciate to be informed by Your Excellency's Department at the earliest possible moment of the decision of the Authorities concerned.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) Dr. B. J. SLINGENBERG
Netherlands Chargé d'Affaires a.i.

H.E. Monsieur Joaquín Elizalde
Secretary of Foreign Affairs
Manila

VIII

Manila, February 5, 1953

Sir :

With reference to your note No. 46 of January 5, 1953, informing that for technical reasons K.L.M. has temporarily suspended its intermediate landings at Manila on the service from Amsterdam to Tokyo in either direction, and requesting for an extension of the K.L.M. landing rights at Manila with regard to the following stretches of the route Amsterdam-Biak in either direction, to wit : Manila-Biak in either direction and Manila-Bangkok in either direction, I am pleased to inform you that the desired extension has been granted subject to the same conditions laid down in the original agreement as amended.

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

(Signed) Felino NERI
Undersecretary

Mr. B. J. Slingenberg
Netherlands Chargé d'Affaires, a.i.
Manila
