

**IRELAND  
and  
UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND**

**Agreement relating to air services to, in and through their respective territories (with annex). Signed at London, on 5 April 1946**

**Exchange of notes constituting an agreement modifying the annex to the Agreement of 5 April 1946. London, 18 and 22 August 1947**

**Exchange of notes constituting an agreement modifying the annex to the Agreement of 5 April 1946. London, 23 December 1947 and 23 January 1948**

*Official text: English.*

*Registered by the International Civil Aviation Organization on 5 October 1950.*

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**IRLANDE  
et  
ROYAUME-UNI DE GRANDE-BRETAGNE ET  
D'IRLANDE DU NORD**

**Accord relatif aux services aériens à destination, à l'intérieur et en transit au-dessus de leurs territoires respectifs (avec annexe). Signé à Londres, le 5 avril 1946**

**Echange de notes constituant un accord modifiant l'annexe de l'accord du 5 avril 1946. Londres, 18 et 22 août 1947**

**Echange de notes constituant un accord modifiant l'annexe de l'accord du 5 avril 1946. Londres, 23 décembre 1947 et 23 janvier 1948**

*Texte officiel anglais.*

*Enregistrés par l'Organisation de l'aviation civile internationale le 5 octobre 1950.*

No. 928. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE UNITED KINGDOM RELATING TO AIR SERVICES TO, IN AND THROUGH THEIR RESPECTIVE TERRITORIES. SIGNED AT LONDON, ON 5 APRIL 1946

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The Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland,

Desiring to conclude an Agreement for the purpose of establishing certain air services as soon as possible to, in and through Ireland and the United Kingdom,

Have accordingly appointed authorised representatives for the purpose of negotiating such an Agreement who have agreed as follows:

*Article 1*

Each Contracting Party grants to the other Contracting Party rights to the extent described in the Annex to this Agreement for the purpose of the establishment of the air services described therein or as amended in accordance with Article 8 hereof (hereinafter referred to as "the agreed services").

*Article 2*

(1) The agreed services may be inaugurated immediately or at a later date by the designated air carrier or carriers of the Contracting Party to whom the rights are granted at the option of that Party provided that the Contracting Party granting the rights has given the appropriate operating permission to the air carrier or carriers concerned (which, subject to the provisions of paragraph (2) of this Article 6, it shall do without undue delay).

(2) The designated air carrier or carriers may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it or they is or are qualified to fulfil the conditions prescribed by or under the laws and regulations normally applied by those authorities to the operations of commercial air carriers.

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<sup>1</sup> Came into force provisionally on 5 April 1946, by signature, and definitely on 4 June 1946, upon approval by the two Governments.

*Article 3*

(1) The charges which either of the Contracting Parties may impose, or permit to be imposed, on the designated air carrier or carriers of the other Contracting Party for the use of airports and other facilities shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international air services.

(2) Fuel, lubricating oils and spare parts introduced into, or taken on board aircraft in, the territory of one Contracting Party by, or on behalf of, a designated air carrier of the other Contracting Party and intended solely for use by the aircraft of such carrier shall be accorded, with respect to customs duties, inspection fees or other charges imposed by the former Contracting Party, treatment not less favourable than that granted to national air carriers engaged in international air services or such carriers of the most favoured nation.

(3) Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of a designated air carrier of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or similar duties or charges, even though such supplies be used by such aircraft on flights within that territory.

*Article 4*

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party and still in force shall be recognised as valid by the other Contracting Party for the purpose of operation of the agreed service. Each Contracting Party reserves the right, however, to refuse to recognize for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

*Article 5*

(1) The laws and regulations of one Contracting Party relating to entry into or departure from its territory of aircraft engaged in international air navigation or to the operation and navigation of such aircraft while within its territory shall apply to aircraft of the designated air carrier or carriers of the other Contracting Party.

(2) The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of passengers, crew or cargo of aircraft (such as regulations relating to entry, clearance, immigration, passports, customs and quarantine) shall be applicable to the passengers, crew or cargo of the aircraft of

the designated air carrier or carriers of the other Contracting Party while in the territory of the first Contracting Party.

#### *Article 6*

Each Contracting Party reserves the right to withhold or revoke the exercise of the rights specified in the Annex to this Agreement by a carrier designated by the other Contracting Party in the event that it is not satisfied that substantial ownership and effective control of such carrier are vested in nationals of either Contracting Party, or in case of failure by that carrier to comply with the laws and regulations referred to in Article 5 hereof, or otherwise to fulfil the conditions under which the rights are granted in accordance with this Agreement and its Annex.

#### *Article 7*

This Agreement shall be registered with the Provisional International Civil Aviation Organisation set up by the Interim Agreement <sup>1</sup> on International Civil Aviation signed at Chicago on the 7th December, 1944.

#### *Article 8*

If either of the Contracting Parties considers it desirable to modify any provision or provisions of the Annex to this Agreement it may request consultation between the aeronautical authorities of both Contracting Parties, such consultation to begin within a period of sixty days of the date of the request. When these authorities agree on modifications to the Annex, these modifications will come into effect when they have been confirmed by the Contracting Parties.

#### *Article 9*

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or of the Annex thereto shall be referred for decision to the Interim Council in accordance with the provisions of Article III Section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on 7th December, 1944, unless the Contracting Parties agree to settle the dispute by reference to an Arbitral Tribunal appointed by agreement between the Contracting Parties, or to some other person or body. The Contracting Parties undertake to comply with the decision given.

#### *Article 10*

If a general multilateral air Convention which is accepted by both Contracting

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<sup>1</sup> International Civil Aviation Conference, Chicago, Illinois, 1 November to 7 December 1944. *Final Act and Related Documents*, United States of America, Department of State publication 2282, Conference Series 64.

Parties comes into force the present Agreement shall be amended so as to conform with the provisions of such Convention.

#### Article 11

Either Contracting Party may at any time give notice to the other if it desires to terminate this Agreement. Such notice shall be simultaneously communicated to the Provisional International Civil Aviation Organisation. If such notice is given, this Agreement shall terminate 12 months after the date of receipt of the notice by the other Contracting Party, unless the notice to terminate is withdrawn by agreement before the expiry of this period. In the absence of acknowledgment of receipt by the other Contracting Party notice shall be deemed to have been received fourteen days after the receipt of the notice by the Provisional International Civil Aviation Organisation.

This Agreement shall enter into force immediately on a provisional basis and shall enter into force definitely on approval by the two Governments.

SIGNED in London on the 5th April, 1946

For the Government of Ireland:

SEAN F. LEMASS

For the Government of the United Kingdom:

WINSTER

#### ANNEX

1. The air carrier designated by the Government of the United Kingdom for the purpose of the operation of the agreed services on the route specified in Schedule I to this Annex shall be The British Overseas Airways Corporation which for that route shall be accorded in the territory of Ireland rights of transit, of non-traffic stops and of commercial entry and departure for international traffic as provided in paragraph 8 below and the use on such route of aerodromes and ancillary facilities designated for international traffic.

2. The air carrier designated by the Government of Ireland for the purpose of the operation of the agreed services on the route specified in Schedule II of this Annex shall be Aer Rianta Tta. which for that route shall be accorded in the territory of the United Kingdom rights of transit, of non-traffic stops and of commercial entry and departure for international traffic as provided in paragraphs 4 to 7 and the use on such route of aerodromes and ancillary facilities designated for international traffic.

3. The Contracting Parties, noting the Heads of an Agreement which have this day been initialled by the British Overseas Airways Corporation and Aer Rianta Tta. agree that in the interests of efficiency and of economy of operation, the scheduled Air Transport Services originating in the territory of one of the Contracting Parties and terminating in the territory of the other should except by agreement between them be confined to one Company. For the purpose of the operation of the agreed services on the routes specified

## SCHEDULE I TO ANNEX

London via Shannon to Newfoundland and/or Canada and/or the U.S.A. and points beyond in both directions.

## SCHEDULE II TO ANNEX

Ireland via Newfoundland—Canada and/or the U.S.A. in both directions.

## SCHEDULE III TO ANNEX

1. Shannon and/or Dublin . . . . a point in the United Kingdom and Oslo and/or Stockholm.
2. Shannon and/or Dublin . . . . a point in the United Kingdom—Brussels and/or Amsterdam and/or Copenhagen.
3. Shannon and/or Dublin . . . . Paris.
4. Shannon and/or Dublin . . . . Glasgow.
5. Shannon and/or Dublin . . . . Liverpool.
6. Shannon and/or Dublin . . . . London.
7. Shannon . . . . Bristol.
8. Dublin . . . . Isle of Man.
9. Shannon and/or Dublin . . . . Belfast.
10. Shannon and/or Dublin . . . . Belfast—Crewe—Shannon and/or Dublin.
11. Shannon and/or Dublin . . . . Crewe—Belfast—Shannon and/or Dublin.
12. Shannon and/or Dublin . . . . Belfast—Liverpool—Shannon and/or Dublin.
13. Shannon and/or Dublin . . . . Liverpool—Belfast—Shannon and/or Dublin.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> MODIFYING  
THE ANNEX TO THE AGREEMENT OF 5 APRIL 1946. LONDON,  
18 AND 22 AUGUST 1947

## I

HIGH COMMISSIONER FOR IRELAND

33—37 Regent St.  
London S.W. 1

18 August 1947

42/126/46

Sir,

I am directed by the High Commissioner to refer to the Agreement between the Government of Ireland and the Government of the United Kingdom relating to Air Services (London, April 5th, 1946), and to enclose herewith for your information copy of each of two letters dated the 15th July last addressed to the Minister for Industry and Commerce of my Government by the Ministry of Civil

<sup>1</sup> Came into force on 22 August 1947, by the exchange of the said notes.

Aviation, as well as copy of the reply to the latter dated 23rd July from the Minister for Industry and Commerce in regard to the operation of Aer Lingus Services. I am to state that the proposed modification of the Annex to the Air Services Agreement between our Governments so as to cover the Dublin-Manchester and Dublin-Brussels routes, as accepted by the Ministry of Civil Aviation, is confirmed by my Government.

I shall be grateful if you will be so kind as to advise me of confirmation on the part of the appropriate authorities of your Government so that the modification may come into effect in accordance with Article 8 of the Agreement, copy of which is enclosed.

I am, Sir, your obedient servant,

(Signed) Denis DEVLIN  
Secretary

The Under-Secretary of State  
Commonwealth Relations Office  
Downing Street  
S.W. 1

## II

COMMONWEALTH RELATIONS OFFICE  
Downing Street

22nd August 1947

A. 2147/14

Sir,

I am directed to refer to your letter of the 18th August on the subject of proposed modifications to the Annex to the Agreement between the Government of the United Kingdom and the Government of Eire relating to Air Services signed in London on April 5th, 1946.

The proposed modifications to cover the Dublin-Manchester and Dublin-Brussels routes, as agreed by the Government of Eire, are confirmed by the United Kingdom Government, who agree that the modifications may come into effect in accordance with Article 8 of the Agreement.

I am, Sir, your most obedient servant,

(Signed) A. W. SNELLING

The Official Secretary  
Office of the High Commissioner for Eire

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> MODIFY-  
ING THE ANNEX TO THE AGREEMENT OF 5 APRIL 1946. LONDON,  
23 DECEMBER 1947 AND 23 JANUARY 1948

## I

HIGH COMMISSIONER FOR IRELAND  
33-37 Regent Street  
London, S.W. 1

23 December, 1947

42/126/46

Sir,

I am directed by the High Commissioner to refer to the Agreement between the Government of Ireland and the Government of the United Kingdom relating to Air Services (London, April 5th, 1946), and to enclose herewith for your information, copy of a letter dated 5th December, received by our Department of Industry and Commerce from your Ministry of Civil Aviation, together with a copy of our Department's reply. I also enclose a copy of the letter of the 17th November from the Department of Industry and Commerce, referred to in the letter from the Ministry of Civil Aviation.

I am to state, in this connexion, that the modification on the Annex to the Agreement, so as to include the route "16, Dublin-Rome", as agreed by the Ministry of Civil Aviation, is confirmed by my Government.

I shall be grateful if you will be so kind as to advise me of confirmation of the proposed modification on the part of the appropriate authorities of your Government, so that the modification may come into effect in accordance with Article 8 of the Agreement.

I am, Sir, your obedient servant,

(Signed) Denis DEVLIN  
Counsellor

The Under-Secretary of State  
Commonwealth Relations Office  
Downing Street  
S.W. 1

<sup>1</sup> Came into force on 23 January 1948, by the exchange of the said notes.



## II

COMMONWEALTH RELATIONS OFFICE  
Downing Street

23rd January, 1948

A. 2147/21

Sir,

I am directed to refer to your letter 42/126/46 of the 23rd December, 1947, regarding the Agreement between the Government of the United Kingdom and the Government of Eire relating to Air Services, signed in London on April 5th, 1946.

The proposed modification of the Annex to the Agreement so as to include the route "16, Dublin-Rome" is confirmed by the United Kingdom Government, who agree that the modification may come into effect at once, in accordance with Article 8 of the Agreement.

I am, Sir, your most obedient servant,

(Signed) D. W. S. HUNT