

No. 2275

DENMARK
and
UNION OF SOUTH AFRICA

Exchange of notes constituting an agreement for the regulation of air services between their respective territories. Johannesburg and Pretoria, 30 April 1953

Official text: English.

Registered by the International Civil Aviation Organization on 5 October 1953.

DANEMARK
et
UNION SUD-AFRICAINE

Échange de notes constituant un accord relatif à la réglementation des services aériens entre les territoires des deux pays. Johannesburg et Prétoira, 30 avril 1953

Texte officiel anglais.

Enregistré par l'Organisation de l'aviation civile internationale le 5 octobre 1953.

No. 2275. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF DENMARK AND THE GOVERNMENT OF THE UNION OF SOUTH AFRICA FOR THE REGULATION OF AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES. JOHANNESBURG AND PRETORIA, 30 APRIL 1953

I

The Consul of Denmark to the Minister for External Affairs of the Union of South Africa

ROYAL DANISH CONSULATE

Johannesburg, 30-4-1953

Ges. 93. D. 2.

Mr. Minister,

As the Government of Denmark and the Government of the Union of South Africa desire to conclude an agreement providing for the regulation of air services between their respective territories, I have the honour to inform you that the Government of Denmark are prepared to conclude an agreement with the Government of the Union of South Africa in the following terms :

Article 1

For the purpose of the present agreement—

- (a) the term "territory" means the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection, mandate, administration or trusteeship of the parties to the agreement ;
- (b) the term "air service" means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.

Article 2

Subject to the Union Government reserving their right to reopen negotiations at any time for the operation of a reciprocal air service between the Union and Denmark, the Government of the Union of South Africa agree to an air service between the respective territories of Denmark and of the Union being operated by Det Danske Luftfartselskab (D.D.L.) co-operating with Det Norske Luftfartselskap (D.N.L.) and Aktiebolaget Aero-transport (A.B.A.) under the designation of the Scandinavian Airlines System (S.A.S.), a joint operating organisation constituted in accordance with the provisions of Chap-

¹ Deemed to have come into force on 10 January 1953, in accordance with article 9.

ter XVI of the Convention on International Civil Aviation.¹ The air service may be operated with aircraft, crews and equipment of either or both of the other two airlines participating in the Scandinavian Airlines System (S.A.S.) and the provisions of this agreement shall apply to such aircraft, crews or equipment as though they were the aircraft, crews and equipment of Det Danske Luftfartselskab (D.D.L.), and the competent Danish authorities and Det Danske Luftfartselskab (D.D.L.) shall accept full responsibility for such operations.

Article 3

The air service shall be operated on the following route in both directions—

Stockholm—Copenhagen—Hamburg—Zurich—Rome—Athens—Khartoum—Nairobi—Johannesburg.

Article 4

All or any of the intermediate points on the route may be omitted on any or all flights at the option of the designated airline.

Article 5

Points on the route at which, subject to the concurrence of any third country that may be involved, traffic from or for Union territory—

- (i) may be set down or picked up, that is are agreed traffic stops, and
- (ii) may not be set down or picked up, that is are stops for non-traffic purposes,

by the designated airline are—

<i>Country</i>	(a) <i>Traffic stops</i>	(b) <i>Non-traffic stops</i>
Union of South Africa	Johannesburg	—
Kenya	—	Nairobi
Sudan	—	Khartoum
Greece	Athens	—
Italy	—	Rome
Switzerland	Zurich	—
Germany	Hamburg	—
Denmark	Copenhagen	—
Sweden	Stockholm	—

In the event of the Government of the Union of South Africa entering into a bilateral air agreement with any country in which traffic rights have been conceded in terms of this paragraph, such traffic rights will be subject to immediate review.

Article 6

The frequency of the air service shall be once a week.

¹ United Nations, *Treaty Series*, Vol. 15, p. 295; Vol. 26, p. 420; Vol. 32, p. 402; Vol. 33, p. 352; Vol. 44, p. 346; Vol. 51, p. 336, and Vol. 139, p. 469.

Article 7

The aircraft approved for use on the air service shall be a DC-6 or a DC-6B with a seating capacity of 48 or 56 passengers, respectively, in the standard first class version. No change in aircraft type or seating capacity may be made without the prior consent of the Union Government.

Article 8

The fares and rates to be charged and the conditions of carriage applicable shall be those determined by the International Air Transport Association and approved by the Government of the Union of South Africa and the Government of Denmark.

Article 9

This agreement shall be deemed to have come into force on the tenth of January, 1953, and shall be in force for an initial period of eighteen months which period shall be extended for further periods of six months at a time unless notice of termination is given by either Government at least three months before the expiration of the current period.

If the foregoing proposals are acceptable to the Government of the Union of South Africa, I suggest that this note and your confirmatory reply thereto be regarded as constituting an agreement between our two Governments in this matter.

Please accept, Mr. Minister, the assurance of my highest consideration.

(Signed) Aage NØRBY
Consul of Denmark

Dr. The Honourable D. F. Malan
Minister of External Affairs
Pretoria

II

The Minister of External Affairs for the Union of South Africa to the Consul of Denmark

UNION OF SOUTH AFRICA
DEPARTMENT OF EXTERNAL AFFAIRS

Pretoria, 30-4-1953

Mr. Consul,

I have the honour to acknowledge receipt of Note No. Ges. 93. D. 2. of to-day's date, reading as follows :—

[See note I]

In reply thereto, I have the honour to state that the foregoing provisions are agreed to by the Government of the Union of South Africa, and that your Note and this confirmatory reply are regarded as constituting an agreement between our two Governments.

Please accept, Mr. Consul, the assurance of my due consideration.

For the Minister of External Affairs

(Signed) D. D. FORSYTH
Secretary for External Affairs

A. Nørby, Esq.
Consul of Denmark
Johannesburg