

No. 2600

**ISRAEL
and
UNION OF SOUTH AFRICA**

**Exchange of notes constituting an agreement to regulate
air services between Israel and the Union of South
Africa. Pretoria, 5 May 1953**

Official text: English.

Registered by the International Civil Aviation Organization on 30 June 1954.

**ISRAËL
et
UNION SUD-AFRICAINE**

**Échange de notes constituant un accord réglementant les
services aériens entre Israël et l'Union Sud-Africaine.
Prétoria, 5 mai 1953**

Texte officiel anglais.

Enregistré par l'Organisation de l'aviation civile internationale le 30 juin 1954.

NO. 2600. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF ISRAEL AND THE GOVERNMENT OF THE UNION OF SOUTH AFRICA TO REGULATE AIR SERVICES BETWEEN ISRAEL AND THE UNION OF SOUTH AFRICA. PRETORIA, 5 MAY 1953

I

Pretoria, 5 May 1953

Mr. Minister,

I have the honour to inform you that the Government of Israel are prepared to conclude with the Government of the Union of South Africa an agreement on the following terms to regulate air services between Israel and the Union of South Africa.

1. For the purposes 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;
- (c) the term "stop for non-traffic purposes" means a landing for any purpose other than taking on or discharging passengers, mail or cargo.

2. Subject to the Union Government reserving their right to re-open negotiations at any time for the operation of a reciprocal air service between the Union and Israel, the Government of the Union of South Africa agree to an air service between the respective territories of Israel and of the Union being operated on behalf of, and by an air-line designated by, the Government of Israel.

3. Substantial ownership and effective control of the airline designated shall be vested in nationals of Israel.

4. The air service shall be operated on the following route in both directions :

From Lydda to Johannesburg via Khartoum, Entebbe and/or Nairobi and Livingstone.

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

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

6. 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 airline designated by the Government of Israel are :

<i>Country</i>	<i>(a) Traffic stops</i>	<i>(b) Stops for non-traffic purposes</i>
Union of South Africa and South West Africa . .	Johannesburg	—
Israel	Lydda	—
Anglo-Egyptian Sudan	Khartoum	—
Kenya	Nairobi	—
Uganda	Entebbe	—
Northern Rhodesia	—	Livingstone

7. The airline designated by the Government of Israel, shall, on the route specified in paragraph 4 hereof and at the place in the territory of the Union of South Africa mentioned in the preceding paragraph, be entitled to set down and pick up —

- (i) traffic embarked in or destined for places in Israel territory ;
- (ii) traffic embarked in or destined for third countries situated on and traversed by that portion of the specified route linking and lying between the territories of Israel and of the Union provided that such traffic is picked up and set down in such third countries at the places specified in paragraph 6 above ;
- (iii) off-route passengers making genuine stop-overs at the traffic stops set out in paragraph 6 above.

8. The frequency of the air service shall be once per fortnight. However, until such time as a reciprocal air service is operated between the Union and Israel on behalf of, and by an airline designated by, the Government of the Union of South Africa, the frequency of the air service operated on behalf of, and by the airline designated by, the Government of Israel shall be once per week.

9. The aircraft approved for use is a Constellation (converted C69) presently equipped with fifty-six passenger seats. No change in aircraft type may be made without the prior consent of the Union Government.

10. Not more than five through-passengers per service may be convoyed from Johannesburg to Rome and/or London and vice versa.

11. The stop-over privileges referred to in paragraph 7 (iii) above are subject to :

- (i) the passenger's ticket being endorsed prior to embarkation at his point of origination of journey, for a genuine stop-over or break of journey in accordance with International Air Transport Association (IATA) rules, and
- (ii) the period of stop-over being not less than twenty-four hours. In this connection neither a normal night stop nor the period between connecting services shall *ipso facto* constitute a stop-over.

12. The fares and rates to be charged and the condition 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 Israel.

13. This agreement shall come into force from today's date and shall remain in force indefinitely but may be terminated by either Government by giving six months' notice in writing to the other Government.

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 renewed assurance of my highest consideration.

(Signed) S. C. HYMAN
Envoy extraordinary and Minister
Plenipotentiary of Israel

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

II

P.M. 23/83

UNION OF SOUTH AFRICA
DEPARTMENT OF EXTERNAL AFFAIRS, PRETORIA

5-5-1953

Mr. Minister,

I have the honour to acknowledge receipt of your note of today'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. Minister, the renewed assurance of my highest consideration.

For the Minister of External Affairs :

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

S.C. Hyman Esq.
Envoy Extraordinary
and Minister Plenipotentiary of Israel
Pretoria