

No. 2926

**UNION OF SOUTH AFRICA
and
FRANCE**

**Exchange of notes constituting an interim air agreement.
Cape Town, 23 March and 5 May 1954**

**Exchange of notes constituting an agreement modifying and
extending the above-mentioned Agreement. Pretoria,
23 and 27 August 1954**

Official texts: English and French.

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

**UNION SUD-AFRICAINE
et
FRANCE**

**Échange de notes constituant un accord aérien provisoire.
Le Cap, 23 mars et 5 mai 1954**

**Échange de notes constituant un accord modifiant et
prorogeant l'Accord susmentionné. Prétoria, 23 et
27 août 1954**

Textes officiels anglais et français.

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

No. 2926. EXCHANGE OF NOTES CONSTITUTING AN INTERIM AIR AGREEMENT¹ BETWEEN THE UNION OF SOUTH AFRICA AND FRANCE. CAPE TOWN, 23 MARCH AND 5 MAY 1954

N° 2926. ÉCHANGE DE NOTES CONSTITUANT UN ACCORD AÉRIEN PROVISOIRE¹ ENTRE L'UNION SUD-AFRICAINE ET LA FRANCE. LE CAP, 23 MARS ET 5 MAI 1954

I

AMBASSADE DE FRANCE EN AFRIQUE DU SUD

N° 34

Le Cap, 23 mars 1954

L'Ambassade de France présente ses compliments au Département des affaires extérieures et, en accusant réception de la note verbale du 22 mars courant, contenant, dans sa version anglaise, le texte révisé de l'Accord aérien provisoire entre la France et l'Afrique du Sud, a l'honneur de faire savoir au Département des affaires extérieures — et aux autorités sud-africaines compétentes — que ce texte reçoit l'approbation du Gouvernement français et de porter ci-après, à leur connaissance, le texte du dit Accord provisoire dans sa version française.

Le Gouvernement français et celui de l'Union Sud-Africaine étant désireux de conclure un accord provisoire relatif aux modalités qui devraient présider à l'établissement de services aériens entre leurs territoires respectifs, j'ai l'honneur de vous informer de ce que mon Gouvernement est disposé à signer avec le Gouvernement sud-africain un accord de cette nature, accord qui, en attendant la conclusion d'une convention définitive aérienne, devrait être conçu dans les termes suivants :

Article I

L'entreprise aérienne française, désignée (Union aéro-maritime de transport) et l'entreprise aérienne sud-africaine désignée (South African Airways) peuvent, chacune en ce qui les concerne, opérer un service aérien entre Johannesburg et Paris et vice versa.

Article II

La fréquence de chacun des deux services intéressés sera d'un avion par semaine.

¹ Came into force on 5 May 1954 by the exchange of the said notes.

¹ Entré en vigueur le 5 mai 1954 par l'échange desdites notes.

[TRANSLATION — TRADUCTION]

EMBASSY OF FRANCE IN SOUTH AFRICA

No. 34

Cape Town, 23 March 1954

The Embassy of France presents its compliments to the Department of External Affairs and, in acknowledging the receipt of the *note verbale* of 22 March 1954 containing, in its English version, the revised text of the Interim Air Agreement between France and South Africa, has the honour to inform the Department of External Affairs—and the competent South African Authorities—that the said text is acceptable to the French Government, and to append, for their information, the text of said interim agreement in its French version, as follows :

[See note II]

The Embassy of France has the honour to be, etc.

Department of External Affairs
Cape Town

II

P.M. 23/73

Cape Town, 5th May 1954

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note, dated 23rd March, 1954, the text of which, in its agreed English version, reads as follows :—

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

“Article I

“The French designated air carrier (Union Aéro-Maritime de Transport—UAT) and the Union designated air carrier (South African Airways—SAA) may each operate an air service between Johannesburg and Paris, and *vice versa*.

“Article II

“UAT and SAA may each provide an air service at a frequency of once a week.

“Article III

“UAT and SAA may each exercise its own preference in respect of the route and intermediate stops which it follows between Johannesburg and Paris, and *vice-versa*.

“Article IV

“UAT shall have third and fourth freedom rights in respect of traffic between Paris and Brazzaville on the one hand, and Johannesburg on the other hand.

SAA shall have third and fourth freedom rights in respect of traffic between Johannesburg and Windhoek on the one hand, and Paris on the other hand.

“Article V

“UAT shall have no fifth freedom rights in respect of Johannesburg, and SAA shall have no fifth freedom rights in respect of Paris.

“Article VI

“UAT shall use Comet Mark I A or Mark II aircraft seating not more than 44 passengers in the standard first class. SAA shall use Lockheed Constellation 749 aircraft seating not more than 58 passengers in the tourist class.

“Article VII

“Unless this interim agreement is superseded by a final agreement, it shall remain in force until and including the thirtieth day of June, 1954.

“Article VIII

“It is the intention of both Governments to negotiate and conclude a final agreement before the termination of this interim agreement.

“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 interim agreement between our two Governments in this matter.”

In reply, I have the honour to state that the aforementioned proposals are acceptable to the Government of the Union of South Africa and that your letter and this confirmatory reply may be regarded as constituting an interim agreement between our two Governments.

Please accept, Your Excellency, the renewed assurance of my highest consideration.

For the Minister of External Affairs :

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

His Excellency Mr. A. Gazel
Ambassador Extraordinary and Plenipotentiary of France
Cape Town

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ MODIFYING AND EXTENDING THE INTERIM AIR AGREEMENT OF 23 MARCH AND 5 MAY 1954² BETWEEN THE UNION OF SOUTH AFRICA AND FRANCE. PRETORIA, 23 AND 27 AUGUST 1954

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ MODIFIANT ET PROROGÉANT L'ACCORD AÉRIEN PROVISOIRE DES 23 MARS ET 5 MAI 1954² ENTRE L'UNION SUD-AFRICAINE ET LA FRANCE. PRÉTORIA, 23 ET 27 AOÛT 1954

I

ACTING SECRETARY FOR EXTERNAL AFFAIRS

DEPARTMENT OF EXTERNAL AFFAIRS

P.M. 23/73

Pretoria, 23-8-1954

Your Excellency,

I have the honour to refer to the Interim Air Agreement between France and the Union of South Africa which was concluded at Cape Town by an Exchange of Notes dated 23rd March, and 5th May, 1954.

To provide for the use of DC.-6B aircraft by the French designated air carrier, UAT, and for the extension of the interim agreement, it is proposed that the agreed English texts of Articles VI and VII be amended to read as follows:—

Article VI

“UAT shall use DC.-6B aircraft seating not more than sixteen passengers in the standard first class, and not more than forty-five passengers in the tourist class. SAA shall use Lockheed Constellation 749 aircraft seating not more than fifty-eight passengers in the tourist class.”

Article VII

“Unless this interim agreement is superseded by a final agreement, it shall remain in force until and including the thirty-first day of December 1954.”

¹ Came into force on 27 August 1954 by the exchange of the said notes.

² See p. 401 of this volume.

¹ Entré en vigueur le 27 août 1954 par l'échange desdites notes.

² Voir p. 401 de ce volume.

If the foregoing amendments are acceptable to the Government of France, 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, Your Excellency, the renewed assurance of my highest consideration.

For the Minister of External Affairs :

(Signed) D. SPIES

Acting Secretary for External Affairs

His Excellency Mr. A. Gazel
Ambassador Extraordinary and Plenipotentiary of France
Pretoria

[TRADUCTION — TRANSLATION]

LE SECRÉTAIRE PAR INTÉRIM AUX AFFAIRES EXTÉRIEURES

DÉPARTEMENT DES AFFAIRES EXTÉRIEURES

P. M. 23/73

Prétoria, le 23 août 1954

Monsieur l'Ambassadeur,

J'ai l'honneur de me référer à l'Accord aérien provisoire qui a été conclu au Cap entre la France et l'Union Sud-Africaine par un échange de notes, en date du 23 mars et du 5 mai 1954.

Afin de permettre à l'entreprise aérienne française désignée (UAT) d'utiliser des appareils DC-6B, et de proroger la date d'expiration de l'Accord provisoire en vigueur, il est proposé que le texte anglais des articles VI et VII, dont il a été convenu, soit amendé comme suit :

[Voir note II]

Si les amendements ci-dessus rencontrent l'agrément du Gouvernement français, je propose que la présente note ainsi que la réponse que vous voudrez bien me faire pour m'en confirmer les termes, soient considérées comme constituant un Accord, dans ce domaine, entre nos deux Gouvernements.

Veuillez agréer, Monsieur l'Ambassadeur, l'expression renouvelée de ma très haute considération.

Pour le Ministre des affaires extérieures :

(Signé) D. SPIES

Secrétaire par intérim aux affaires extérieures

Son Excellence Monsieur A. Gazel
Ambassadeur extraordinaire et plénipotentiaire de France
Pretoria

II

AMBASSADE DE FRANCE EN AFRIQUE DU SUD

N° 74

Prétoria, le 27 août 1954

Monsieur le Ministre,

J'ai l'honneur d'accuser réception de votre lettre du 23 août 1954, relative à l'accord provisoire conclu à Cape Town entre la France et l'Union Sud-Africaine par un échange de lettres en dates des 23 mars et 5 mai 1954.

Afin de permettre à l'entreprise aérienne française U.A.T., d'utiliser des appareils DC-6B et de proroger la date d'expiration de validité de l'accord provisoire en vigueur, vous proposez que les amendements convenus ci-dessous, soient apportés au texte français des articles VI et VII.

Article VI

« L'U.A.T. utilisera des appareils DC-6B susceptibles de transporter 16 passagers de I^e classe seulement et 45 passagers de classe touriste seulement. Les South African Airways utiliseront des avions Constellation Lockheed 749, susceptibles de transporter 58 passagers de classe touriste seulement. »

Article VII

« À moins que cet accord provisoire ne soit remplacé par une convention définitive, il demeurera en vigueur jusqu'au 31 décembre 1954 inclus. »

Les amendements ci-dessus rencontrant l'agrément du Gouvernement de la République française, je propose en conséquence, que cette lettre et la vôtre, en date du 23 août 1954, constituent, en fait, un accord dans ce domaine entre nos deux Gouvernements.

Veuillez agréer, Monsieur le Ministre, l'expression renouvelée de ma très haute considération.

(Signé) A. GAZEL

[TRANSLATION — TRADUCTION]

EMBASSY OF FRANCE IN SOUTH AFRICA

No. 74

Pretoria, 27 August 1954

Sir,

I have the honour to acknowledge the receipt of your letter dated 23 August 1954 referring to the Interim Agreement between France and the Union of South Africa which was concluded at Cape Town by an exchange of notes dated 23 March and 5 May 1954.

To provide for the use of DC-6B aircraft by the French air carrier, UAT, and for the extension of the interim agreement in force, you propose that the French texts of Articles VI and VII be amended to read as follows :

[*See note I*]

As the foregoing amendments are acceptable to the Government of the French Republic, I accordingly propose that this note and your note dated 23 August 1954 should, in fact, constitute an agreement between our two Governments in this matter.

I have the honour to be, etc.

(*Signed*) A. GAZEL