

No. 7254

**DENMARK
and
CANADA**

Exchange of notes (with appendix) constituting an agreement concerning the extension of Canadian air traffic control services to encompass air space over Southern Greenland. Ottawa, 16 September and 28 November 1963

Official text: English.

Registered by Denmark on 3 June 1964.

**DANEMARK
et
CANADA**

Échange de notes (avec appendice) constituant un accord relatif à une extension du ressort des services canadiens de contrôle de la circulation aérienne, afin d'englober l'espace aérien au-dessus du Groenland du Sud. Ottawa, 16 septembre et 28 novembre 1963

Texte officiel anglais.

Enregistré par le Danemark le 3 juin 1964.

No. 7254. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN DENMARK AND CANADA CONCERNING THE EXTENSION OF CANADIAN AIR TRAFFIC CONTROL SERVICES TO ENCOMPASS AIR SPACE OVER SOUTHERN GREENLAND. OTTAWA, 16 SEPTEMBER AND 28 NOVEMBER 1963

I

ROYAL DANISH EMBASSY

Ottawa, September 16, 1963

No. 32.

Sir,

I have the honour to refer to Recommendations 14/1, 14/5, and 24/1 of the IV North Atlantic Regional Air Navigation Meeting of the International Civil Aviation Organization, held in Paris 14th September to 9th October, 1961, and to the approval thereof by the Council of said Organization of 11th December, 1961.

Recommendations 14/1 and 14/5 call for an integration of Air Traffic Services in part of presently contiguous Canadian and Danish airspace in order to facilitate Air Traffic Control for aircraft transiting the Danish airspace and at the same time improve the conditions for the Canadian Air Traffic Control in regulating the approaches into and departures from the eastern seaboard of the North American Continent. Recommendation 24/1 deals with the dates of implementation.

In order to implement Recommendations 14/1 and 14/5 of the IV NAT RAN as approved by the ICAO Council, I have the honour to propose an agreement between the Government of Denmark and the Government of Canada in the following terms :

1) Denmark delegates to Canada, and Canada accepts the responsibility for the provision of Air Traffic Services in part of the Greenland airspace as specified in the Appendix attached hereto.

¹ Came into force on 28 November 1963 by the exchange of the said notes.

2) The functions delegated under clause 1 above shall be performed in accordance with the terms of the Convention on International Civil Aviation, signed at Chicago on December 7, 1944,¹ and in accord with the programs of the International Civil Aviation Organization which are recommended for use of Member States and which have been adopted by Canada and by Denmark.

3) No charges, additional to charges applicable under Canadian law for other services provided by Canada shall be imposed for the services performed under this agreement, provided, however, that nothing in this clause shall be deemed to authorize the imposition of charges under Canadian law in respect of aircraft operating between Europe and Greenland, Greenland and Europe or operating exclusively within the Greenland airspace.

4) For the purpose of adjusting Rules and Procedures, facilities and services, to conform with changes of ICAO recommendations or for other purposes, the Appendix may be amended from time to time by agreement between the appropriate authorities of the two Governments.

5) The present agreement shall come into force upon receipt of Your reply and become applicable at a date specified by the appropriate authorities of the two Governments and published in the respective Aeronautical Information Publications.

6) This agreement may be terminated at any time by either party subject to 12 months' advance notice given not later than 31st December or at shorter notice subject to the mutual consent of the two Governments

For the purpose of this arrangement my Government has designated Directorate of Civil Aviation, Gl. Kongevej 60, Copenhagen V, as "the appropriate authority of the Government of Denmark."

If the above proposal is acceptable to the Government of Canada, I have the honour to suggest that this note together with its Appendix and Your reply to that effect shall be regarded as constituting an agreement between the two Governments in this matter with effect from the date of Your reply.

I avail myself of this opportunity to renew to You, Sir, the assurances of my highest consideration.

John KNOX
Ambassador of Denmark

The Honourable the Secretary of State for External Affairs
Department of External Affairs
Ottawa

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; Vol. 139, p. 469; Vol. 178, p. 420; Vol. 193, p. 362; Vol. 252, p. 410; Vol. 324, p. 340; Vol. 355, p. 418; Vol. 409, p. 370, and Vol. 472, p. 402.

APPENDIX TO THE AGREEMENT BETWEEN DENMARK AND CANADA CONCERNING PROVISION OF AIR TRAFFIC SERVICES WITHIN SPECIFIED AIRSPACE

1. The responsibility delegated by Denmark to Canada under this arrangement comprises the following :

1.1 Area Control Service. Flight Information Services and Alerting Service.

Provision of area control service, flight information service, and alerting service on a 24-hour basis within the following airspace :

Lateral limits:

the area bounded by a line 63°30' N, 55°40' W ; 63°30' N, 39°00' W ; 58°30' N, 43°00' W ; 58°30' N, 50°00' W ; the point of beginning.

Vertical limits:

Lower limit : Flight Level 155. (Lowest usable flight level is flight level 160).

Upper limit : Unlimited.

NOTE : It is understood that the provision of air traffic services within the airspace below the airspace described above will be provided by ACC SONDRESTROM. Highest usable flight level is flight level 150.

2. *Rules and Procedures applicable to flights within the airspace described under 1.1.*

2.1 Rules of the Air.

The rules of the air shall be those contained in Annex 2 to the Convention on International Civil Aviation, as modified by differences filed by Denmark, except that by prearrangement with ACC GANDER military aircraft may be flown in formation.

2.2 Air Traffic Services.

ICAO Documents applicable to the provision of air traffic services :

Annex 11—Air Traffic Services, PANS RAC Doc 4444-RAC/501, Regional Supplementary Procedures, Part 2 (RAC), applicable to the NAT Region, Doc 7030.

II

DEPARTMENT OF EXTERNAL AFFAIRS
CANADA

Ottawa, November 28, 1963

Excellency :

I have the honour to refer to your Note No. 32 dated September 16, 1963, concerning the extension of Canadian air traffic control services to encompass air space

over southern Greenland in accordance with Recommendations 14/1, 14/5 and 24/1 of the IV North Atlantic Regional Air Navigation Meeting of the International Civil Aviation Organization held in Paris 14th September to 9th October, 1961, and approved by the ICAO Council on 11th December, 1961.

I wish to inform you that the Canadian Government agrees to your proposal that the Government of Denmark and the Government of Canada conclude an Agreement on this subject as set out in your Note and its Appendix. I also wish to express agreement to your further proposal that your Note, together with its Appendix, and this reply shall constitute an Agreement between our two Governments, with effect from this date.

Accept, Excellency, the renewed assurances of my highest consideration.

Paul MARTIN
Secretary of State for External Affairs

His Excellency John Knox
Ambassador of Denmark
Ottawa