

No. 8738

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

Exchange of notes constituting an agreement replacing the Agreement of 20 January 1961 concerning the establishment and operation of space vehicle tracking stations in the United Kingdom. London, 28 December 1966 and 1 January 1967

Official text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 22 August 1967.

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

Échange de notes constituant un accord remplaçant l'Accord du 20 janvier 1961 relatif à la création et à l'exploitation de stations de poursuite d'engins spatiaux au Royaume-Uni. Londres, 28 décembre 1966 et 1^{er} janvier 1967

Texte officiel anglais.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 22 août 1967.

No. 8738. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA REPLACING THE AGREEMENT OF 20 JANUARY 1961² CONCERNING THE ESTABLISHMENT AND OPERATION OF SPACE VEHICLE TRACKING STATIONS IN THE UNITED KINGDOM. LONDON, 28 DECEMBER 1966 AND 1 JANUARY 1967

I

The United States Ambassador to the Secretary of State for Foreign Affairs

No. 24

London, December 28, 1966

Sir,

I have the honour to refer to the Agreement constituted by the Exchange of Notes of January 20, 1961² between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland relating to the cooperative program for the establishment and operation in the United Kingdom of facilities for the tracking of, and communication with, spacecraft and spacevehicles, as extended for six months to 20th of July, 1966, by the Exchange of Notes of 17th of January, 1966³ and further extended to 31st of December, 1966, by the Exchange of Notes of 19th of July, 1966.⁴ In consideration of the successful achievement of the objectives of the cooperative program, and in view of the resulting benefits, I propose that our two Governments agree to continue this program in accordance with the following provisions :

(1) Each Government shall designate an agency or agencies which shall be responsible for carrying out the program. For the Government of the United States, this shall be the National Aeronautics and Space Administration and for the Government of the United Kingdom this shall be such agencies as that Government may from time to time designate through the normal diplomatic channels. The agency designated by the Government of the United States and the agency or agencies designated by the Government of the United Kingdom are hereinafter respectively referred to as a "Cooperating Agency".

¹ Came into force on 1 January 1967 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 402, p. 153.

³ United Nations, *Treaty Series*, Vol. 565, p. 318.

⁴ United Nations, *Treaty Series*, Vol. 588, p. 332.

(2) The program shall include the continuance of the existing station at Winkfield, Windsor, Berkshire, United Kingdom, and the establishment of such other stations at other locations as may from time to time be agreed upon by the two Governments.

(3) In connection with each station operated under the program, the Cooperating Agencies shall agree, subject to the grant of any wireless telegraphy license required under the law in force in the United Kingdom, upon arrangements with respect to the duration of use of the station, the responsibility for and financing of the construction, installation, equipping, maintenance, and operation of the station, and other details relating to the establishment and operation of the station.

(4) The Government of the United Kingdom shall, upon request of a Cooperating Agency, investigate any interference with radio reception at the station or stations which may be due to electrical apparatus, and shall take all reasonable steps to secure the removal of the interference.

(5) (a) All radio operations by the station or stations shall be conducted so as not to interfere with the services provided by installations in the United Kingdom or in neighboring territories, and shall comply at all times with the provisions of the International Telecommunication Convention.¹

(b) All frequencies to be used at the station or stations shall be subject to approval in advance by the appropriate United Kingdom authorities. So far as is possible, these frequencies shall be in such frequency bands as may be allocated for use in space research in the International Radio Regulations² annexed to the International Telecommunication Convention.

(c) The Government of the United Kingdom shall be responsible for notifying the International Telecommunication Union of the frequencies used at the station or stations. The Government of the United States shall at all times convey promptly to the Government of the United Kingdom, through the Cooperating Agencies, all the information needed to enable that Government to fulfill this obligation.

(6) Each Cooperating Agency shall provide to the other, from the data acquired through the operation of each station, such reduced scientific data as the other Agency may request for scientific studies it may wish to carry out. The results of all such studies shall be made available promptly and in their entirety to both Cooperating Agencies.

(7) Each station may be used for independent peaceful activities of the Government of the United Kingdom or of a United Kingdom Cooperating Agency, it being understood that such activities shall be conducted so as not to conflict with schedules of operations agreed between the two Governments or between the Cooperating Agencies and that any additional operating costs resulting from such independent activities shall be borne by the Government of the United Kingdom or by the United Kingdom Cooperating Agency unless otherwise agreed.

(8) (a) The Government of the United Kingdom shall, upon request, take the necessary steps to facilitate the admission into the United Kingdom of materials, equip-

¹ United Kingdom, *Treaty Series, No. 74 (1961)*, Cmnd. 1484.

² United States of America: *Treaties and Other International Acts Series 4893*.

ment, supplies, goods and other items of property brought into the United Kingdom for the purposes of this Agreement by or on behalf of the Government of the United States.

(b) No customs duties shall be charged on materials, equipment, supplies, goods and other items which are the property of the Government of the United States and are imported by, or on behalf of, the Government of the United States into the United Kingdom for the purposes of this Agreement provided that such materials, equipment, supplies, goods and other items of property are and continue to be used by, or on behalf of, the Government of the United States for the purposes of this Agreement.

(9) (a) Title to any property provided by the Government of the United States for use in connection with each station shall remain in the Government of the United States until that Government sells or otherwise disposes of such property, notwithstanding that it is affixed to the land or to any structure on it. Such property of the Government of the United States at each station may be removed from the United Kingdom by the Government of the United States at any time, free of taxes and other charges. The Government of the United States shall, upon request of the Government of the United Kingdom, arrange for the removal of such property from the site of the station when that site is no longer required for the purposes of this Agreement.

(b) If the Government of the United States should desire to dispose of all or part of the property to which it holds title within the United Kingdom for the purposes of this Agreement, the two Governments shall consult beforehand on arrangements therefor.

(10) (a) The Government of the United Kingdom shall take the necessary steps to facilitate, subject to the normal laws and regulations governing the admission of foreign nationals to the United Kingdom, the admission into the United Kingdom of such United States personnel as may be assigned by the Cooperating Agency of the Government of the United States to visit or participate in the cooperative activities provided for under this Agreement.

(b) Due regard shall be paid to the principle that United States personnel shall only be employed where no suitably qualified British subjects are available.

(c) Subject to such conditions as the Government of the United Kingdom may deem necessary, personal and household effects of United States personnel assigned to a station under the program by the Cooperating Agency of the Government of the United States may be brought into the United Kingdom at the time of the owner's first arrival and removed from the United Kingdom on the termination of his assignment free of all taxes and duties. Such effects shall not be sold or otherwise disposed of within the United Kingdom except under conditions approved by the Government of the United Kingdom.

(d) For the purpose of this paragraph, the expression "United States personnel" means persons not normally resident in the United Kingdom who are employees of, or under contract with, the Government of the United States, or with a United States contractor engaged by that Government in connection with the establishment and operation of the station, except that subparagraph (c) of this paragraph shall apply only to employees of the Government of the United States.

(11) To the extent that the implementation of this Agreement will depend upon funds to be appropriated by the legislative bodies of the respective Governments, it is subject to the availability of such funds.

(12) The Cooperating Agencies are authorized to conclude supplementary agreements and make administrative arrangements for the purpose of carrying out the terms and provisions of this Agreement.

(13) This Agreement supersedes the Agreement constituted by the Exchange of Notes of January 20, 1961, between the Government of the United States of America and the Government of the United Kingdom, as extended for six months to 20th of July, 1966, by the Exchange of Notes of 17th of January, 1966, and further extended to 31st of December, 1966, by the Exchange of Notes of 19th of July, 1966, relating to the co-operative program for the establishment and operating in the United Kingdom of facilities for the tracking of, and communication with, space-vehicles.

(14) This Agreement shall remain in force initially until March 31, 1972, and, thereafter, either Government may give the other Government 90 days' written notice of its intention to terminate the Agreement.

If the foregoing provisions are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honor to propose that this note, and your reply to that effect, shall constitute an Agreement between the two Governments in this matter, which shall enter into force on the date of your note in reply.

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

David BRUCE

II

The Secretary of State for Foreign Affairs to the United States Ambassador

FOREIGN OFFICE, S.W.1

1 January, 1967

Your Excellency,

I have the honour to acknowledge receipt of your Note No. 24 of the 28th of December, 1966, which reads as follows :

[*See note I*]

I have the honour to inform you that the foregoing provisions are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, who therefore agree that your Note and the present reply shall constitute an Agreement between the two Governments which shall enter into force on to-day's date.

I have the honour to be, with the highest consideration, Your Excellency's obedient Servant,

For the Secretary of State :

E. G. WILLAN