

No. 10850

UNITED STATES OF AMERICA
and
BRAZIL

Exchange of notes constituting an agreement for the reciprocal granting of authorizations to permit licensed amateur radio operators of either country to operate their stations in the other country. Rio de Janeiro, 26 January and 19 June 1970

Authentic texts: English and Portuguese.

Registered by the United States of America on 1 December 1970.

ÉTATS-UNIS D'AMÉRIQUE
et
BRÉSIL

Échange de notes constituant un accord relatif à l'octroi, par réciprocité, d'autorisations permettant aux opérateurs radio amateurs brevetés de chacun des deux pays d'exploiter leurs stations dans l'autre pays. Rio de Janeiro, 26 janvier et 19 juin 1970

Textes authentiques: anglais et portugais.

Enregistré par les États-Unis d'Amérique le 1^{er} décembre 1970.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
BRAZIL FOR THE RECIPROCAL GRANTING OF AUTHOR-
IZATIONS TO PERMIT LICENSED AMATEUR RADIO
OPERATORS OF EITHER COUNTRY TO OPERATE
THEIR STATIONS IN THE OTHER COUNTRY

I

The American Ambassador to the Minister of Foreign Affairs of Brazil

Rio de Janeiro, January 26, 1970

No. 37

Excellency :

I have the honor to refer to conversations between representatives of the Government of the United States of America and representatives of the Government of Brazil relating to the possibility of concluding an agreement between the two Governments with a view to the reciprocal granting of authorizations to permit licensed amateur radio operators of either country to operate their stations in the other country, in accordance with the provisions of Article 41 of the International Radio Regulations, Geneva, 1959².

Pursuant to section 303 (l) (2) and 310 (a) of the Communications Act of 1934 as amended (47 U.S.C. 303 (l) (2), 310 (a)), the Government of the United States of America proposes the conclusion of an agreement with respect to this matter as follows :

1. An individual who is licensed by his Government as an amateur radio operator and who operates an amateur radio station licensed by such Government shall be permitted by the other Government, on a reciprocal basis and subject to the conditions stated below, to operate such station in the territory of such other Government.

2. The individual who is licensed by his Government as an amateur radio operator shall, before being permitted to operate his station as provided for in paragraph 1, obtain from the appropriate administrative agency of the other Government an authorization for that purpose.

¹ Came into force on 19 June 1970, date of the note in reply, in accordance with the provisions of the said notes.

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

3. The appropriate administrative agency of each Government may issue an authorization, as prescribed in paragraph 2, under such conditions and terms as it may prescribe, including the right of cancellation at the convenience of the issuing Government at any time.

Upon the receipt of a reply note from Your Excellency indicating the concurrence of the Government of Brazil, it will be considered that this note and the reply note constitute an agreement between the two Governments, such agreement to be in force as of the date of the reply note and to be subject to termination by either Government giving six months' notice, in writing, of its intention to terminate.

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

C. BURKE ELBRICK

His Excellency Ambassador Mario Gibson Barboza
Minister of Foreign Affairs
Rio de Janeiro

II

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

MINISTERIO DAS RELAÇÕES EXTERIORES

Em 19 de Junho de 1970

DTC/DAI/DAS/82/572.(22)

Senhor Encarregado de Negócios,

Tenho a honra de acusar recebimento da nota nº 37, de 26 de janeiro último, cujo teor, em português, é o seguinte :

Excelência : Tenho a honra de referir-me às conversações entre representantes do Governo dos Estados Unidos da América e representantes do Governo brasileiro referentes à possibilidade de se concluir um convênio entre os dois Governos relativamente à autorização recíproca para que os radioamadores licenciados num país possam operar suas estações no outro país, de acordo com o previsto no Artigo 41 do Regulamento de Rádio Internacional (Genebra, 1959).

De acordo com a seção 303 (l) (2) e 310 (a) do Regulamento de Comunicações de 1934 modificado (47 U.S.C. 303 (l) (2), 310 (a), o Governo dos Estados Unidos da América propõe a conclusão de um acordo nos seguintes termos :

I. Todo indivíduo detentor de uma licença de radioamador e que opere uma estação de radioamador autorizada pelo seu Governo será autorizado pelo

Governo do outro país, a título de reciprocidade e sujeito às condições a seguir indicadas, a operar tal estação no território desse outro país.

II. O indivíduo detentor de uma licença de radioamador concedida pelo seu Governo deverá, antes de ser autorizado a operar a sua estação de acordo com o estipulado no parágrafo I, obter da autoridade administrativa competente do outro Governo uma licença para esse fim.

III. A autoridade administrativa competente de cada Governo poderá emitir uma licença, de acordo com o parágrafo II, nas condições e termos a serem estabelecidos por esse Governo, incluindo o direito de cancelar a autorização a qualquer momento, conforme sua conveniência.

Caso o Governo brasileiro concorde com as disposições acima, proponho que a presente nota, e a de resposta de Vossa Excelência, constituam um convênio entre os dois Governos, a entrar em vigor na data de resposta e podendo ser suspenso, por quaisquer dos dois Governos, mediante aviso escrito com antecedência de 6 (seis) meses.

2. Em resposta, levo ao conhecimento de Vossa Excelência que, em conformidade com a letra *b* do Artigo 8º do Regulamento dos Serviços de Radioamador (Decreto Nº 58.555/66-D.O. de 03.6.66), concordo com os termos da nota acima transcrita, a qual, juntamente com a presente, constituem acordo entre nossos dois Governos, a entrar em vigor nesta data.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha alta estima e mui distinta consideração.

MARIO GIBSON BARBOZA

Ao Senhor Ministro Clearance Boomstra
Encarregado de Negócios dos Estados Unidos da América

[TRANSLATION ¹ — TRADUCTION ²]

The Minister of Foreign Affairs of Brazil to the American Chargé d'Affaires

MINISTRY FOR FOREIGN AFFAIRS

June 19, 1970

DTC/DAI/DAS/82/572. (22)

Mr. Chargé d'Affaires :

I have the honor to acknowledge receipt of note No. 37 of January 26, 1970, which, in Portuguese, reads as follows :

[See note I]

¹ Translation supplied by the Government of the United States of America.

² Traduction fournie par le Gouvernement des États-Unis d'Amérique.

2. In reply, I inform Your Excellency that, pursuant to Article 8 (b) of the Regulations of Amateur Radio Operations (Decree No. 58.555/66, *Diário Oficial* of June 3, 1966), I concur in the terms of the note transcribed above, which, together with this note, shall constitute an agreement between our two Governments, to enter into force on this date.

I avail myself of this opportunity to renew to Your Excellency the assurances of my high esteem and very distinguished consideration.

MARIO GIBSON BARBOZA

Mr. Clarence Boonstra

Chargé d'Affaires of the United States of America
