

No. 12633

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
and  
ARGENTINA**

**Exchange of notes constituting an agreement concerning the establishment and provision by the Argentine Government of a regular air service between the Falkland Islands and the Argentine mainland. Buenos Aires, 24 October 1972**

*Authentic texts: English and Spanish.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on 19 June 1973.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD  
et  
ARGENTINE**

**Échange de notes constituant un accord relatif à la mise en service par le Gouvernement argentin d'une liaison aérienne régulière entre les îles Falkland et le territoire continental argentin. Buenos Aires, 24 octobre 1972**

*Textes authentiques: anglais et espagnol.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 19 juin 1973.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM  
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE  
GOVERNMENT OF THE ARGENTINE REPUBLIC CONCERN-  
ING THE ESTABLISHMENT AND PROVISION BY THE  
ARGENTINE GOVERNMENT OF A REGULAR AIR SERVICE  
BETWEEN THE FALKLAND ISLANDS AND THE ARGEN-  
TINE MAINLAND

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*Her Majesty's Ambassador at Buenos Aires to the Argentine Minister  
for Foreign Affairs and Worship*

BRITISH EMBASSY  
BUENOS AIRES

24 October 1972

Your Excellency,

I have the honour to refer to the recent discussions in the Special Consultative Committee (referred to in paragraph (1) of the Joint Statement which was initiated by the representatives of our two Governments on 1 July 1971,<sup>2</sup> and approved by them on 5 August 1971—hereinafter referred to respectively as “the Special Consultative Committee” and “the Joint Statement”), about the operation by the Argentine Government of the temporary aerodrome in the Falkland Islands (which is referred to in the notes exchanged between our two Governments on 2 May 1972<sup>3</sup>—hereinafter referred to as “the temporary aerodrome”) and the establishment and provision by the Argentine Government of a regular air service between the Falkland Islands and the Argentine mainland. Accordingly, I have the honour to inform you that the Government of the United Kingdom of Great Britain and Northern Ireland are prepared to conclude an agreement in the following terms:

(1) The Argentine State Air Line (LADE), the company which shall be responsible for the regular as well as the temporary air services, to which paragraphs (8) and (9) of the Joint Statement refer, shall open a commercial and operational agency in Port Stanley and shall designate its representative, as well as the necessary supporting personnel which it wishes to employ in the Falkland Islands. The composition of the team of supporting personnel shall be as agreed in the Special Consultative Committee.

(2) Until the temporary aerodrome is in operating condition, the temporary service by amphibious aircraft to which paragraph (9) of the Joint Statement refers, shall normally be carried out with a minimum frequency of two flights a month in each direction. When the temporary aerodrome is operational, that service shall be replaced by another by

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<sup>1</sup> Came into force on 24 October 1972, the date of the note in reply, in accordance with the provisions of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, vol. 825, p. 143.

<sup>3</sup> *Ibid.*, vol. 864, No. I-12404.

non-amphibious aircraft, to be carried out with a minimum weekly frequency of one flight in each direction in accordance with paragraph (8) of the Joint Statement. Notwithstanding the foregoing, there shall be no obligation to operate a service on any occasion when, in the judgment of the Argentine State Air Line (LADE), it would be unsafe to do so.

(3) The crews and aircraft operating the services referred to in paragraph (2) of this Agreement shall carry the same kind of flight documentation as is the rule for crews and aircraft engaged in internal flights over the Argentine mainland, and their operators shall be exempt from payment of all landing fees, taxes or other charges.

(4) The agency of the Argentine State Air Line (LADE) referred to in paragraph (1) of this Agreement shall be entitled, for the purpose of the services referred to in paragraph (2) of this Agreement, and free from all rates, duties, imposts or other taxes in the Falkland Islands:

- (a) to supply fuel, lubricants, services and provisions, and ground and air support for the aircraft, including their maintenance and repair;
- (b) to introduce into and withdraw from the Falkland Islands fuel, lubricants, services, provisions, replacement parts, tools, instruments, aircraft crews and ground support;
- (c) to arrange the bookings and sales of all air passages between Port Stanley and Comodoro Rivadavia;
- (d) to operate a radio station;
- (e) to introduce into and withdraw from the Falkland Islands the materials, furnishings and vehicles necessary for the functioning of the agency;
- (f) without restriction to carry out currency exchange operations and to transfer between the Falkland Islands and the Argentine mainland all funds that are related to its activities;
- (g) to carry out commercial and financial transactions related to its activities;
- (h) to operate free from any accounting control in the Falkland Islands over its books or operations;
- (i) to carry out such repairs and improvements in the temporary aerodrome as may be agreed in the Special Consultative Committee to be necessary for the better and safer operation of the services referred to in paragraph (2) of this Agreement.

(5) Notwithstanding the provisions of paragraph (4) of this Agreement, the agency of the Argentine State Air Line (LADE) shall not be authorised by this Agreement to introduce foodstuffs of animal origin into the Falkland Islands, except to the extent that such foodstuffs may be kept or consumed on board the aircraft, or taken therefrom and safely disposed of as waste.

(6) The Special Consultative Committee shall deal with questions which might arise over the interpretation or application of this Agreement.

(7) This Agreement is concluded in accordance with the Joint Statement, and references to the Joint Statement in the Exchange of Notes between the two Governments dated 5 August 1971 (hereinafter referred to as "the Exchange of Notes") shall be deemed to include references to this Agreement.

(8) This Agreement shall remain in force until 31 December 1974, or until the expiration of notices given in accordance with paragraph (18) of the Joint Statement and with paragraph (2) of the Exchange of Notes. After 31 December 1974 either of the two Governments may denounce this Agreement subject to six months' prior notice in writing.

If the foregoing is acceptable to the Government of the Argentine Republic, I have the honour to propose that this note together with Your Excellency's reply in that sense shall constitute an Agreement between the two Governments which shall enter into force on the date of your reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

MICHAEL HADOW

## II

[SPANISH TEXT—TEXTE ESPAGNOL]

MINISTRO DE RELACIONES EXTERIORES Y CULTO  
BUENOS AIRES

24 de octubre de 1972

Señor Embajador:

Tengo el honor de dirigirme a Vuestra Excelencia con el objeto de acusar recibo de su atenta nota del día de la fecha, cuyo texto es el siguiente:

«Excelencia: Tengo el honor de referirme a las recientes conversaciones mantenidas por la Comisión Consultiva Especial (a la que se alude en el numeral (1) de la Declaración Conjunta inicialada por los representantes de ambos Gobiernos con fecha 1 de julio de 1971, y aprobada por éstos el 5 de agosto de 1971—llamadas en adelante respectivamente «La Comisión Consultiva Especial» y «La Declaración Conjunta») acerca de la operación de un aeródromo provisorio en las Islas Malvinas por parte del Gobierno argentino (según lo estipulado en las Notas Reversales intercambiadas entre ambos Gobiernos el 2 de mayo de 1972—llamado en adelante «el aeródromo temporario») y el establecimiento y prestación por parte del Gobierno argentino de un servicio aéreo regular entre las Islas Malvinas y el territorio continental argentino. Al respecto informo a Vuestra Excelencia que el Gobierno del Reino Unido de Gran Bretaña e Irlanda del Norte está dispuesto a celebrar un acuerdo en los siguientes términos:

(1) Líneas Aéreas del Estado (LADE), empresa argentina a cuyo cargo se hallará el servicio regular así como el temporario, a los que se refieren los numerales (8) y (9) de la Declaración Conjunta, abrirá una agencia comercial y operativa en Puerto Stanley y designará su titular, así como el personal auxiliar necesario que desee emplear en las Islas Malvinas. El personal auxiliar estará compuesto en la forma en que acuerde la Comisión Consultiva Especial.

(2) Hasta que el aeródromo provisorio esté en condiciones operativas, el servicio provisorio de aviones anfíbios a que se refiere el numeral (9) de la Declaración Conjunta, será realizado normalmente con una frecuencia mínima de dos vuelos mensuales en cada dirección. Al quedar habilitado el aeródromo provisorio, dicho servicio será reemplazado por otro de aviones no anfíbios a cumplirse con una frecuencia semanal mínima de un vuelo en cada dirección, tal como lo establece el numeral (8) de la Declaración Conjunta. No obstante lo expresado precedentemente, no existirá ninguna obligación de efectuar un servicio en cualquier ocasión que, a juicio de las Líneas Aéreas del Estado (LADE), fuere inseguro hacerlo.

(3) Las tripulaciones y los aviones con que se realicen los servicios referidos en el numeral (2) de este Acuerdo llevarán la misma clase de documentación de vuelo que es de rigor para las tripulaciones y los aviones que realizan vuelos internos sobre el territorio continental argentino, y sus operadores estarán exentos del pago de derechos de aterrizaje, gravámenes u otras cargas.

(4) La Agencia de Líneas Aéreas del Estado (LADE) a que se hace referencia en el numeral (1) de este Acuerdo, tendrá derecho, a los efectos de los servicios a que se refiere el numeral (2) de este Acuerdo, y además de la exención de toda tasa, carga, impuestos u otros gravámenes en las Islas Malvinas:

[TRANSLATION<sup>1</sup>—TRADUCTION<sup>2</sup>]

*The Argentine Minister for Foreign Affairs and Worship to Her Majesty's  
Ambassador at Buenos Aires*

MINISTRY OF FOREIGN AFFAIRS AND WORSHIP  
BUENOS AIRES

24 October 1972

Your Excellency,

I have the honour to address Your Excellency to acknowledge receipt of your Note of today's date, whose text is the following:

[See note I]

In communicating to Your Excellency the agreement of the Argentine Government with the terms of the above Note, whose text and that of this reply constitute an Agreement between both Governments, I avail myself of the opportunity to reiterate to Your Excellency the assurance of my highest and most distinguished consideration.

EDUARDO MCLOUGHLIN

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<sup>1</sup> Translation supplied by the Government of the United Kingdom.

<sup>2</sup> Traduction fournie par le Gouvernement du Royaume-Uni.