

No. 13962

**UNITED STATES OF AMERICA
and
PHILIPPINES**

**Exchange of notes constituting an interim agreement for air
transport services. Manila, 8 and 10 August 1974**

Authentic text: English.

Registered by the United States of America on 7 May 1975.

**ÉTATS-UNIS D'AMÉRIQUE
et
PHILIPPINES**

**Échange de notes constituant un accord intérimaire relatif
aux services de transport aérien. Manille, 8 et 10 août
1974**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 7 mai 1975.

EXCHANGE OF NOTES CONSTITUTING AN INTERIM AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE PHILIPPINES RELATING TO AIR TRANSPORT SERVICES

I

EMBASSY OF THE UNITED STATES OF AMERICA

No. 499

The Embassy of the United States of America presents its compliments to the Department of Foreign Affairs of the Republic of the Philippines and has the honor to refer to the recent negotiations and discussions between representatives of our two Governments concerning an Air Transport Agreement between our two Governments.

The Embassy wishes to propose the following interim arrangements for Air Transport Services between our two Governments.

The United States air carriers, Pan American World Airways (Pan American) and Northwest Orient Airlines (Northwest), shall each be authorized effective immediately to operate three round trip weekly passenger, mail and cargo flights utilizing wide-bodied aircraft on existing authorized routes. Philippine Airlines shall be authorized effective immediately to operate three round trip weekly passenger, mail and cargo flights utilizing wide-bodied aircraft and four round trip weekly passenger, mail and cargo flights utilizing DC-8 aircraft on existing authorized routes.

Effective April 1, 1975, the above-named United States carriers shall each be authorized to operate four round trip weekly passenger, mail and cargo flights utilizing wide-bodied aircraft on existing authorized routes. The Philippine carrier shall be authorized to operate seven round trip weekly passenger and mail and cargo flights utilizing wide-bodied aircraft on existing authorized routes.

In addition Pan American will be permitted immediately to operate a blind sector on any or all authorized flights beyond Manila to Hong Kong, in both directions, without traffic or stopover rights between Manila and Hong Kong, i.e., limited only to through traffic to or from Hong Kong. Any change in the operation of this sector will be accomplished only by consultation and/or negotiation between our two Governments.

As part of this interim agreement, the Government of the United States of America offers Philippine Airlines the option to be exercised when desired to operate three additional round trips weekly mail and cargo frequencies over existing authorized routes utilizing DC-8 series aircraft upon application with the United States Civil Aeronautics Board. For its part the Government of the Republic of the Philippines will give sympathetic consideration to applications from United States airlines for all-cargo services on authorized routes.

It is the Embassy's understanding that the above provisions are to be considered interim in nature pending further negotiations on a longer term capacity regime and if possible on route issues. It is the intent of the parties to resume negotiations within 90 days from the date of this exchange of notes.

This interim agreement will continue in force unless replaced by a mutually agreed follow-on arrangement. Either party may terminate this interim arrangement by giving the other party six months' written notice.

If the foregoing provisions are acceptable to the Government of the Republic of the Philippines, the Embassy proposes that this note and the reply of the Depart-

¹ Came into force on 10 August 1974, the date of the note in reply, in accordance with the provisions of the said notes.

ment to that effect shall constitute an Agreement between our two Governments which shall enter into effect immediately upon receipt of the Department's note.

The Embassy avails itself of this opportunity to renew to the Department the assurances of its highest consideration.

Embassy of the United States of America

Manila, August 8, 1974.

II

REPUBLIKA NG PILIPINAS
KAGAWARAN NG SULIRANING PANLABAS
MAYNILA¹

No. 74-2191

The Department of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to acknowledge the receipt of the Embassy's note of August 8, 1974, the full text of which is as follows:

[*See note I*]

The Department has the further honor to inform the Embassy that the foregoing interim arrangements for air transport services between our Governments is acceptable to the Philippine Government and to agree that the Embassy's note and this note shall be regarded as constituting an Agreement between the two Governments, which will enter into force on the date of this reply.

The Department avails itself of this opportunity to renew to the Embassy the assurances of its highest consideration.

Manila, 10 August 1974.

¹ Republic of the Philippines, Department of Foreign Affairs, Manila.