



Treaty Series No. 20 (1939)

Exchange of Notes

between His Majesty's Government in the United Kingdom
and the Portuguese Government

regarding the

Air Service between London and Lisbon

Lisbon, January 25, 1939

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

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EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE PORTUGUESE GOVERNMENT REGARDING THE AIR SERVICE BETWEEN LONDON AND LISBON.

Lisbon, January 25, 1939.

No. 1.

Sir W. Selby to Dr. A. de Oliveira Salazar.

British Embassy,

Lisbon, January 25, 1939.

M. le Ministre,

THE Portuguese Government agrees that British registered aircraft belonging to British Airways, Limited, or to another British Company of air transport nominated by His Majesty's Government in the United Kingdom shall have the right to fly over and land in the territory of continental Portugal (including adjacent territorial waters) in the operation of a regular air service between London and Lisbon.

2. His Majesty's Government in the United Kingdom agrees that Portuguese registered aircraft belonging to a Portuguese Company, or Companies, of air transport nominated by the Portuguese Government shall have the right to fly over and land in territory of the United Kingdom (including adjacent territorial waters) in the operation of a regular air service between Lisbon and London.

3. The Portuguese Government agrees that the British registered aircraft referred to in paragraph 1 above may, in carrying out the air service in question, utilise Portuguese civil aerodromes open to air navigation lying on the route of this service.

4. His Majesty's Government in the United Kingdom likewise agrees that the Portuguese registered aircraft referred to in paragraph 2 above may, in carrying out the air service in question, utilise British civil aerodromes open to air navigation lying on the route of this service.

5. Each Government undertakes to notify the other Government beforehand of the date when these air services are to be commenced, of the Company or Companies who are to operate them, of the frequency of the services, time-tables, rates, types of aircraft to be used, connections with other air lines and of the aerodromes or landing grounds they intend to use, and of any alterations in these particulars.

6. The operation of these air services will be governed by the provisions of the Convention relating to the Regulation of Aerial Navigation of the 13th October, 1919,⁽¹⁾ and by the laws and regulations in force in the countries traversed in so far as these laws and regulations are not contrary to this Agreement or to the aforementioned Convention of 1919.

7. It is understood that the concessions envisaged are not of an exclusive character. Both Governments reserve the full right to authorise the establishment of other air services in their respective territories under such conditions as they may consider suitable.

8. The present Agreement shall remain in force for a period of five years, and shall be regarded thereafter as automatically renewed for successive periods of one year subject to denunciation by either Government, of which notification shall be made at least six months before the expiration of the initial period or of its yearly renewal.

I avail, &c.
W. SELBY.

No. 2.

Dr. A. de Oliveira Salazar to Sir W. Selby.

*Ministério dos Negócios Estrangeiros,
Secretaria Geral,*

Sr. Embaixador, *Lisboa, 25 de Janeiro de 1939.*

O GOVÊRNO Português concorda em que aeronaves britânicas matriculadas pertencentes à British Airways, Ltd., ou a outra companhia britânica de transporte aéreo, designada pelo Governo de Sua Magestade no Reino Unido, tenham o direito de sobrevoar e aterrar no território de Portugal Continental (incluindo as águas territoriais adjacentes), numa carreira aérea regular entre Londres e Lisboa.

2. O Governo de Sua Magestade no Reino Unido concorda em que aeronaves portuguesas matriculadas pertencentes a uma companhia ou companhias portuguesas de transporte aéreo, designadas pelo Governo Português, tenham o direito de sobrevoar e de aterrar no território do Reino Unido (incluindo as águas territoriais adjacentes) numa carreira aérea regular entre Lisboa e Londres.

3. O Governo Português concorda em que as aeronaves britânicas matriculadas a que se refere a alínea (1) possam utilizar na exploração da carreira aérea ali citada, os aeródromos civis portugueses abertos à navegação aérea e que fiquem colocados no percurso da dita carreira.

(1) "Treaty Series No. 2 (1922)." Cmd. 1609.

4. O Governo de Sua Magestade no Reino Unido concorda igualmente em que as aeronaves portuguesas matriculadas a que se refere a alínea (2) possam utilizar na exploração da carreira aérea ali citada, os aeródromos civís britânicos abertos à navegação aérea e que fiquem colocados no percurso da dita carreira.

5. Cada Governo compromete-se a notificar antecipadamente o outro Governo da data do início da exploração destas carreiras aéreas, da companhia ou companhias que as vão executar, da frequência dos serviços, dos horários, das tarifas, dos tipos de avião a empregar, das ligações com outras linhas aéreas e dos aeródromos e terrenos de aterragem que pretenda utilizar, e das alterações de qualquer destas condições.

6. A exploração das referidas carreiras aéreas será regulada pelas disposições da Convenção relativa à regulamentação da navegação aérea de 13 de Outubro de 1919 e pelas leis e regulamentos em vigor nos territórios sobrevoados, quando tais leis e regulamentos não sejam contrários a êste Acôrdo ou à referida Convenção de 1919.

7. Fica entendido que as concessões previstas não têm o character de exclusivo. Ambos os Governos reservam o pleno direito de autorizarem o estabelecimento de outras carreiras aéreas nos seus respectivos territórios nas condições que julgarem conveniente.

8. O presente Acôrdo vigorará por um período de cinco anos e considerar-se-á em seguida automaticamente prorogado por períodos sucessivos de um ano podendo contudo ser denunciado por notificação feita por um dos Governos ao outro, seis meses pelo menos, antes da data de expiração do período inicial que estiver correndo ou das suas prorrogações anuais.

Aproveito, &c.

'A. O. SALAZAR.

(Translation.)

Ministry for Foreign Affairs,

Lisbon, January 25, 1939.

Mr. Ambassador,

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I avail, &c.

A. O. SALAZAR.

