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'File 2/40 IV. AIR FACILITIES. (Air Agreement)'

Holding Institution British Library: India Office Records and Private Papers

Reference IOR/R/15/6/115

Date(s) 8 Aug 1947-24 Dec 1950 (CE, Gregorian)

Written in English in Latin

Extent and Format 1 file (19 folios)

Copyright for document <u>Unknown</u>



About this record

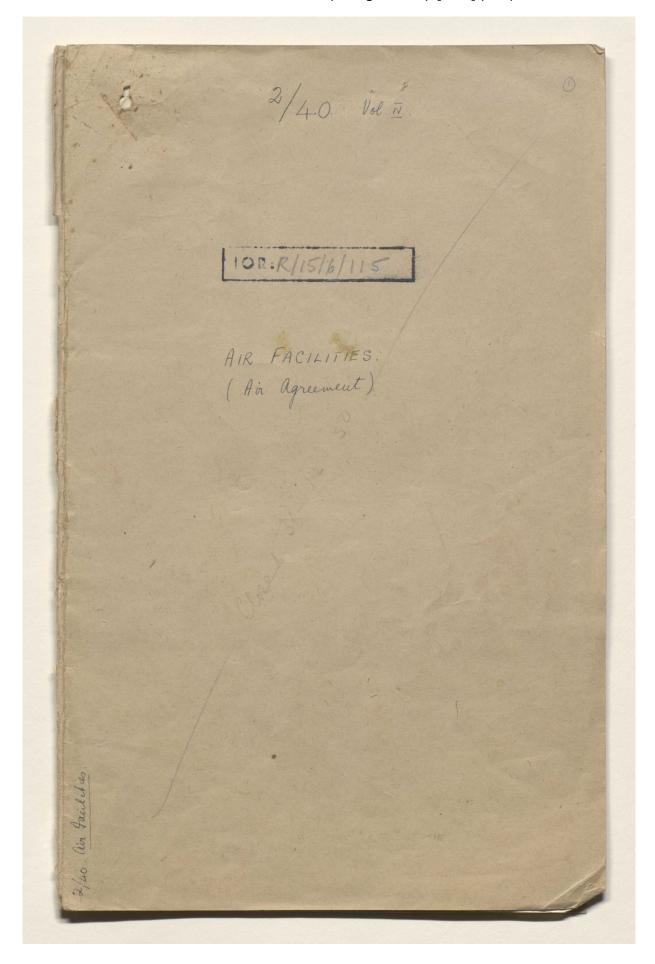
The file contains correspondence in the form of telegrams and letters that are related to the following: the use and control of the airfields in the Persian Gulf; the Royal Air Force (RAF) obtaining permission from the Sultan of Muscat and Oman for the use of certain areas in Salalah, Dhofar and Masirah as cemetery sites; and the amendment to the Muscat Civil Air Agreement of 1947 in regard to the safeguarding of airfields approaches at Salalah and Masirah.

The main correspondents in the file are: the Foreign Office, London; the Political Agent, Muscat; the Political Resident, Bahrain; and the RAF Headquarters, British Forces, Aden.



'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [front] (1/42)





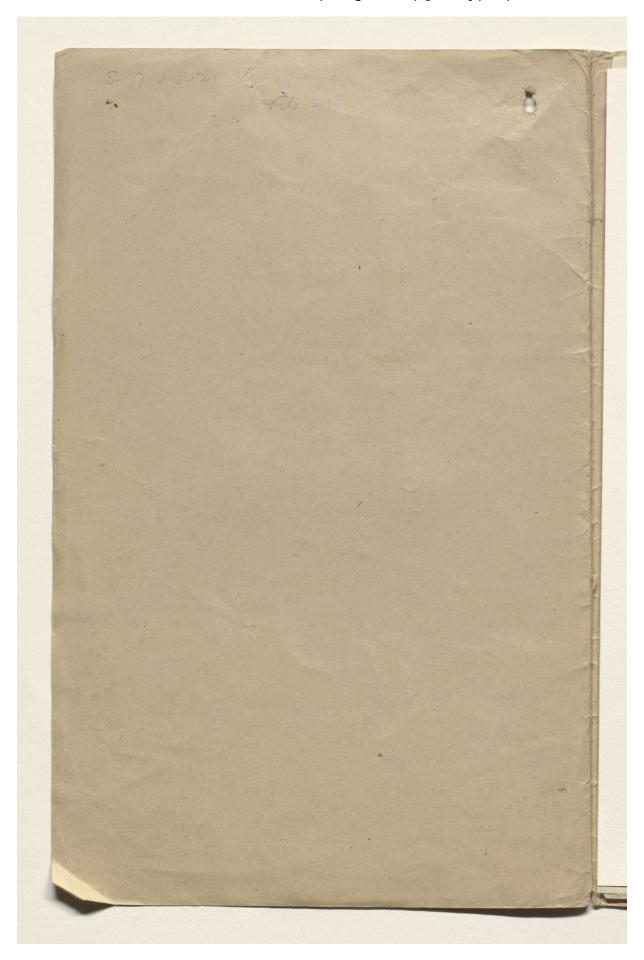
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'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [front-i] (2/42)

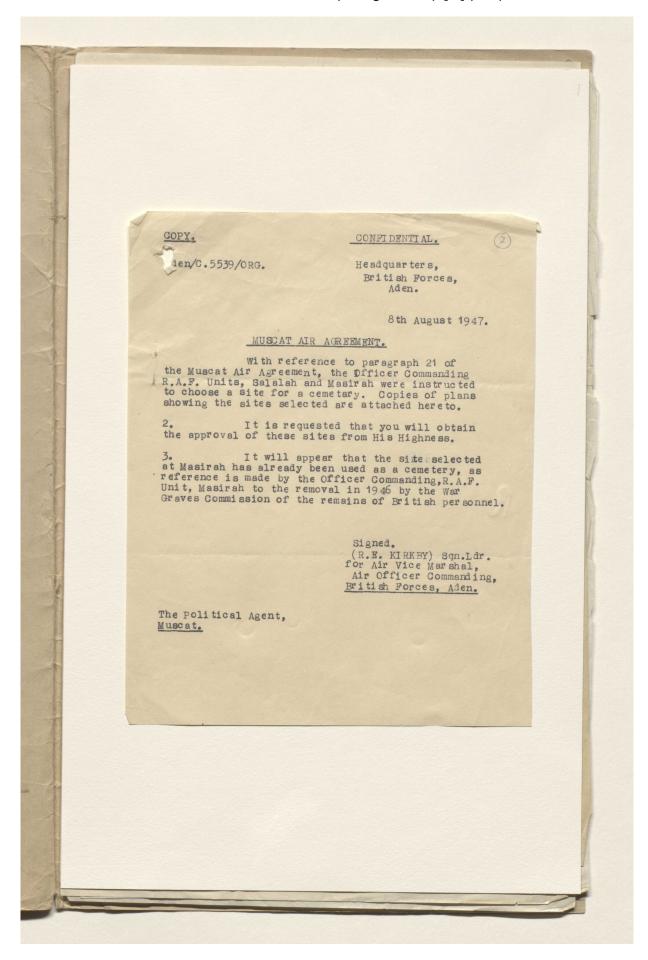






'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [2r] (3/42)





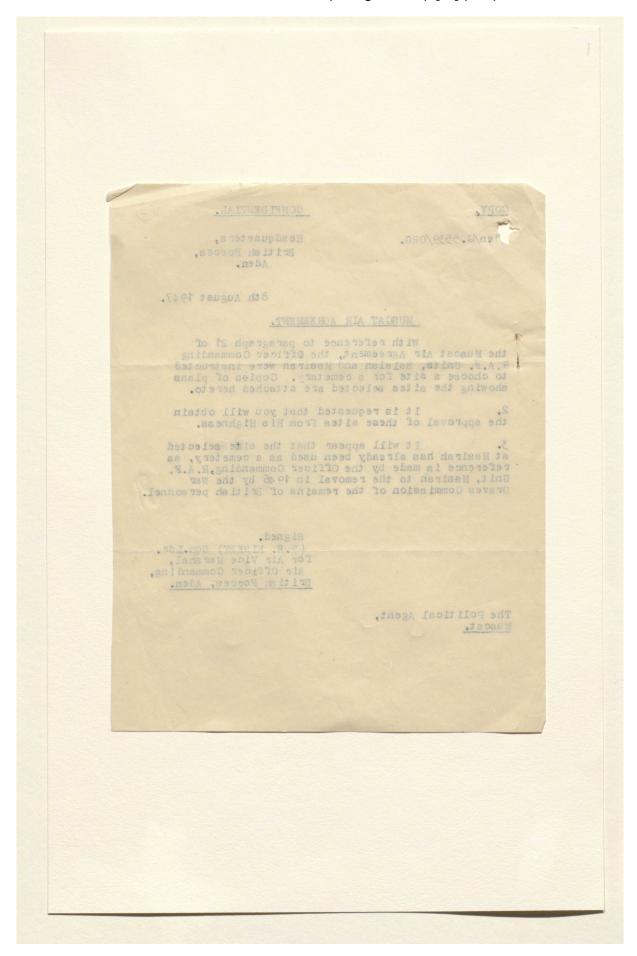
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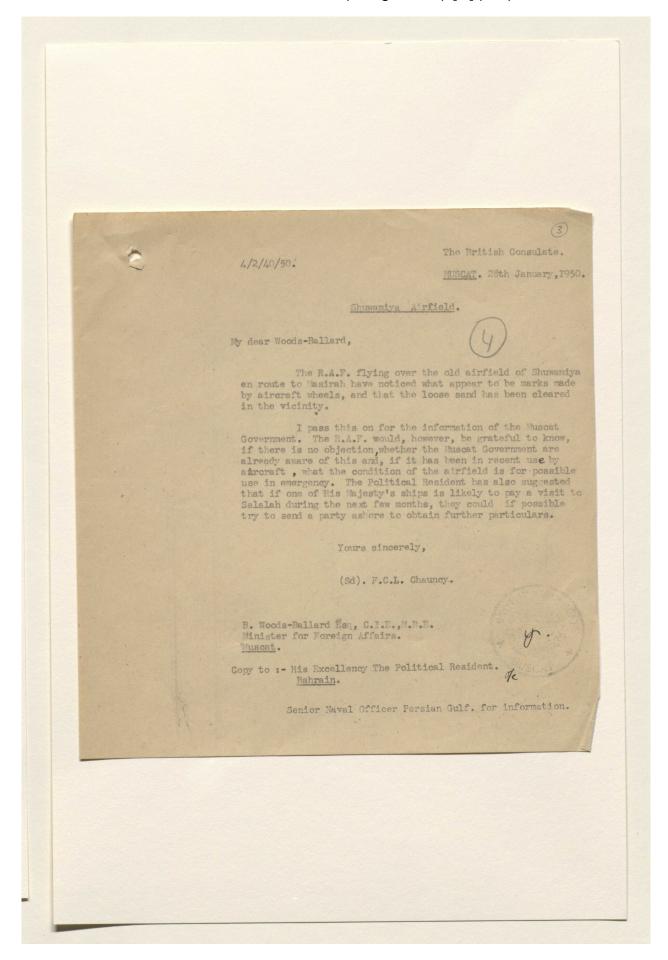






'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [3r] (5/42)





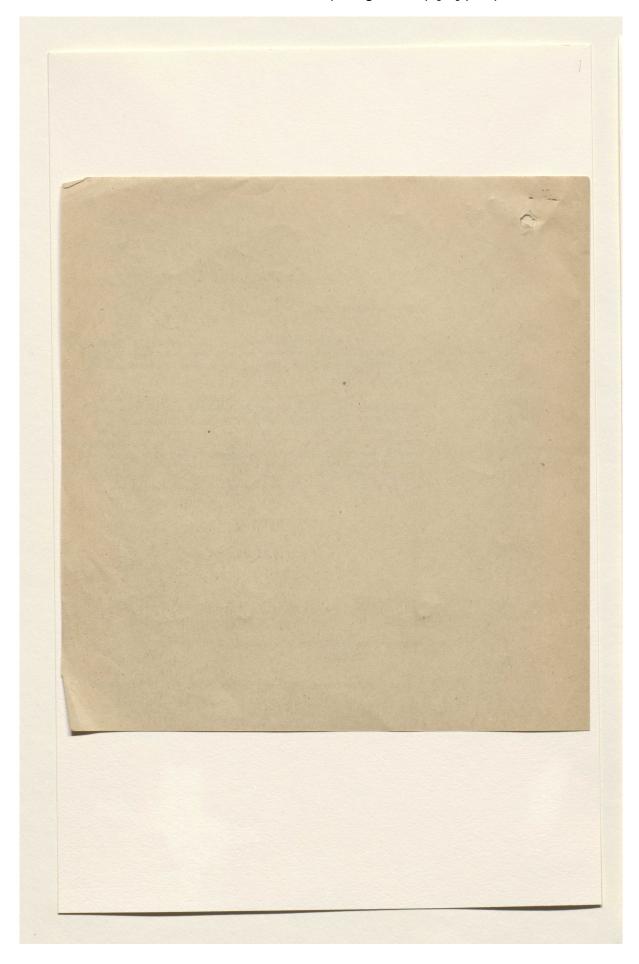
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'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [3v] (6/42)







'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [4r] (7/42)



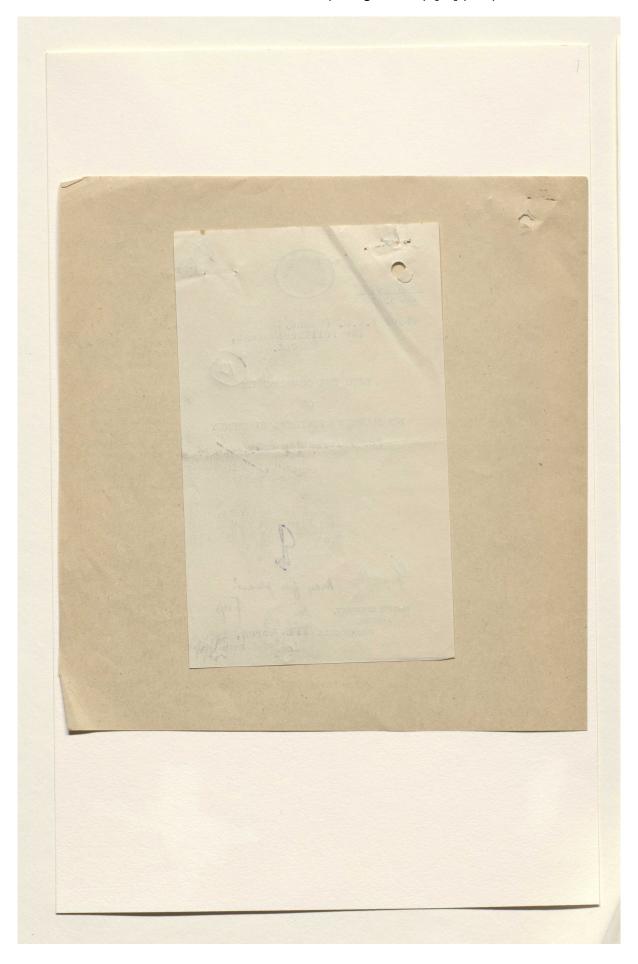


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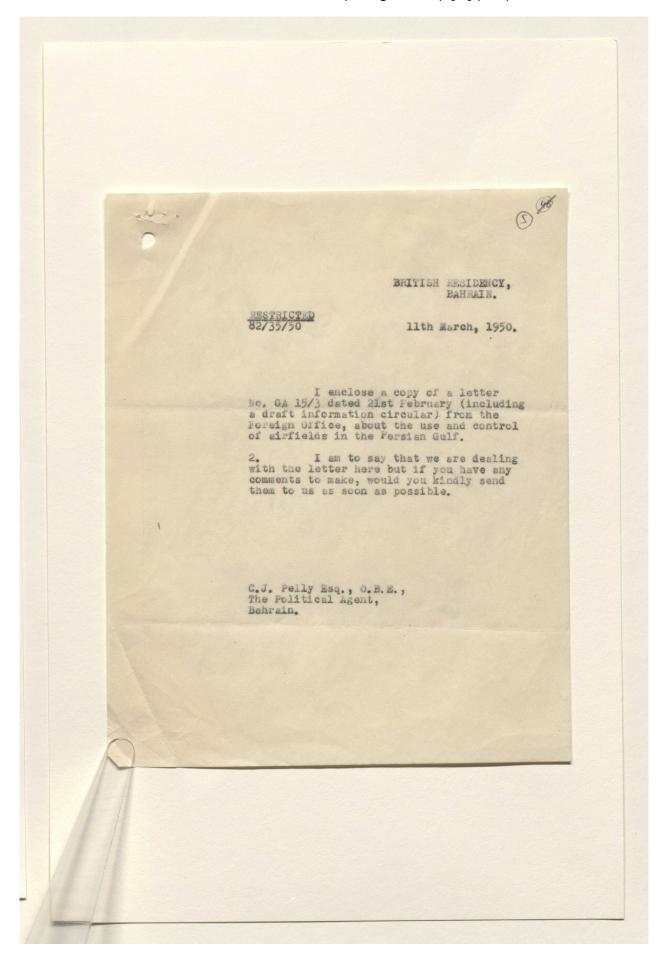






'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [5r] (9/42)





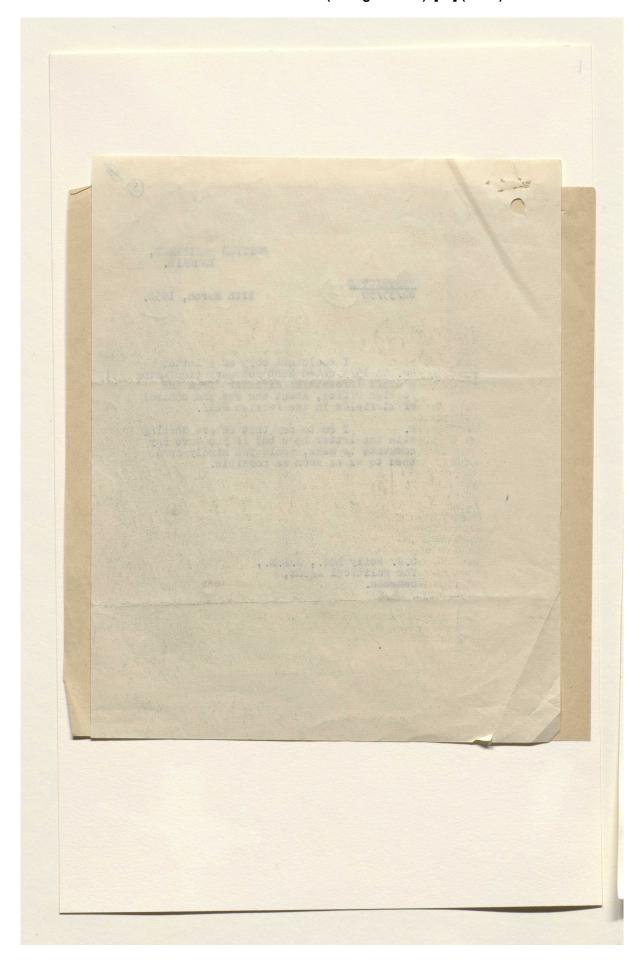
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'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [6r] (11/42)



(G A 15/3)

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/ in

FOREIGN OFFICE, S.W.1.

21st February, 1950.

Dear Sir Rupert,

I am sorry it has not been possible to reply scener to your letter No. 26/123/49 of the 9th July 1949 to Burrows, regarding the control of the Persian Gulf airfields; but the question is a complicated one owing to the unique position of the Shaikhdoms and has required lengthy consideration in this office and in the Ministry of Civil Aviation.

- 2. The Ministry have in hand the preparation of NOTAMS of Information Circulars dealing with the Gulf aerodromes, but they are not yet in a position to publish them; and they have suggested that for the present an Information Circular on the lines of the draft enclosed should be issued. You will see that it covers adequately the most important problem with which we are concerned the procedure for clearing flights and provides that in future all applications with the possible exception of the cases referred to in paragraph 3 below will be cleared through one central channel the Ministry of Civil Aviation and that apart from those exceptions you will no longer be called upon to deal with applications yourself. I shall be very glad if you will let me know whether the proposal meets with your approval; and whether you think the Shaikh of Kuwait would agree to a suitable amendment being made to article 6 of the Civil Air Agreement, and the other Rulers concerned to similar amendments to our agreements with them.
- 3. The Ministry of Civil Aviation suggest however, that if you agree, the instructions in this Information Circular might with advantage be modified in two respects:-
 - (a) that you should be authorised to grant permission in the case of single flights from adjoining territory.
 - (b) that prior permission should not be required in the case of non stop flights over the chaikhdoms, and in the case of flights for non-traffic purposes.

I should be glad if you would let me have your views on these proposed exceptions to the general rule that permission for all flights should be made through the diplomatic channel. We are in favour of them; in the case of (a) because it will save a lot of unnecessary time and trouble over minor flights; and/the case of (b) because we doubt whether there is sufficient justification merely on safety grounds, for retaining the requirement. The Ministry are considering whether, as an alternative precaution aircraft flying through the Persian Gulf area should be advised to follow well defined routes.

4. The Ministry of Civil Aviation have examined your suggestion that a penalty should be imposed, without legal process, on aircraft landing without proper authorisation,

..../but

Lieutenant-Colonel Sir Rupert Hay, K.C.I.E., C.S.I., Bahrain.

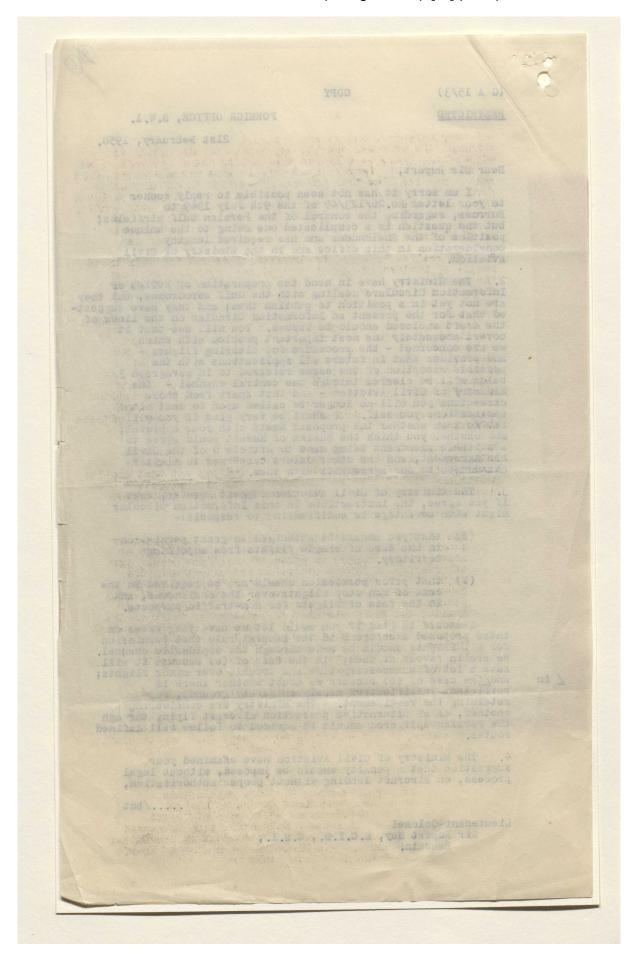
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'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [6v] (12/42)







'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [7r] (13/42)



2

but they consider, and we are inclined to agree, that although the proposal has the attraction of simplicity and expedition, there is a danger that unless the fines were fixed at an exorbitant figures, operators in some circumstances would rather pay the fine than obtain, or attempt to obtain, prior permission. We also feel that the absence of legal proceeding might make operators feel that they had been dealt with arbitrarily and unjustly; and it might very well lead to the institution of retaliatory measures by foreign governments, whose airfield officials are not as impartial as our own.

- 5. We realise however, the difficulty of dealing with these people by instituting legal proceedings against them under the regulations as they are drawn up at present; and the Ministry of Civil Aviation, suggest that the best solution would be to add two additional Regulations to the Air Navigation Regulations of Bahrain and Kuwait, and eventually in the Air Navigation Regulations of Sharjah and Qatar, on the lines of Article 46 and 59 of the United Kingdom Air Navigation Order, in order to establish unequivocably that landing or picking up or setting down traffic at those airfields without permission is a contravention of the Regulations; and to provide powers under which of ending aircraft would be detained. The Ministry of Civil Aviation have found that these two Regulations enable them to deal adequately with any aircraft which land in this country without authority.
- 6. We suggest therefore that provisions to be based on Articles 46 and 59 of the United Kingdom Order should be inserted in the Auwait Regulations as follows and that similar provisions should also be included in the Air Ravigation Regulations applicable in the other territories concerned:-

Add the following paragraph to Article 1.

"An aircraft engaged in the carriage of passengers or goods for hire or reward, shall not take on board or discharge passengers or goods at any place within the territories of Kuwait except in accordance with the terms of any agreement for the time being in force between His Majesty's Government in the United Kingdom (acting in this regard on behalf of His Highness the Shaikh) and the Government of the country in which the aircraft is registered or in accordance with the special permission of the Minister of Civil Aviation in the United Kingdom granted on behalf of His Highness the Shaikh and subject to any conditions or limitations which the Minister may specify.

Insert the following new Article after Article 14:-

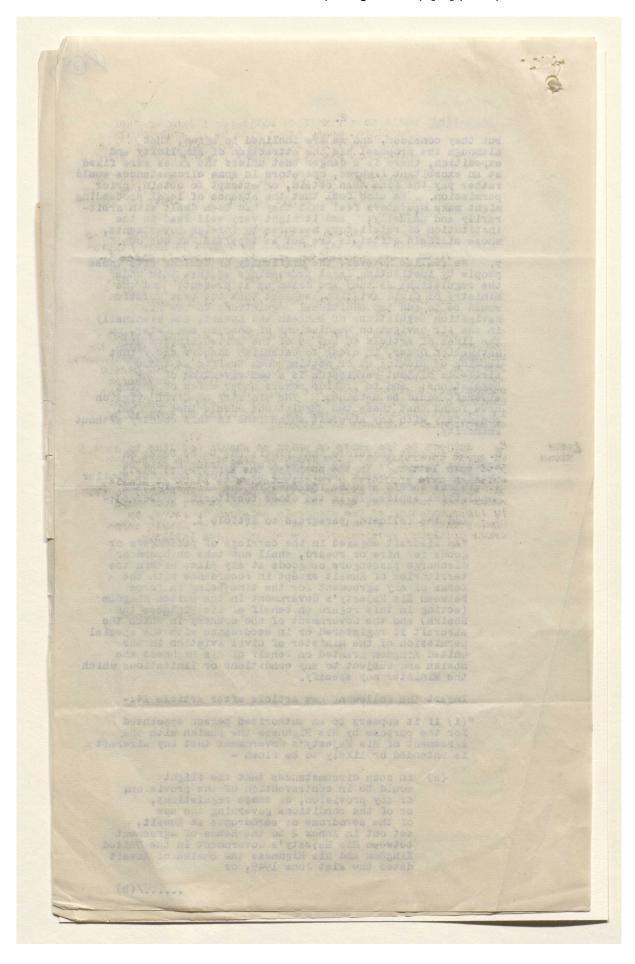
- "(i) if it appears to an authorised person appointed for the purpose by His Highness the Shaikh with the agreement of His Majesty's Government that any aircraft is intended or likely to be flown -
 - (a) in such circumstances that the flight would be in contravention of the provisions, or any provision, of these regulations, or of the conditions governing the use of the aerodrome or aerodromes at Kuwatt, set out in Annex 2 to the Heads of Agreement between His Majesty's Government in the United Kingdom and His Highness the Shaikh of Kuwait dated the 21st June 1949, or

..../(b)



'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [7v] (14/42)

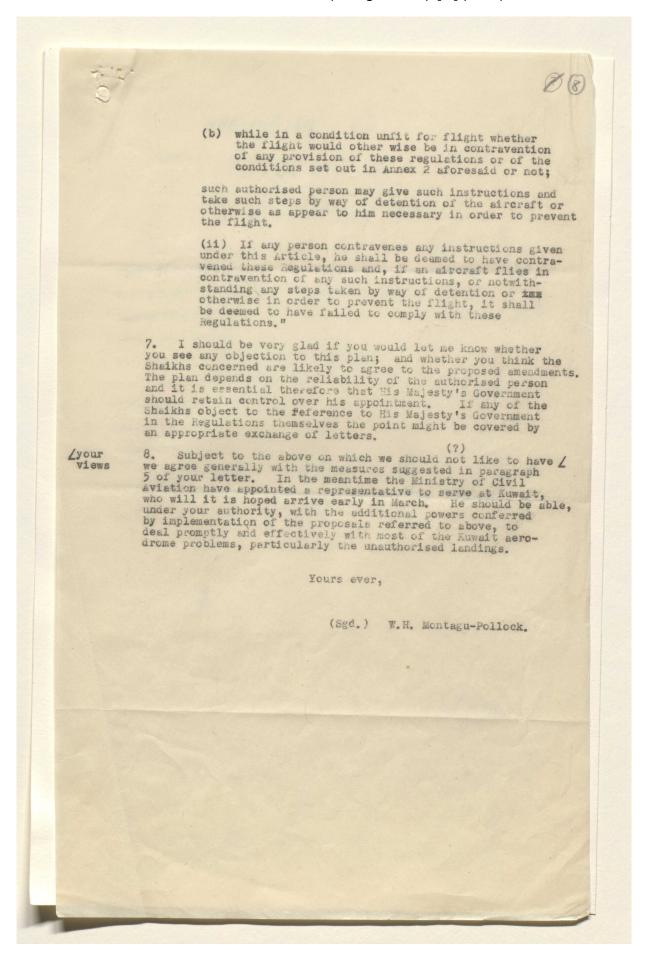






'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [8r] (15/42)





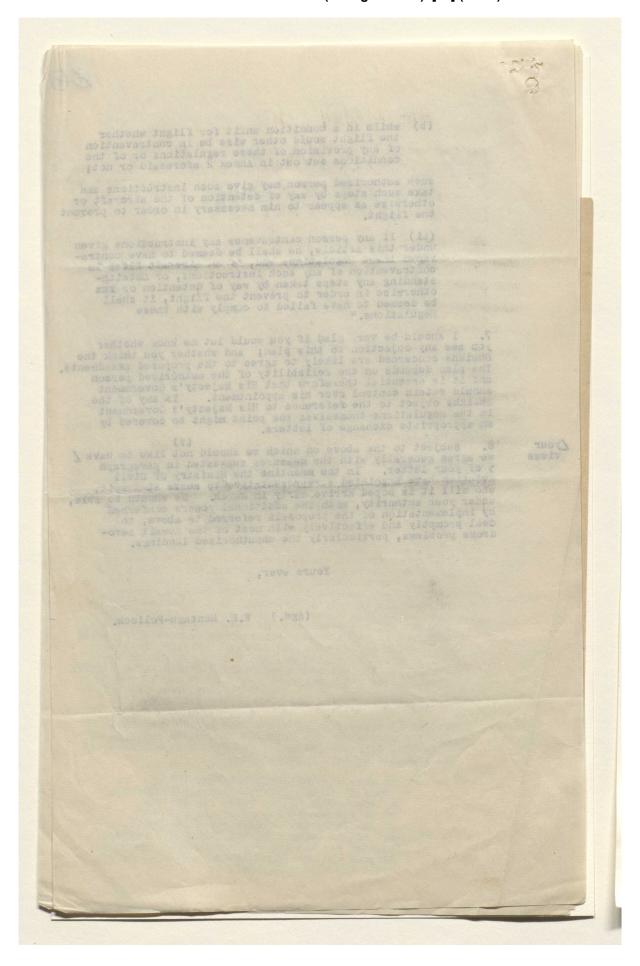
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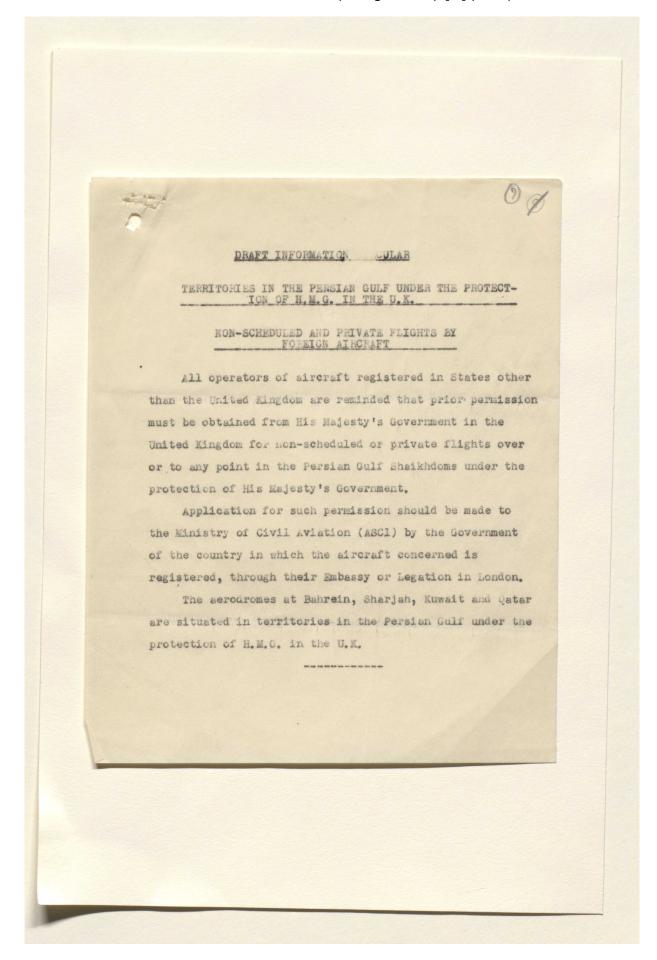






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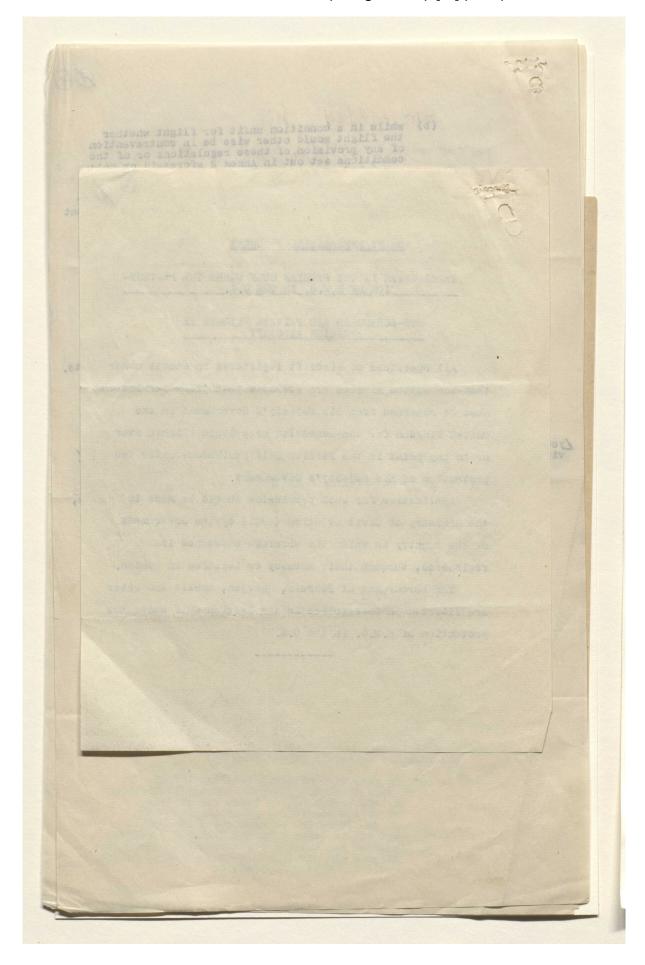






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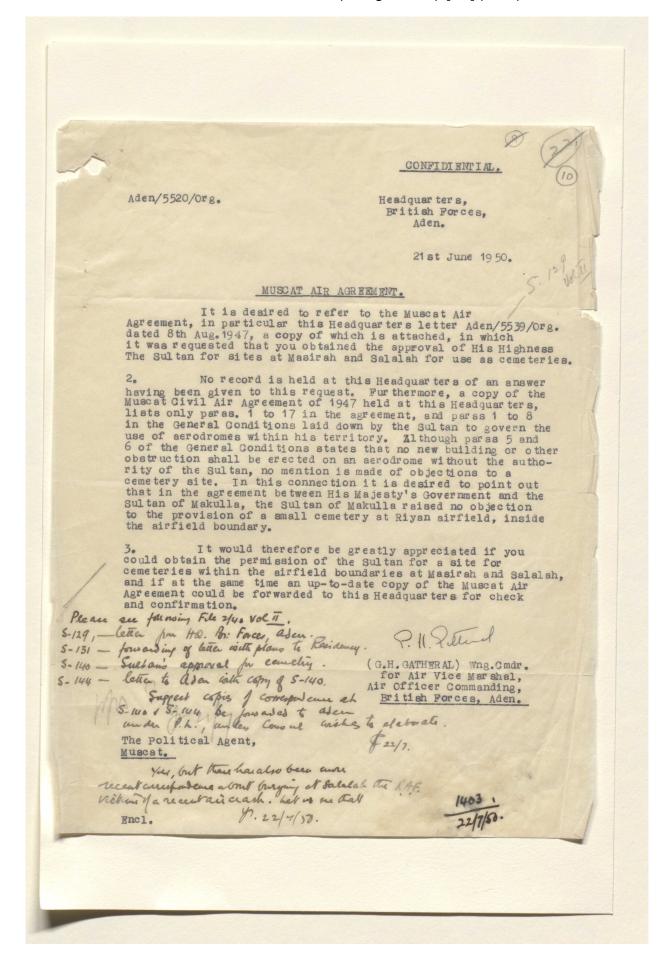
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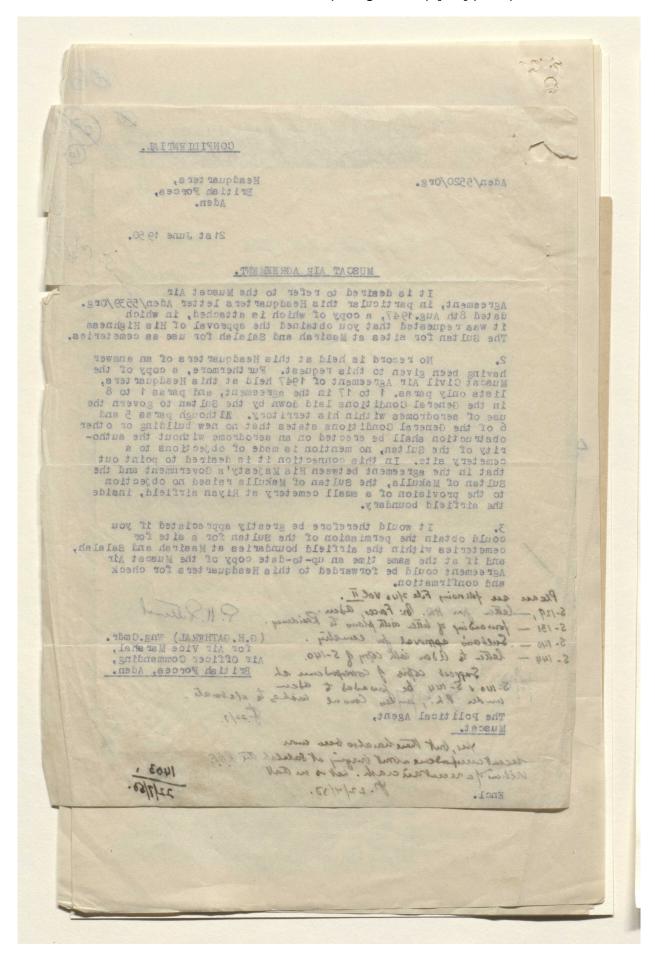
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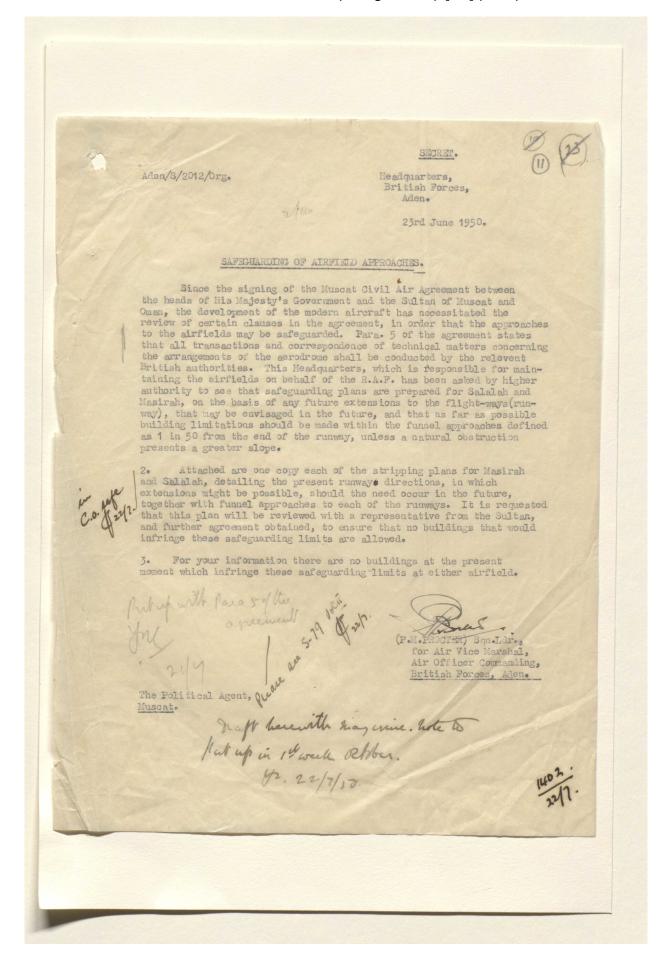






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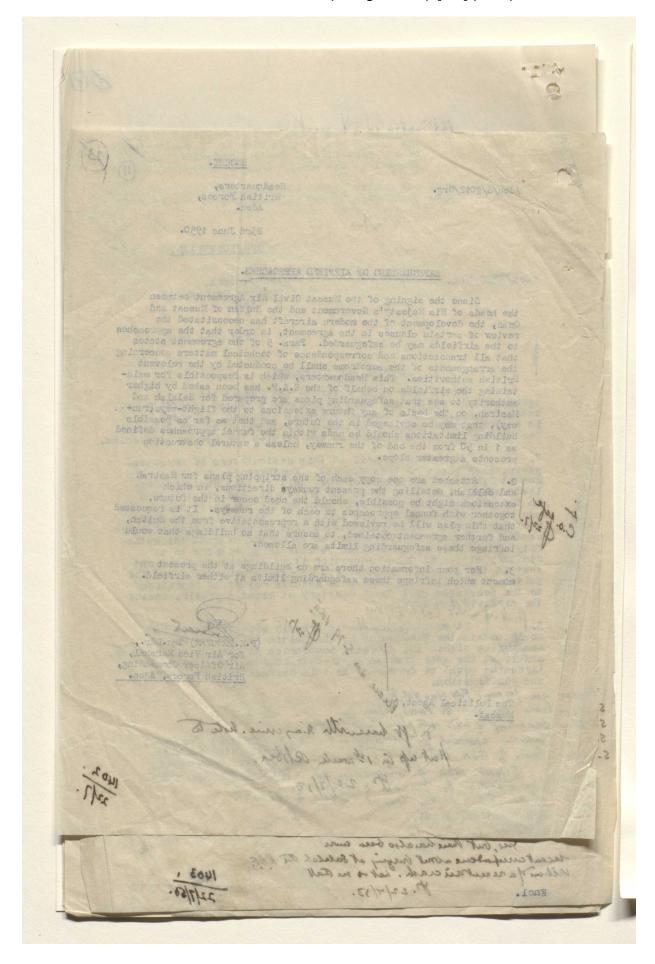






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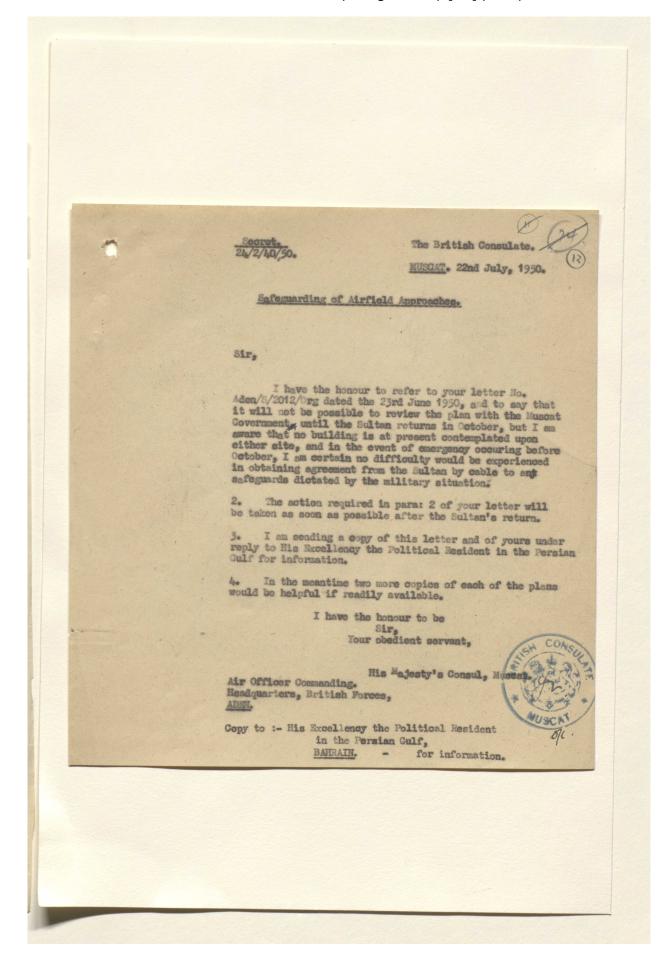






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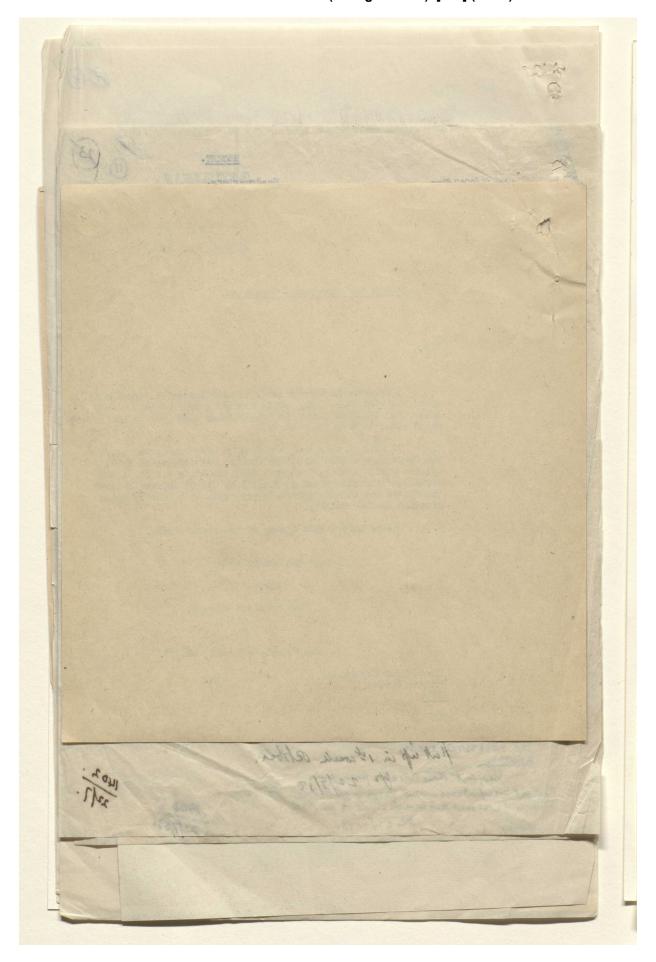
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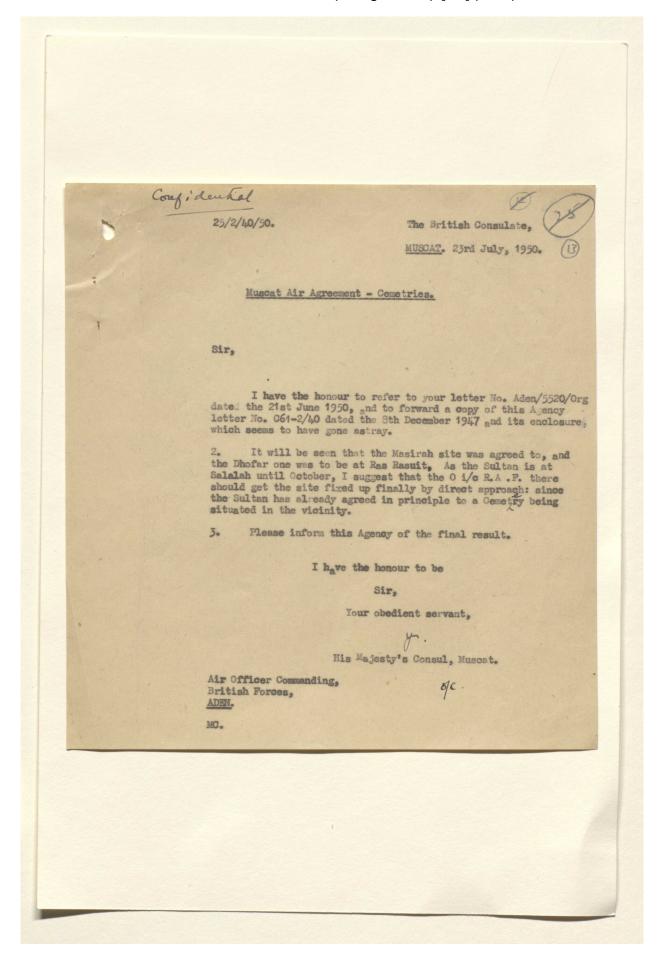






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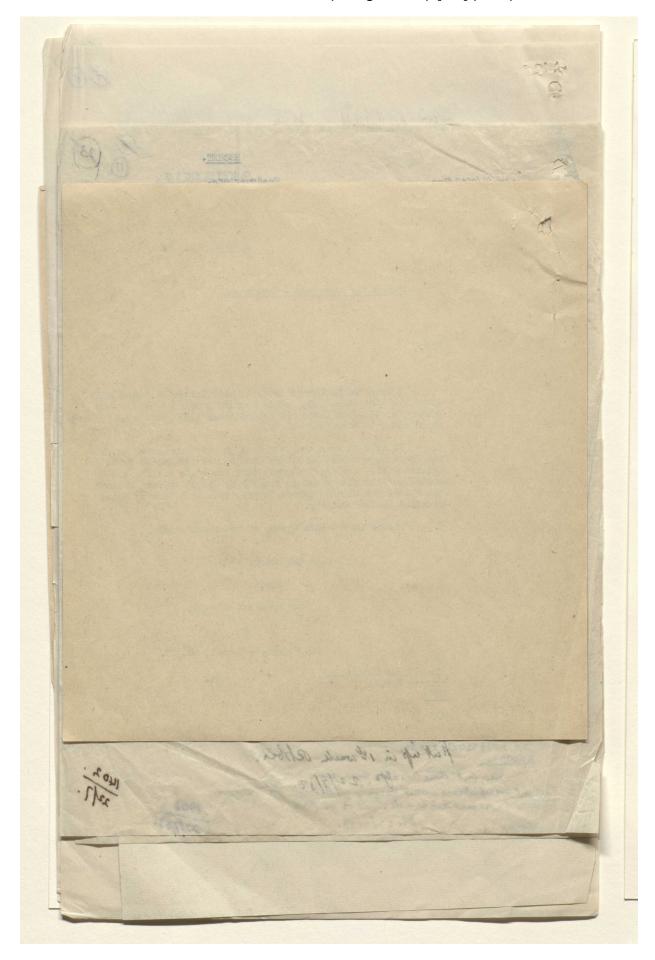
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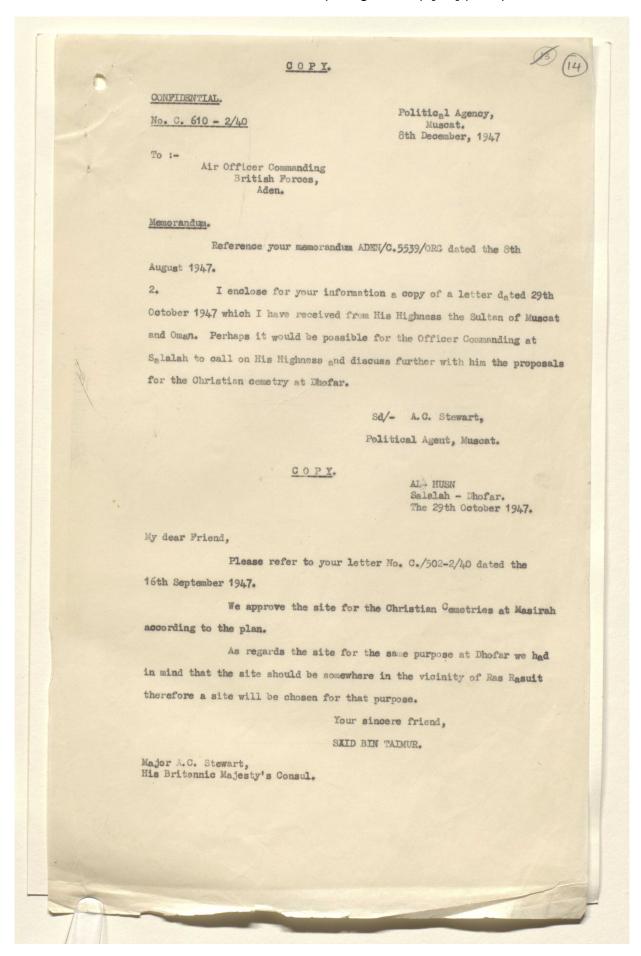
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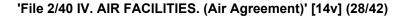




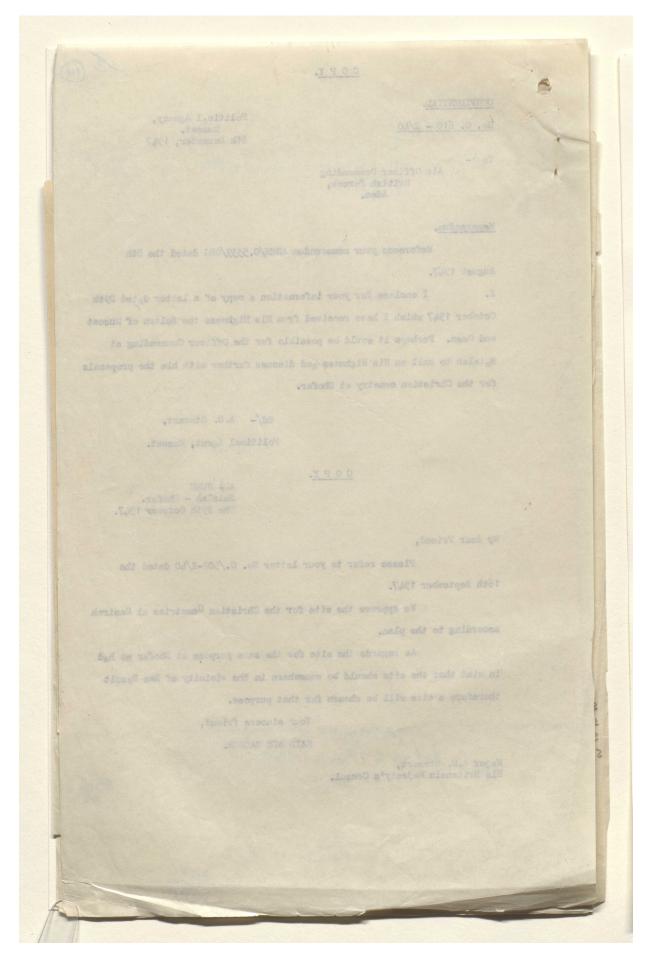
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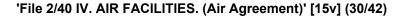




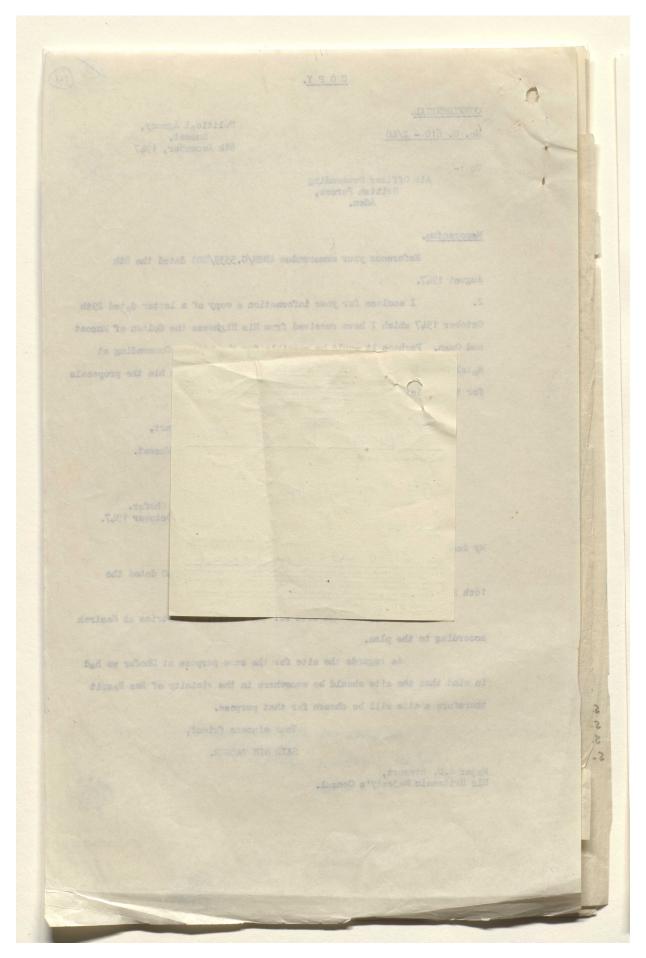
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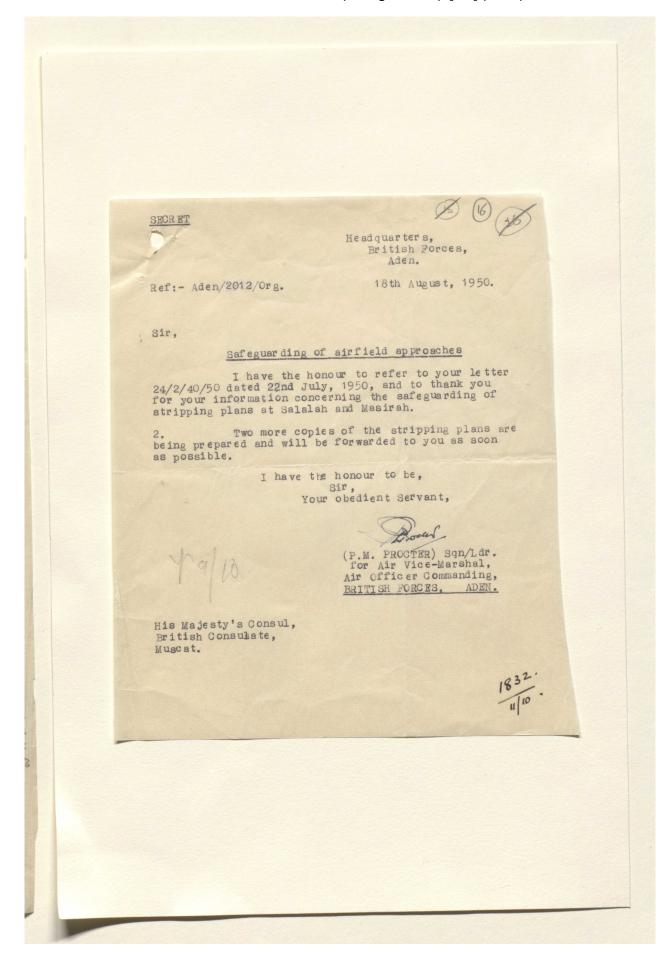






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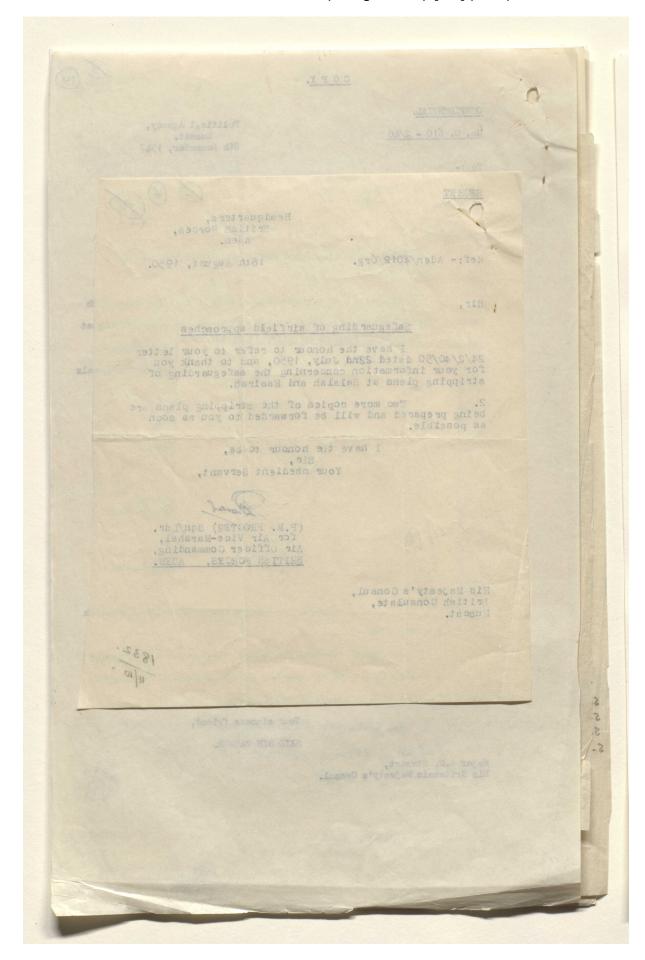
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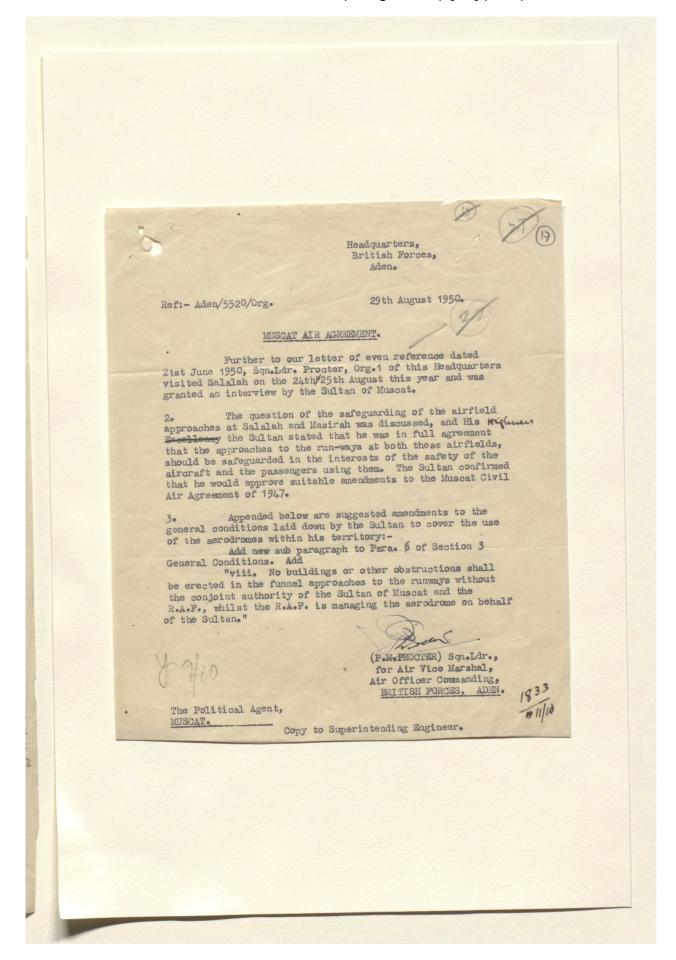


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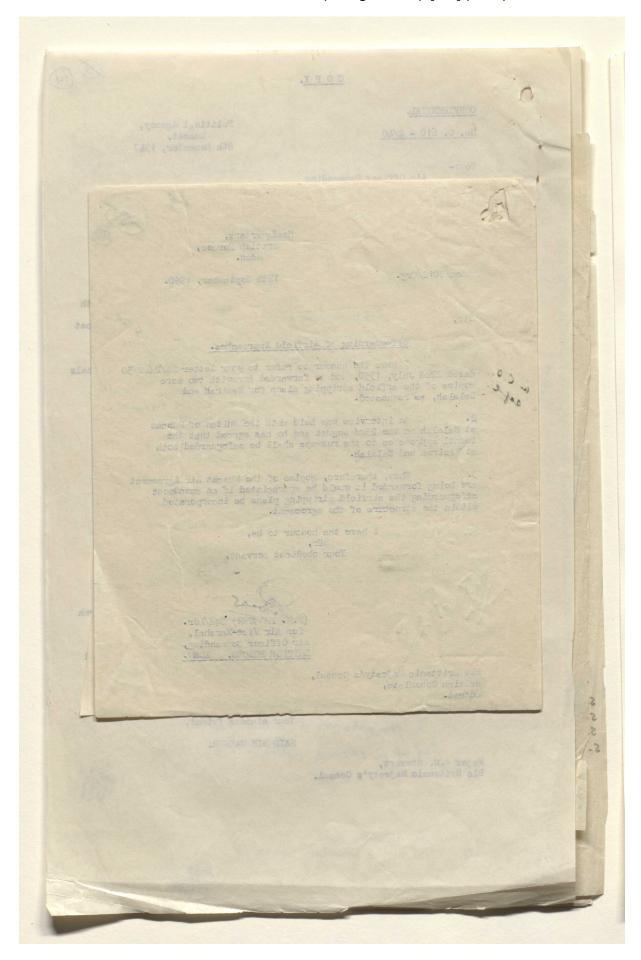
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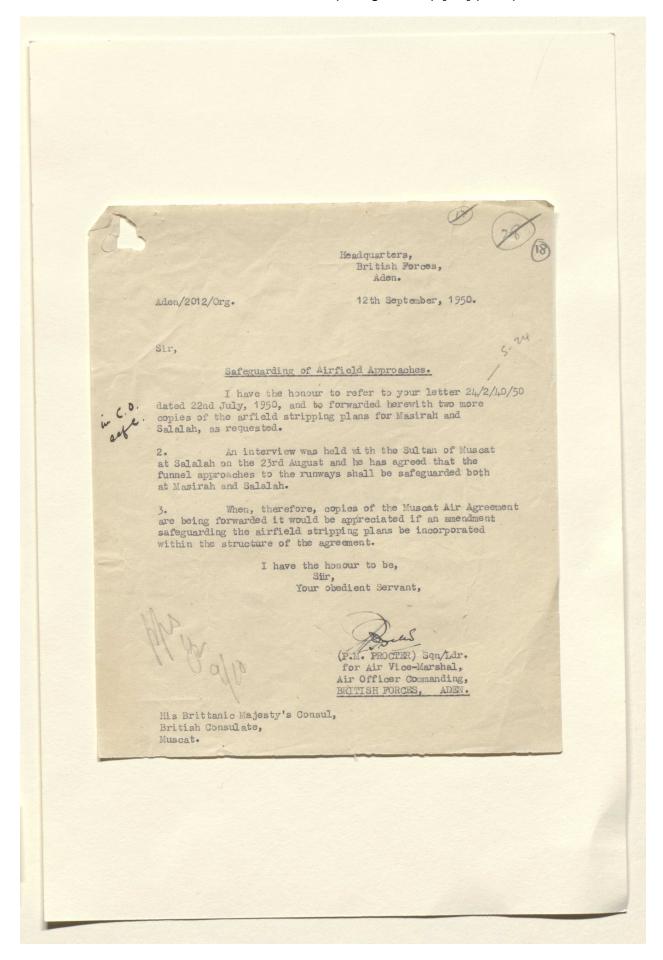






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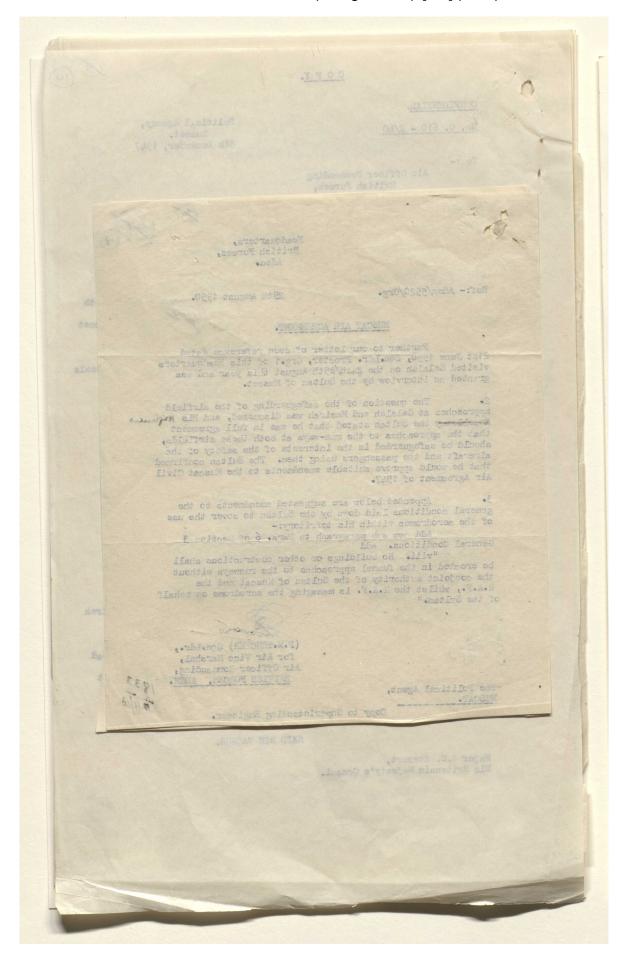
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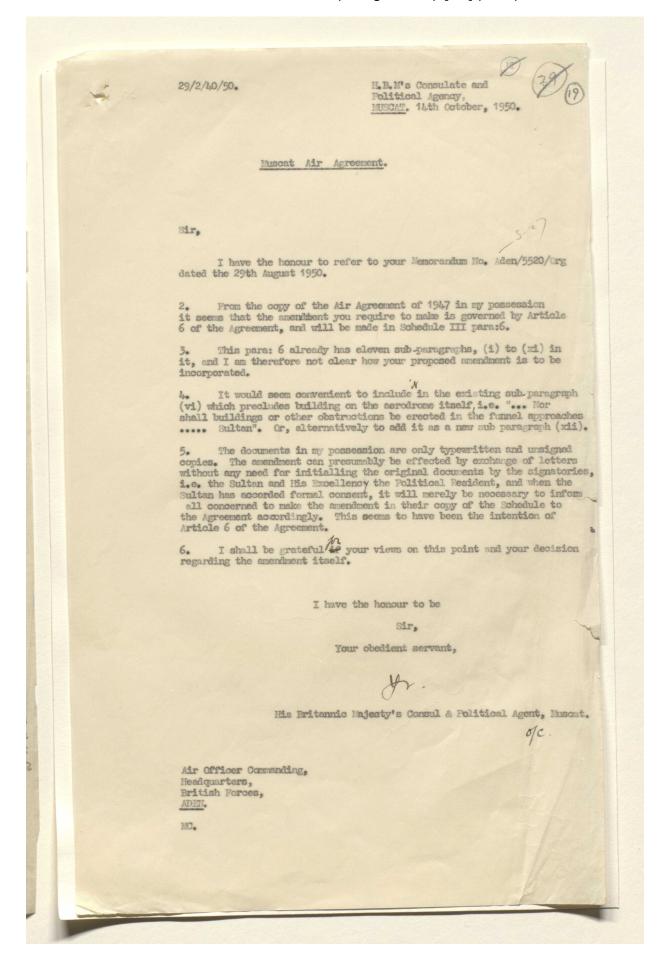






'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [19r] (37/42)

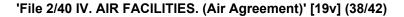




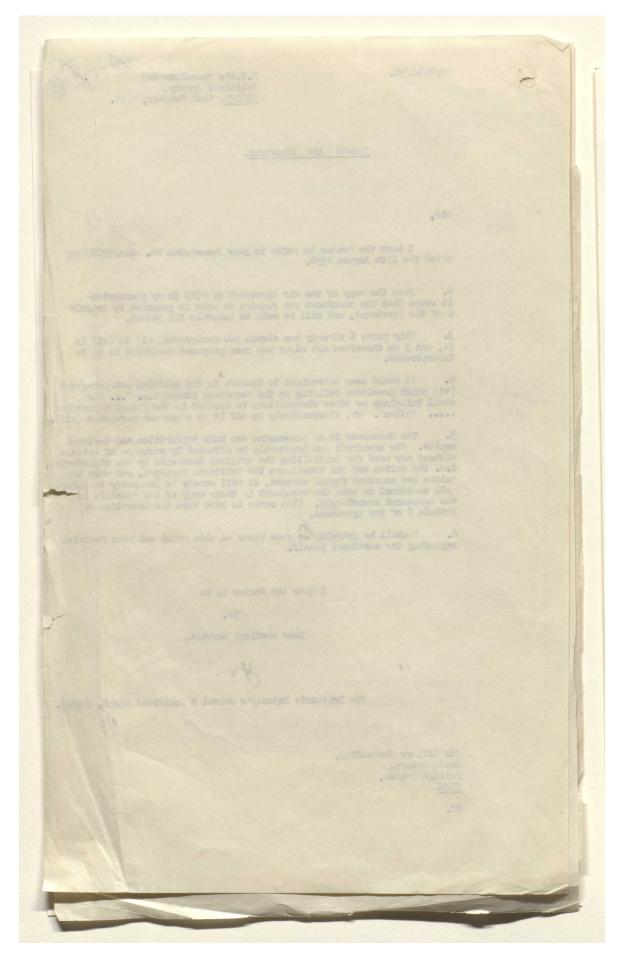
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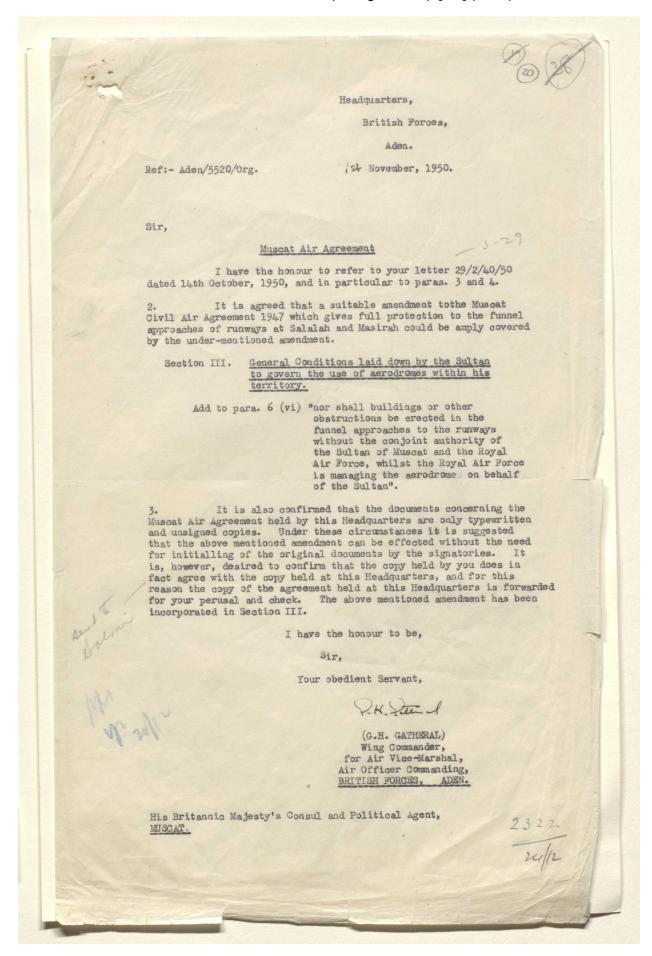






'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [20r] (39/42)





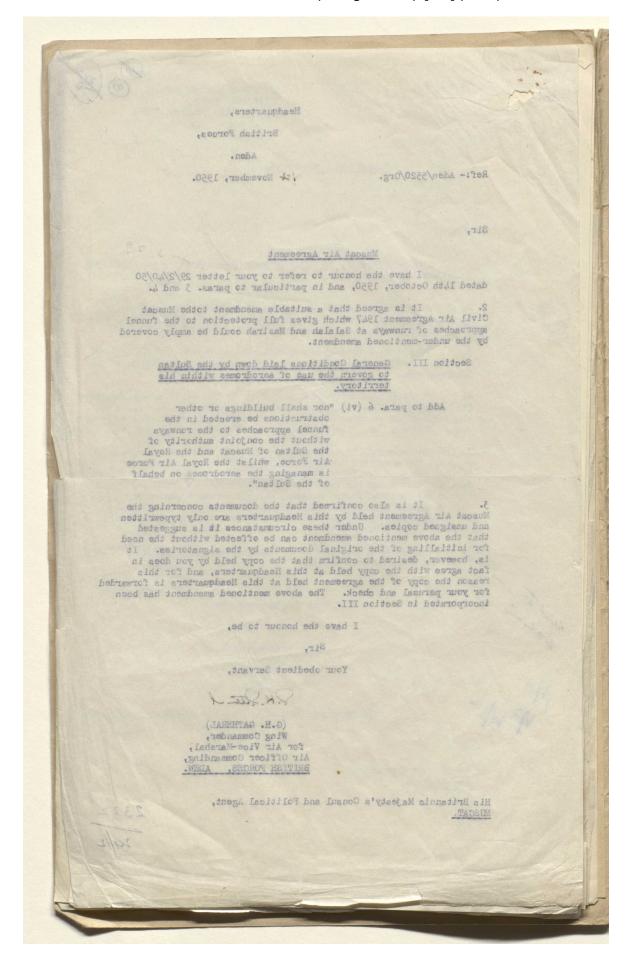
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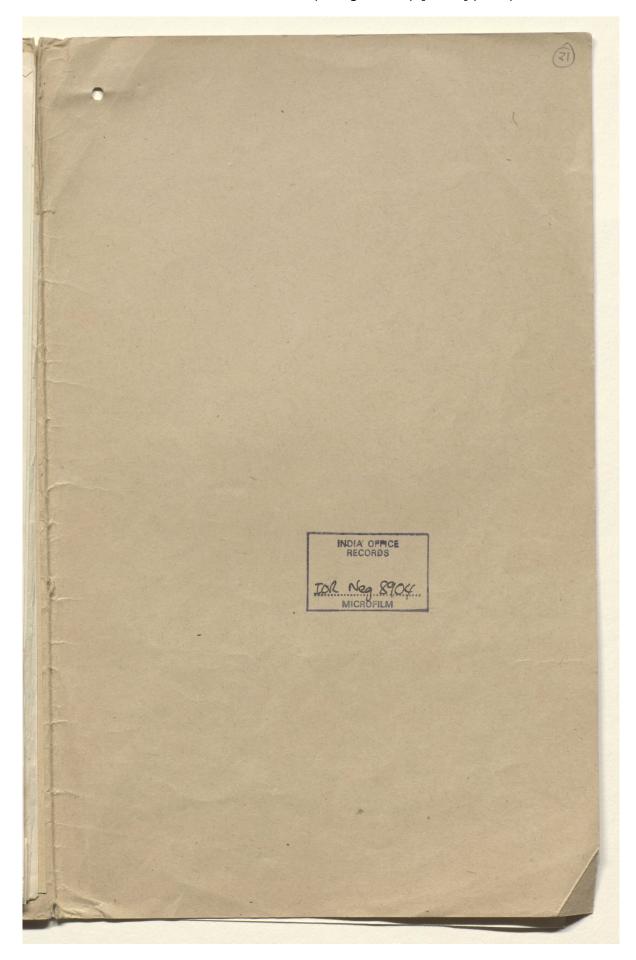
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'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [back-i] (41/42)







'File 2/40 IV. AIR FACILITIES. (Air Agreement)' [back] (42/42)



