

UNITED STATES  
OF AMERICA



Treaty Series No. 63 (1995)

# Agreement

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of the United States of America

concerning the Facilitation of Air Navigation Services

London, 11 May 1995

[The Agreement entered into force on 11 May 1995]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
September 1995*

LONDON : HMSO

£1·10 net

Cm 2986



**AGREEMENT BETWEEN  
THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND AND THE GOVERNMENT OF THE UNITED  
STATES OF AMERICA CONCERNING THE FACILITATION OF AIR  
NAVIGATION SERVICES**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, hereinafter referred to as the "Parties";

Considering their common purpose of promoting civil aeronautics and air commerce;

Declaring their mutual commitment to the safety and efficiency of international aviation;

Recognizing that both countries as Parties to the Convention on International Civil Aviation (Chicago Convention, 1944<sup>1</sup>), have a mutual interest in facilitating and expediting air navigation services for aircraft operating over and into Bermuda, Atlantic Ocean;

Noting that the United States Navy will not be providing air traffic control services at the United States Navy Bermuda Naval Air Station (Kindley Field) after May 31, 1995;

Desiring to ensure the continued orderly, efficient and safe control of aircraft operating over and into Bermuda;

Have agreed as follows:

**ARTICLE I**

The Agencies responsible for implementing this Agreement shall be the Federal Aviation Administration (FAA), for the Government of the United States of America, and the Ministry of Management and Technology of the Government of Bermuda (MMT), for the Government of the United Kingdom of Great Britain and Northern Ireland. These agencies shall be responsible for developing a Memorandum of Co-operation which shall contain the technical and operational details necessary to implement this Agreement. In addition, these agencies shall be responsible for preparing necessary recommendations on the development of air traffic control services around Bermuda.

**ARTICLE II**

The Parties shall take measures to assure continual strong co-operation on issues of airspace use in order to facilitate air traffic control services over and into Bermuda.

**ARTICLE III**

The Government of Bermuda shall provide tower air traffic control services at Kindley Field, Bermuda. The Government of the United States shall continue to provide en route air traffic control services over Bermuda. The Government of the United States shall continue to provide Bermuda air traffic approach control services, until such time that the Government of Bermuda is prepared to assume those responsibilities.

**ARTICLE IV**

Any activities undertaken pursuant to this Agreement shall be subject to the availability of funds and resources of the Parties.

---

<sup>1</sup> Treaty Series No. 8 (1953) Cmd. 8742.

ARTICLE V

Any equipment imported into Bermuda to further the purposes of this Agreement shall be exempt from custom tax or tariffs.

ARTICLE VI

The Government of the United Kingdom of Great Britain and Northern Ireland shall hold the Government of the United States of America, any agency, contractor, or employee thereof harmless from any and all claims and legal proceedings arising out of work performed on behalf of, or equipment provided to, Bermuda pursuant to this Agreement or pursuant to any subsequent Memorandum of Co-operation concluded between the FAA and the MMT to implement this Agreement.

ARTICLE VII

Any disagreement concerning the interpretation or application of this Agreement shall be resolved by consultation between the Parties and shall not be referred to any international tribunal, arbitration, or third party for settlement.

ARTICLE VIII

This Agreement may be amended by written agreement of the Parties.

ARTICLE IX

This Agreement shall enter into force upon signature of both Parties and shall remain in force until terminated. This Agreement may be terminated at any time by either Party by providing one year notice in writing to the other Party.

In witness whereof, the undersigned being duly authorized by their respective Governments, have signed this present Agreement.

Done at London, in duplicate, this 11th day of May 1995.

For the Government of the United  
Kingdom of Great Britain and  
Northern Ireland:

For the Government of the United States  
of America:

DOUGLAS HOGG

WILLIAM J CROWE JR

