

May 12, 1947

**AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND
THE UNITED STATES OF AMERICA REGARDING AIR NAVIGATION
FACILITIES AND TRAINING PROGRAMME**

Note: The Agreement entered into force. May 12, 1947.

Reference: This Agreement is also published in 16 UNTS, p. 127

WHEREAS, the Government of the United States of America has enacted Public Law 370-79th Congress, approved April 30, 1946, known as the Philippine Rehabilitation Act of 1946, whereof Section 307, entitled "Inter-Island Air Navigation," provides:

"(a) The Administrator of Civil Aeronautics of the Department of Commerce is authorized to acquire, establish, operate, and to maintain a system of air-navigation facilities and associated airways communications services in the Philippines for inter-island airways operation and to connect the Philippine airways with international and interoceanic routes.

"(b) The Administrator of Civil Aeronautics is authorized, under such regulations as he may adopt, to train not exceeding fifty Filipinos each year prior to July 1, 1950, to be designated by the President of the Philippines subject to the provisions of Section 311 (c), in air-traffic control, aircraft communications, maintenance of air-navigation facilities, and such other air-man functions as are deemed necessary for the maintenance and operation of aids to air navigation and other services essential to the orderly and safe operation of air traffic." and

WHEREAS, the Government of the Republic of the Philippines is desirous of availing itself of the benefits, facilities and services which are authorized by the above-quoted Section 307 of the said Public Law 370-79th Congress;

THEREFORE, the Government of the Republic of the Philippines and the Government of the United States of America have decided to conclude an agreement for the foregoing purposes and have agreed mutually as follows:

ARTICLE I

The responsible agent of the Government of the United States of America for effectuating the provisions of this Agreement shall be the Administrator of Civil Aeronautics of the Department of Commerce, hereinafter referred to as the Administrator. The Administrator may delegate to a duly authorized representative of the Civil Aeronautics Administration all or any part of his authority for effectuating the provisions of this Agreement. The duties, functions, and powers exercised in the Republic of the Philippines under the terms of this Agreement by the Administrator or his duly authorized representative shall be under the general supervision of the United States Ambassador accredited to the Government of the Republic of the Philippines or, in absence of the Ambassador, of the Charge d'Affaires ad interim of the United States of America. The Administrator, or his duly authorized representative, may

negotiate and conclude any working agreements necessary for carrying out the provisions of this Agreement.

The responsible agent of the Government of the Republic of the Philippines for effectuating the provisions of this Agreement shall be the Director of Aeronautics of the Bureau of Aeronautics of the Department of National Defense, herein after referred to as the Director of Aeronautics. The Director of Aeronautics may delegate to an officer or employee of the Bureau of Aeronautics of the Department of National Defense all or part of his authority for effectuating the provisions of this Agreement. The Director of Aeronautics, or his duly authorized representative, shall be the representative of the Government of the Republic of the Philippines in the negotiation and conclusion of all working agreements necessary for carrying out the provisions of this Agreement.

The Administrator and the Director of Aeronautics shall cooperate in every way possible to carry out the spirit and purposes of this Agreement.

ARTICLE II

The Administrator shall acquire and establish, and shall maintain and operate during the period required for the training of citizens of the Republic of the Philippines for such operation, a system of air navigation facilities and associated airway communications services in the Philippines for inter-island airways operation and to connect the Philippine airways with international and interoceanic routes.

The Administrator, or his duly authorized representative, shall analyze the plans submitted by the Government of the Republic of the Philippines within the terms of this Agreement involving the expenditure of funds by the Government of the United States of America and after consultation with the Director of Aeronautics shall approve, disapprove, or modify such plans.

ARTICLE III

The Administrator shall provide for the training during the period of this Agreement of not to exceed fifty citizens of the Republic of the Philippines each year in the duties of air traffic control, aircraft communication, maintenance of air navigation facilities, and such other airman functions as he deems necessary for the maintenance and operation of aids to air navigation and other services essential to the orderly and safe operation of air traffic. The Administrator shall provide for the payment of all expenses incidental to such training, including, but not necessarily limited to, actual transportation expenses to and from and in the United States of America, allowances for tuition, educational fees, and subsistence.

Subject to the provisions of Section 311 (c) of the said Public Law 370-79th Congress, the trainees referred to in the preceding paragraph of this Article shall be designated by the President of the Philippines in accordance with procedures and standards established by the Administrator. The Government of the Republic of the Philippines shall furnish to the United States Embassy at Manila the names and necessary supporting documents of the trainees so designated.