

No. 13789

**UNITED STATES OF AMERICA
and
CANADA**

Agreement for promotion of safety on the Great Lakes by means of radio, 1973 (with technical regulations and exchange of notes). Signed at Ottawa on 26 February 1973

Authentic texts of the Agreement and technical regulations: English and French.

Authentic text of the exchange of notes: English.

Registered by the United States of America on 17 March 1975.

**ÉTATS-UNIS D'AMÉRIQUE
et
CANADA**

Accord visant à assurer la sécurité sur les Grands lacs par la radio, 1973 (avec règlement technique et échange de notes). Signé à Ottawa le 26 février 1973

Textes authentiques de l'Accord et du règlement technique : anglais et français.

Texte authentique de l'échange de notes : anglais.

Enregistré par les États-Unis d'Amérique le 17 mars 1975.

AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CANADA FOR PROMOTION OF SAFETY ON THE GREAT LAKES BY MEANS OF RADIO, 1973

The Government of the United States of America and the Government of Canada,

Desirous of promoting safety of life and property on the Great Lakes of North America by means of radio;

Believing that this purpose will be served by making provision in common agreement for the use of radiotelephone communication for distress, safety and navigational purposes;

Considering that these objectives may best be achieved and maintained by the conclusion of an agreement between the two Governments;

Have agreed as follows:

Article I. DEFINITIONS

For the purpose of this Agreement, unless expressly provided otherwise:

(a) "Approved" or "Approval" means, in relation to compliance with the terms of this Agreement by vessels of Canada and of the United States, approval by Canada and the United States, respectively, and in relation to vessels of other countries, approval by either Canada or the United States;

(b) "Vessel" includes every description of watercraft or other artificial contrivance used or capable of being used as a means of transportation on or over the water, except aircraft;

(c) "Towing" means the act of pulling or pushing or towing alongside a vessel or floating object;

(d) "Great Lakes" means all waters of Lakes Ontario, Erie, Huron (including Georgian Bay), Michigan, Superior, their connecting and tributary waters and the River St. Lawrence as far east as the lower exit of the St. Lambert Lock at Montreal in the Province of Quebec, Canada, but shall not include such of the connecting and tributary waters as may be specified in the Technical Regulations;

(e) "Mile" means a statute mile of 5,280 feet or 1,609 meters;

(f) "International Radio Regulations" means the Radio Regulations in force annexed to the International Telecommunication Convention,³ or any regulations which have been, or which from time to time in the future may be, substituted for such regulations;

(g) "Technical Regulations" means the regulations in force referred to in paragraph 2 of article III of this Agreement;

(h) "Distress, safety and calling frequency" means the radiotelephone frequency or frequencies designated for this purpose in the Technical Regulations;

(i) "Radiotelephone alarm signal" means the automatic alarm signal prescribed by the International Radio Regulations for radiotelephony;

¹ Came into force on 6 May 1975, i.e., one year after the date of the exchange of the instruments of ratification, which took place at Washington on 6 May 1974, in accordance with article XX.

² United States of America: *Treaties and Other International Acts Series 4893*.

³ United Kingdom, *Treaty Series*, No. 74 (1961), Cmnd. 1484.

(j) "Radiotelephone auto alarm" means a warning device which is capable of being actuated automatically by the radiotelephone alarm signal, and which complies with the International Radio Regulations.

Article II. PURPOSES OF THE AGREEMENT

The purposes of the Agreement are:

- (a) To provide for cooperation between Canada and the United States in the field of governmental regulation and practices relating to fitting, usage and maintenance of radiocommunication equipment for safety purposes aboard specified classes of vessels of all nationalities operating on the Great Lakes of North America;
- (b) To provide the highest practicable standards in matters concerning use of radiocommunication and associated equipment for maritime distress, safety and efficiency of navigation on the Great Lakes;
- (c) To provide uniformity of regulations on radiocommunications for safety purposes to ships of all nationalities operating on the Great Lakes.

Article III. GENERAL PROVISIONS

1. The Contracting Governments undertake to collaborate in encouraging the highest practicable degree of uniformity in standards for radiocommunication and associated equipment, where such uniformity will facilitate and improve maritime safety and efficiency of navigation on the Great Lakes.

2. The Technical Regulations annexed to this Agreement are an integral part thereof and every reference to this Agreement implies at the same time a reference to the Technical Regulations unless the language or context of the reference clearly excludes the Technical Regulations.

3. The Agreement shall apply to vessels of all countries as provided in article V.

4. Each Contracting Government agrees that any vessel which is not subject to this Agreement, and which is permitted by such Government to use any radio frequency designated by this Agreement, shall be required, while on the Great Lakes, to use such radio frequency in the same manner as a vessel subject to this Agreement.

5. No provision of this Agreement shall prevent the use by a vessel or survival craft in distress of any means at its disposal to attract attention, make known its position, and obtain help.

Article IV. NOTIFICATION TO THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION (IMCO)

1. The Contracting Governments agree to notify the Secretary-General of the IMCO as soon as possible of the entry into force of this Agreement and of any subsequent amendments.

2. The Contracting Governments agree, also, to deposit with the Secretary-General of IMCO a true copy of the Technical Regulations annexed to this Agreement and any amendments to these Technical Regulations which may subsequently be agreed in accordance with paragraph 2 of article XVIII.

Article V. APPLICABILITY TO VESSELS

A vessel to which this Agreement applies generally, as stated in paragraph 3 of article III of this Agreement, and which falls in any of the following specific categories of paragraphs (a), (b) or (c), and not excepted by paragraphs (b) and (d),

shall be subject to the requirements of this Agreement and the Technical Regulations while being navigated on the Great Lakes:

- (a) Every vessel 65 feet or over in length (measured from end to end over the deck exclusive of sheer), except that the Contracting Governments, each with respect to its own vessels, may specify a smaller dimension;
- (b) Every vessel engaged in towing another vessel or floating object, except:
 - (i) where the maximum length of the towing vessel, measured from end to end over the deck exclusive of sheer, is less than twenty-six (26) feet and the length of breadth of the tow, exclusive of the towing line is less than sixty-five (65) feet;
 - (ii) where the vessel towed complies with the requirements of this Agreement and the Technical Regulations annexed thereto;
 - (iii) where the towing vessel and tow are located within a booming ground; or
 - (iv) where the tow has been undertaken in an emergency and neither the towing vessel nor the tow can comply with this Agreement and the Technical Regulations annexed thereto;
- (c) Any vessel carrying more than six passengers for hire;
- (d) A vessel shall not be subject to the requirements of this Agreement if such vessel falls in any of the following specific categories:
 - (i) Ships of war and troop ships;
 - (ii) Vessels owned and operated by any government and not engaged in trade.

Article VI. COAST STATION WATCH

1. Subject to paragraph 2, each Contracting Government agrees to ensure that necessary arrangements are made for coast stations to maintain a continuous watch on the distress, safety and calling frequency or frequencies.

2. During the non-navigation season of the St. Lawrence Seaway system continuous watch need be maintained only by such shore stations as may be required for the service of shipping which continues to operate in the open water areas.

Article VII. SHIP STATION OPERATORS AND LISTENING WATCH

1. There shall be on board, at least one operator whose qualifications for radiotelephone operation for safety purposes on the Great Lakes have been certified by each of the Contracting Governments for citizens of its own country on vessels of that country or for persons on vessels of other countries, as meeting the qualifications set forth in the Technical Regulations.

2. From among those certified operators, the master shall designate one or more who shall operate the radiotelephone station. The duties of the operators so designated need not be restricted to duties in connection with the radiotelephone station but may include any and all duties assigned them by the master.

3. There shall be an effective continuous listening watch on the distress, safety and calling frequency or frequencies required by the Technical Regulations by at least one person who has been designated by the master to perform such listening. The person so designated may simultaneously perform other duties relating to the operation or navigation of the vessel, provided that such other duties do not interfere with the effectiveness of the listening.

4. Notwithstanding paragraph 3 of this article, Contracting Governments may require that the continuous listening watch shall be maintained on a frequency other than the distress, safety and calling frequencies while the vessel is within

designated national waters of a Contracting Government where it assumes the distress watch for the vessel.

5. Vessels may be permitted by each of the Contracting Governments, with respect to its own national waters, to suspend temporarily the continuous listening watch required under paragraph 3 or paragraph 4 of this article, in order to engage in Maritime Mobile communications on other frequencies.

6. A vessel shall not be navigated unless the qualified radio operator required under paragraph 1 of this article is on board. However, if the vessel is deprived of the services of such operator while underway the master shall notify authorities of the Contracting Governments of this fact, and shall comply with such instructions as may be given by those authorities. In any event, the master shall obtain a satisfactory replacement operator at the earliest practicable moment.

Article VIII. CASES OF «FORCE MAJEURE»

A vessel which is not subject to the provisions of this Agreement shall not become subject thereto due to stress of weather or any other cause of *force majeure*.

Article IX. EXEMPTIONS

1. Each Contracting Government, if it considers that the conditions of the voyage or voyages affecting safety (including but not necessarily limited to the regularity, frequency and nature of the voyages, or other circumstances) are such as to render the full application of this Agreement unreasonable or unnecessary, may exempt partially, conditionally or completely any individual vessel for one or more voyages or for any period of time not exceeding one year from the date of exemption. Each Contracting Government shall promptly notify the other of each exemption that is granted and of the significant terms thereof.

2. Since the waters to which this Agreement applies are under the jurisdiction of Canada or the United States, the exemption referred to in paragraph 1 of this article may be granted only by each of the Contracting Governments, for vessels of its own country or for the vessels of other countries.

Article X. RADIOTELEPHONE STATION

1. Each vessel shall, except as it may be exempted under article IX, be fitted with a radiotelephone station in effective operating condition and approved as meeting the requirements set forth in the Technical Regulations.

2. If the vessel's radiotelephone station ceases to be in effective operating condition, the master shall forthwith exercise due diligence to restore the radiotelephone station to effective operating condition at the earliest practicable moment. If the radiotelephone station becomes defective while underway, the master, if practicable to do so, shall notify authorities of the Contracting Governments of this fact, and shall comply with such instructions as may be given by those authorities.

Article XI. VESSEL RECORDS

Each vessel shall, except as it may be exempted under article IX, maintain such records of the use of the radiotelephone station for safety purposes as may be required by the Technical Regulations.

Article XII. ANNUAL INSPECTIONS AND SURVEYS

1. So far as concerns the enforcement of this Agreement, the radiotelephone stations of all vessels subject to the provisions of this Agreement and the Technical Regulations shall be subject to inspection from time to time. In addition, vessels subject to the provisions of this Agreement and to the Technical Regulations of the

two countries concerned shall be subject to a periodic survey of the radiotelephone station not less than once every thirteen months. This survey shall be made while the vessel is in active service or within not more than one month before the date on which it is placed in such service.

2. The inspection and survey of radiotelephone stations shall be carried out by the officers of the Contracting Governments for their respective vessels. With respect to any vessel which belongs to any other country, such inspection shall be carried out by officers of the Contracting Governments within whose jurisdiction such vessel first enters, and thereafter by the Contracting Government having jurisdiction as determined by the location of the vessel at least once each thirteen months or at the time of any inspection deemed necessary by such Government.

3. Each Contracting Government may entrust the inspection and survey of the radiotelephone stations either to surveyors nominated for this purpose or to organizations recognized by it. In every case the Contracting Government concerned fully guarantees the completeness and efficiency of the inspection and survey.

Article XIII. CERTIFICATION AND PRIVILEGES

1. If, after appropriate inspection or survey made in accordance with article XII, the Contracting Government responsible for the inspection or survey is satisfied that all relevant provisions of this Agreement have been complied with, including any exemption or conditions of exemption approved in accordance with article IX, that fact shall be certified immediately after each such inspection or survey either on the vessel's radiotelephone station license or by means of another document as determined by the Contracting Government.

2. The certification prescribed by paragraph 1 of this article shall be kept on board the vessel while the vessel is subject to the provisions of this Agreement, and shall be available for inspection by the officers authorized by the Contracting Governments to make such inspections. Certifications issued under the authority of a Contracting Government shall be accepted by the other Contracting Government for all purposes covered by this Agreement.

Article XIV. ISSUE OF CERTIFICATE BY OTHER CONTRACTING GOVERNMENT

Each of the Contracting Governments may, at the request of the other, cause a vessel, for the survey of which the requesting Government is primarily responsible, to be surveyed and, if satisfied that the requirements of this Agreement are complied with, issue certificates to the vessel in accordance with the terms of this Agreement. Any certificate so issued must contain a statement to the effect that it has been issued at the request of the Government which made the request, and it shall have the same force and receive the same recognition as a certificate issued under article XIII of this Agreement.

Article XV. CONTROL

1. Over and above the application of this Agreement as set forth in the provisions of article V of this Agreement, every vessel required by this Agreement to have a certificate issued by one Contracting Government in accordance with article XIII or article XIV is subject in the ports of the other Contracting Government to control by officers duly authorized by such Government in so far as this control is directed towards verifying that (a) there is on board a valid certification, (b) that the conditions of the radiotelephone apparatus corresponds substantially with the particulars of that certification, and (c) that there are on board the necessary personnel.

2. In the event of this control giving rise to intervention of any kind, the authorities carrying out the control shall forthwith inform the appropriate

authorities of the country to which the vessel belongs of all the circumstances in which intervention is deemed to be necessary.

*Article XVI. RESPONSIBILITY OF THE MASTER
AND RADIOTELEPHONE OPERATORS*

The radiotelephone station and all persons designated to perform radiotelephone operating duties shall be under the control of the master. These designated persons and the master shall comply with applicable telecommunication laws and international agreements and with the rules and regulations made pursuant thereto.

Article XVII. LAWS AND REGULATIONS

The Contracting Governments undertake to communicate to each other the text of laws, decrees, and regulations promulgated on the various matters within the scope of this Agreement.

Article XVIII. AMENDMENTS

1. Amendment of the Articles of this Agreement shall be by agreement between the Contracting Governments and shall become effective following an exchange of notes between the Contracting Governments indicating that whatever approval may be required constitutionally has been obtained.

2. Notwithstanding paragraph 1 of this article, amendment or modification of the Technical Regulations annexed to this Agreement may, when agreed upon by the interested agencies of each of the Contracting Governments, be effected by an exchange of diplomatic notes between the Contracting Governments. Any such amendment or modification shall enter into force on the first day of February of the year following the exchange of notes constituting final agreement thereto, provided that an earlier date, but not less than three months from the date of such final agreement, may be specified in the exchange of notes if further delay would adversely affect the safety of vessels subject to this Agreement.

Article XIX. TERMINATION OF PRIOR AGREEMENT

Upon the coming into force of this Agreement, the Agreement for the promotion of safety on the Great Lakes by means of radio signed at Ottawa on February 21, 1952¹ between the United States of America and Canada, shall terminate and cease to have effect.

Article XX. ENTRY INTO FORCE

This Agreement shall be ratified and instruments of ratification shall be exchanged at Washington as soon as possible. This Agreement shall come into force one year after the date on which the instruments of ratification are exchanged.

Article XXI. TERMINATION

1. This Agreement may be terminated by either Contracting Government at any time after the expiration of 5 years from the date on which this Agreement comes into force, except where the Contracting Governments agree to terminate earlier. Termination shall be effected by a notification in writing from either Contracting Government to the other Contracting Government.

2. Termination of this Agreement shall take effect twelve months after the date of such notification.

¹ United Nations, *Treaty Series*, vol. 205, p. 293.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments have signed the Agreement.

DONE in two copies at Ottawa this 26th day of February 1973 in English and French, each language version being equally authentic.

EN FOI DE QUOI, les soussignés, y étant dûment autorisés par leurs gouvernements respectifs, ont signé le présent Accord.

FAIT en deux exemplaires à Ottawa ce 26^e jour de février 1973 en langues anglaise et française, chaque version faisant également foi.

[Signed — Signé]¹

For the Government of the United States of America
Pour le Gouvernement des Etats-Unis d'Amérique

[Signed — Signé]²

For the Government of Canada
Pour le Gouvernement du Canada

¹ Signed by Adolph W. Schmidt — Signé par Adolph W. Schmidt.

² Signed by J. Marchand — Signé par J. Marchand.

TECHNICAL REGULATIONS

*Regulation 1. LOCATION AND CONTROL
OF THE RADIOTELEPHONE STATION*

Every radiotelephone station shall include one or more transmitters, one or more receivers, one or more sources of electrical energy, associated antennas and control equipment, and shall conform to the following:

- (a) The radiotelephone station, exclusive of the antennas and source of electrical energy, shall be located as high as practicable on the vessel, preferably on the bridge, and suitably protected from the harmful effects of water, temperature, electrical and mechanical noise;
- (b) The main operating position of the radiotelephone station shall be on the bridge, convenient to the conning position;
- (c) Where the radiotelephone station is located elsewhere than on the bridge, provision shall be made for complete operational control of the equipment at that location and at the bridge operating position. However, provision shall be made to take immediate and complete control of the equipment at the bridge operating position;
- (d) Provision shall be made for illuminating the operating controls at the main operating position;
- (e) Means shall be provided for charging any storage battery used in connection with the radiotelephone station.

Regulation 2. VHF AND MF RADIOTELEPHONE EQUIPMENT

1. Effective January 1, 1975, every vessel shall have equipment complying with section I of this Regulation.

2. During the interim period between the date this Agreement comes into force and January 1, 1975, every vessel of 500 gross tons or more shall have equipment complying with section I and II of this Regulation.

3. During the interim period between the date this Agreement comes into force and January 1, 1975, every vessel of less than 500 gross tons shall have equipment complying with either section I or II of this Regulation.

Section I. VHF Radiotelephone Equipment operating in the band 156-162 MHz

(a) The frequency 156.8MHz is the distress, safety and calling frequency in the band 156-162 MHz for all stations of the Maritime Mobile Service in the Great Lakes Area.

(b) The VHF radiotelephone equipment shall comply with the technical characteristics prescribed in the International Radio Regulations for transmitters and receivers using 50 kHz spacing between adjacent channels. Such equipment on vessels of Contracting Governments shall also comply with the technical regulations of the respective countries.

(c) Notwithstanding paragraph (b) of this section, above, the Contracting Governments by mutual agreement may establish a date after which all vessels shall comply with the technical characteristics prescribed in the International Radio Regulations for transmitters and receivers using 25 kHz spacing between adjacent channels.

(d) The VHF radiotelephone equipment shall be capable of transmitting and receiving speech on at least the following VHF channels:

- Channel 16—156.80 MHz— Distress, safety and calling
- Channel 6—156.30 MHz— Primary intership
- Channel 12—156.60 MHz—
- Channel 14—156.70

Such other frequencies as are required for their service.

NOTE: The Contracting Governments recognize that the vessel's radiotelephone equipment may be used, in addition, for public correspondence and other purposes, such as the reception of weather broadcasts. Also, other frequencies may be required for

vessels entering the Great Lakes via the St. Lawrence River. It is assumed, therefore, that the additional frequency channels for such purposes will be available on individual ships, according to their requirements.

(e) The radiotelephone transmitter shall be capable of delivering at least 15 watts carrier power to the antenna or antennas specified below. In the case of transmitters using 25 kHz spacing between adjacent channels, as may be required under paragraph (c) of this Section, above, provision shall be made to reduce this power readily to 1 watt.

(f) The VHF radiotelephone receiver shall have a sensitivity of at least two microvolts across 50 ohm or equivalent input terminals, for a 20 decibel signal-to-noise ratio.

(g) The associated antennas shall be effective, vertically polarized and located as high as practicable on the masts or superstructure of the vessel. The transmission line shall be effective and, to the extent practicable, shall impose a minimum loss.

Section II. *MF Radiotelephone Equipment operating in the band 2000-2850 kHz*

(a) The frequency 2182 kHz is the distress, safety and calling frequency in the band 2000-2850 kHz for all stations of the Maritime Mobile Service in the Great Lakes Area.

(b) The MF radiotelephone equipment shall comply with the technical characteristics prescribed in the International Radio Regulations for transmitters and receivers. Such equipment on vessels of Contracting Governments shall also comply with the technical regulations of the respective countries.

(c) The MF radiotelephone equipment shall be capable of transmitting and receiving speech on at least the following MF channels:

Channel 51—2182 kHz—Distress, safety and calling

Channel 52—2003 kHz—Primary intership

Such other frequencies as are required for their service.

NOTE: The Contracting Governments recognize that the vessel's radiotelephone equipment may be used, in addition, for public correspondence and other purposes such as the reception of weather broadcasts. It is assumed, therefore, that the additional frequency channels for such purposes will be available on individual ships, according to their requirements.

(d) The MF radiotelephone transmitter shall be capable of delivering, for double sideband emission, at least 50 watts carrier power, or for single sideband at least 100 watts peak envelope power to the antenna or antennas specified in paragraph (e) of this Section.

(e) The associated antenna shall be non-directional and, when practicable, have an efficiency of 23%.

(f) The receiving installation shall be capable of properly energizing a loud speaker when the radio field intensity of the received carrier wave (measured when no modulation is present) is as low as 10 microvolts per meter.

Regulation 3. TRIAL OF RADIOTELEPHONE INSTALLATION

Each calendar day that a vessel is navigated, unless the normal use of the radiotelephone station demonstrates that the equipment is in proper operating condition for an emergency, a test communication for this purpose shall be made by a properly qualified person. Should the equipment be found by some person other than the master not to be in proper operating condition for an emergency, the master shall be promptly notified thereof.

Regulation 4. OPERATOR CERTIFICATE

1. The person whose qualifications for radiotelephone operation for safety purposes on the Great Lakes must be certified, as stated in article VII of this Agreement, shall possess the following qualifications:

(a) General knowledge of practical radiotelephone operating procedure;

(b) Ability to send correctly and to receive correctly by radiotelephone using the English language; and

(c) Knowledge of the International Radio Regulations and specifically of that part of those Regulations relating to the safety of life.

2. In lieu of the requirements set forth in paragraph 1, above, a person shall be deemed to have the qualifications specified in paragraph 1 of this Regulation, if such person is the holder of a valid operator license or certificate which is the equivalent of, or of a higher class than, the restricted radiotelephone operator's certificate provided, however, that such person can demonstrate to the satisfaction of representatives of either of the Contracting Governments his ability to speak and understand the English language, and provided, further, that nothing in this paragraph shall be construed to change any of the requirements of the domestic law of Canada or the United States with respect to the acceptability of a radio operator license or certificate held by a person not a citizen of Canada or the United States for the operation of a radio station licensed by Canada or the United States.

*Regulation 5. RECORD OF USE OF RADIOTELEPHONE STATION
FOR SAFETY PURPOSES*

1. Each vessel shall have on board a record in appropriate form in which the following entries shall be made by an operator who has been certified as required by article VII of the Agreement, or by a person on duty listening as required by that article, or by a licensed or certificated deck officer:

- (a) The name, country of registry, and official number of the vessel;
- (b) The name and radio certificate number of each operator who has been certified as required by article VII of this Agreement and designated by the master to operate the radiotelephone station in such a form as to indicate when each such person was actually on board;
- (c) The name of the person making the particular entry;
- (d) All incidents of an unusual or exceptional nature, including the date and time thereof (Eastern Standard Time), connected with the use of radiotelephone which are of importance to safety, and in particular the substance of all distress calls and distress messages. Entries shall be made as soon as practicable after their observed occurrence, and in the case of distress shall include a statement of the location of the vessel at the time of the incident;
- (e) Details of the maintenance, including a record of the charging of any storage batteries which are necessary for the proper operation of the radiotelephone station; and
- (f) An entry shall be made each day that a vessel is navigated showing the operating condition of the equipment as determined by either the normal communication or the test communication required by Regulation 3 and showing that, if an improper operating condition was found, the master was properly notified thereof.

2. The record required by paragraph 1 of this Regulation shall be kept at the main radiotelephone operating location on the bridge while the vessel is being navigated. All entries in their original form shall be retained on board the vessel for a period of not less than one month from the date of entry; and for an additional period of not less than eleven months from the date of entry either on board the vessel or elsewhere as determined by the country to which the ship belongs. During this period, this record shall be available for inspection by the officers authorized by the Contracting Governments to make such inspections.

*Regulation 6. RESERVE SHIP RADIOTELEPHONE STATION
OR AUXILIARY POWER SOURCE*

The Contracting Governments, each with respect to their own vessels, may require the fitting of a reserve radiotelephone station having an independent source of power, or an auxiliary power source for the main radiotelephone station.

Regulation 7. COAST STATION DISTRESS WATCH

Each Contracting Government agrees to ensure that necessary arrangements are made for coast stations to maintain an effective continuous aural watch on the radiotelephone distress, safety and calling frequency or frequencies.

EXCHANGE OF NOTES

I

DEPARTMENT OF STATE
WASHINGTON

[TRADUCTION¹ — TRANSLATION²]
SECRETARIAT D'ÉTAT
WASHINGTON

May 6, 1974

Le 6 mai 1974

Excellency:

I have the honor to refer to the Agreement between the United States of America and Canada for promotion of safety on the Great Lakes by means of radio, 1973, and the Technical Regulations annexed thereto.

Instruments of ratification of the Agreement having been exchanged today, the Agreement will come into force, pursuant to article XX, on May 6, 1975, one year after date of exchange of instruments of ratification. Since, under the provisions of the Agreement, the Agreement can no longer enter into force before January 1, 1975, it will not be possible to apply the provisions of paragraphs 2 and 3 of Regulation 2 which relate to an interim period between the date of coming into force of the Agreement and January 1, 1975. Further, it is understood that the effective date of paragraph 1 of Regulation 2 will be May 6, 1975, rather than January 1, 1975.

The Government of the United States would appreciate receiving confirmation that the Government of Canada concurs in the foregoing.

Accept, Excellency, the renewed assurances of my highest consideration.

[Signed]
KENNETH RUSH
Acting Secretary of State

His Excellency Marcel Cadieux
Ambassador of Canada

Excellence,

J'ai l'honneur de me référer à l'Accord entre la Canada et les Etats-Unis visant à assurer la sécurité sur les Grands lacs par la radio, 1973, ainsi qu'aux Règlements techniques qui y sont annexés.

Les instruments de ratification de l'Accord ayant été échangés aujourd'hui, l'Accord entrera en vigueur, conformément à l'article XX, le 6 mai 1975, soit un an après la date de l'échange des instruments de ratification. Etant donné qu'en vertu des dispositions de l'Accord, ce dernier ne peut plus entrer en vigueur avant le 1^{er} janvier 1975, il ne sera pas possible d'appliquer les dispositions des alinéas 2 et 3 du Règlement numéro 2 ayant trait à une période transitoire entre la date d'entrée en vigueur de l'Accord et le 1^{er} janvier 1975. En outre, il est entendu que la date d'entrée en vigueur indiquée à l'alinéa 1 du Règlement numéro 2 sera le 6 mai 1975 au lieu du 1^{er} janvier 1975.

Le Gouvernement des Etats-Unis apprécierait recevoir confirmation que le Gouvernement du Canada souscrit aux propositions susmentionnées.

Je saisis cette occasion pour renouveler à son Excellence les assurances de ma plus haute considération.

[Signé]
KENNETH RUSH
Secrétaire d'Etat par intérim

Son Excellence Marcel Cadieux
Ambassadeur du Canada

¹ Traduction fournie par le Gouvernement canadien.

² Translation supplied by the Government of Canada.

II

[TRADUCTION¹ — TRANSLATION²]CANADIAN EMBASSY
AMBASSADE DU CANADAAMBASSADE DU CANADA
WASHINGTON D.C.

Washington, D.C. May 6, 1974

le 6 mai 1974

Excellency,

I have the honour to refer to your note of today's date concerning the interpretation of Regulation 2 of the Agreement between Canada and the United States of America for the promotion of safety on the Great Lakes by means of radio, 1973, and to confirm that Instruments of Ratification of this Agreement having been exchanged today, the Government of Canada is in agreement with the proposal of the United States Government set forth in your note of today's date.

Accept, Excellency, the assurances of my highest consideration.

[Signed]
M. CADIEUX
Ambassador

The Honourable Kenneth Rush
Acting Secretary of State
Washington, D.C.

Excellence,

J'ai l'honneur de me référer à votre note d'aujourd'hui concernant l'interprétation du Règlement 2 de l'Accord entre le Canada et les Etats-Unis visant à assurer la sécurité sur les Grands lacs par la radio, 1973, et de confirmer que, les instruments de ratification de cet Accord ayant été échangés aujourd'hui, le Gouvernement du Canada souscrit aux propositions du Gouvernement des Etats-Unis telles qu'elles sont exposées dans votre note d'aujourd'hui.

Je saisis l'occasion pour renouveler à son Excellence les assurances de ma très haute considération.

[Signé]
M. CADIEUX
Ambassadeur

L'Honorable Kenneth Rush
Secrétaire d'Etat par intérim
Washington D.C.

¹ Traduction fournie par le Gouvernement canadien.

² Translation supplied by the Government of Canada.