

No. 8699

**SOUTH AFRICA
and
FRANCE**

Protocol concerning the installation of a scientific space tracking station in South Africa (with exchange of notes regarding the interpretation of article 2 of the Protocol). Signed at Pretoria, on 6 January 1964

Official texts of the Protocol: English, Afrikaans and French.

Official texts of the notes: English and French.

Registered by South Africa on 28 July 1967.

**AFRIQUE DU SUD
et
FRANCE**

Protocole relatif à l'installation d'une station de contrôle de satellites scientifiques en Afrique du Sud (avec échange de notes concernant l'interprétation de l'article 2 du Protocole). Signé à Pretoria, le 6 janvier 1964

Textes officiels du Protocole: anglais, afrikaans et français.

Textes officiels des notes: anglais et français.

Enregistré par l'Afrique du Sud le 28 juillet 1967.

No. 8699. PROTOCOL¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE FRENCH REPUBLIC CONCERNING THE INSTALLATION OF A SCIENTIFIC SPACE TRACKING STATION IN SOUTH AFRICA. SIGNED AT PRETORIA, ON 6 JANUARY 1964

The Government of the Republic of South Africa and the Government of the French Republic, convinced of the advantages and benefits to be derived from space research for peaceful purposes, have agreed as follows:

Article 1

A space tracking station shall be established by the Government of the French Republic on the territory of South Africa in the vicinity of Pretoria.

The Government of the Republic of South Africa shall provide the site and grant the necessary right of way, without cost to the Government of the French Republic, for the construction and the operation of the station by the French Republic. This site, identified as Portions 6 and 7 on the farm Paardefontein No. 282 J.R. situated in the district of Pretoria and measuring in extent 59.9980 morgen, and the right of way shall remain the property of the Government of the Republic of South Africa.

The Government of the French Republic shall construct the station at its own cost, as also the necessary approaches, in accordance with the legal provisions applicable in South Africa in these matters. The Government of the French Republic shall bear the costs of establishing, equipping, operating and staffing the station, including the emoluments of South African personnel employed by the Government of the French Republic.

The two Governments will consult with regard to the feasibility of supplementary installations being erected elsewhere in South Africa if such installations should be required by the Government of the French Republic.

Article 2

This station shall be used for tracking satellites launched within the scope of the French scientific program and of the international scientific programs in which

¹ Came into force on 6 January 1964, the date on which the Contracting Parties notified each other that the procedure required by their respective Constitutions for the entry into force of the Protocol had been completed, in accordance with article 14.

France participates. The Government of the French Republic shall keep the Government of the Republic of South Africa informed of the activities of the station in these two fields.

The station shall not be used for military purposes.

Article 3

The Government of the French Republic, with the co-operation of the Government of the Republic of South Africa, shall make all the arrangements for the establishment and operation of the station.

The South African Council for Scientific and Industrial Research (C.S.I.R.) is designated and accepted as the Agency of the Government of the Republic of South Africa for all purposes under this Article.

Plans and specifications for the construction of the station, including housing and amenities on the site, shall be submitted to the C.S.I.R. to ensure conformity with the laws and customs of the Republic of South Africa.

The C.S.I.R. shall be kept informed of the method of operation of the station and its activities and shall be granted access to the station and to the data collected at the station.

The C.S.I.R., represented by the Director of the Agency's National Institute for Telecommunications Research, shall participate in an advisory capacity in the establishment and operation of the station and shall be responsible for the nomination of appropriate South African personnel to the staff of the station, in accordance with Article 7 of this Protocol, as and when such personnel become available.

Article 4

At the request of the Government of the French Republic, and taking into account the obligations incumbent on the Republic of South Africa by virtue of international agreements, the Government of the Republic of South Africa shall authorise the use of frequencies for the radiotelecommunication facilities that are necessary for the tracking of satellites, but not for the provision of long distance communications with other fixed or mobile stations where these circuits are normally provided by the Department of Posts and Telegraphs. The radiotelecommunication facilities at the tracking station shall be so operated as not to cause interference with the efficient working of any telecommunication system of the Department of Posts and Telegraphs or with any private or official telecommunication service (including radio) operating under the authority of the Postmaster-General.

Article 5

The Government of the Republic of South Africa will, so far as it may be practicable, prohibit the operation of radio interference-producing devices such as

power lines, industrial facilities, electric trains, aeronautical beacons, etc., within the vicinity of the station.

Article 6

The tracking station may be used for the independent scientific activities of the Government of the Republic of South Africa itself, provided that these activities do not conflict with the programs envisaged by the Government of the French Republic and that the additional operating costs resulting from such independent activities shall be borne by the Government of the Republic of South Africa.

Article 7

The station will be operated initially by French technicians. Progressively and to the extent possible, South African technicians may replace them. The conditions of employment of South African personnel shall be decided on in consultation with the South African Council for Scientific and Industrial Research.

Article 8

Subject to the requirements of its laws and regulations, the South African Government shall, upon request, exempt from customs duties and taxes, the non-consumable articles, materials and spare parts supplied by the Government of the French Republic for use in the construction and operation of the station and the non-consumable personal and household effects (including motor vehicles) of personnel employed by the Government of the French Republic and owned by such personnel prior to their departure for South Africa in connection with the station and imported into South Africa with them or within a reasonable time of their arrival. Such goods shall not be sold or otherwise disposed of within the territory of the Republic of South Africa except under conditions approved by the Government of the Republic of South Africa.

With regard to consumable goods brought into or acquired ex-bond within the territory of the Republic of South Africa for consumption therein, customs duties shall be payable at the time of importation or clearance from bond.

Article 9

All the installations which can be dismantled and all the components considered movable which may have been mounted as part of the equipment of the station as also the materials and supplies required for its functioning shall remain the property of the Government of the French Republic.

The Government of the French Republic may, at any time while this Protocol is in force, as also in the course of two years after the termination of this Protocol,