



12 November 1993

Mr Mose Pouvi Sua  
Secretary for Foreign Affairs  
Ministry of Foreign Affairs  
APIA

Sir,

I have the honour to refer to the Agreement between the Government of New Zealand and the Government of Western Samoa for Air Services between and beyond their Respective Territories, signed at Apia on 23 June 1978, as amended by an Exchange of Notes concluded at Apia on 2 July 1984, and as further amended by an Exchange of Notes at Apia on 31 August 1990, (hereinafter referred to as the "Agreement") and, to propose that, in accordance with Article 15, the Agreement be amended as follows:

- 
- (a) The Cook Islands shall cease to be regarded as a part of the territory of New Zealand for the purposes of the Agreement. To that end Article 1 (1) (e) shall be amended to read as follows;

"the term "territory" in relation to a State means the land areas and territorial waters adjacent thereto under the sovereignty of that State and in the case of New Zealand also includes Tokelau;"

- (b) the Schedule annexed to the Agreement shall be replaced with the Schedule set out in the Annex to this Note.

If the foregoing is acceptable to the Government of Western Samoa I have the honour to suggest that this Note together with your reply to that effect shall constitute an Agreement amending the Agreement on Air Services between our two Governments which shall be deemed to have entered into force on 23 June 1993 when the Agreement between the Government of the Independent State of Western Samoa and the Government of the Cook Islands for Air Services Between and Beyond their Respective Territories entered into force.

Accept, Sir, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Adrian Simcock', with a horizontal line drawn underneath it.

---

(Adrian Simcock)  
High Commissioner

# ANNEX

## SCHEDULE

### Section 1

Routes to be operated in both directions by the designated airline of New Zealand:

<u>Points of Origin</u>	<u>Intermediate Points</u>	<u>Points in Western Samoa</u>	<u>Points Beyond</u>
Points in New Zealand	Tonga Niue Fiji Rarotonga	Any one Point in Western Samoa	Points in United States of America excluding American Samoa Rarotonga

### Section 2

Routes to be operated in both directions by the designated airline of Western Samoa:

<u>Points of Origin</u>	<u>Intermediate Points</u>	<u>Points in New Zealand Territory</u>	<u>Points Beyond</u>
Points in Western Samoa	Niue Tonga Fiji	Auckland	Sydney

### Note

Points on the routes set out in Section 1 and Section 2 of this Schedule may be omitted on any or all flights provided that each service begins or ends in the territory of the Contracting Party which has designated the airline in question.



12 November 1993

His Excellency Adrian Simcock  
High Commissioner  
New Zealand High Commission  
Apia

Excellency,

I have the honour to acknowledge the receipt of Your Excellency's Note dated 12 November 1993 which reads as follows:

"I have the honour to refer to the Agreement between the Government of New Zealand and the Government of Western Samoa for Air Services between and beyond their Respective Territories, signed at Apia on 23 June 1978, as amended by an Exchange of Notes concluded at Apia on 2 July 1984, and as further amended by an Exchange of Notes at Apia on 31 August 1990, (hereinafter referred to as the "Agreement") and, to propose that, in accordance with Article 15, the Agreement be amended as follows:

- (a) The Cook Islands shall cease to be regarded as a part of the territory of New Zealand for the purposes of the Agreement. To that end Article 1 (1) (e) shall be amended to read as follows;

---

"the term "territory" in relation to a State means the land areas and territorial waters adjacent thereto under the sovereignty of that State and in the case of New Zealand also includes Tokelau;"

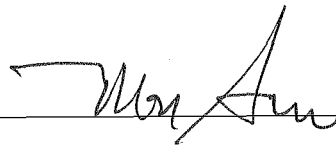
- (b) the Schedule annexed to the Agreement shall be replaced with the Schedule set out in the Annex to this Note.

If the foregoing is acceptable to the Government of Western Samoa I have the honour to suggest that this Note together with your reply to that effect shall constitute an Agreement amending the Agreement on Air Services between our two Governments which shall be deemed to have entered into force on 23 June 1993 when the Agreement between the Government of the Independent State of Western Samoa and the Government of the Cook Islands for Air Services Between and Beyond their Respective Territories entered into force.

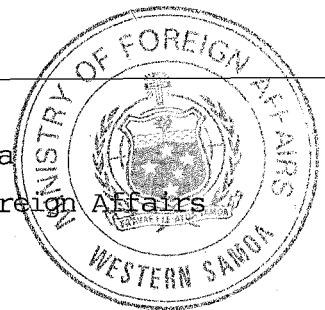
Accept, Sir, the assurances of my highest consideration."

I have the honour to confirm that the Government of Western Samoa accepts the proposal contained in your Note and that your Note and this reply shall therefore constitute an Agreement between our Governments with effect from the date of this reply.

I avail myself of this opportunity to extend to Your Excellency the assurances of my highest consideration.



Mr Mose Pouvi Sua  
Secretary for Foreign Affairs



ANNEX

SCHEDULE

Section 1

Routes to be operated in both directions by the designated airline of New Zealand:

Points of Origin

Intermediate  
Points

Points in  
Western Samoa

Points Beyond

Points in New Zealand

Tonga  
Niue  
Fiji  
Rarotonga

Any one Point in  
Western Samoa

Points in United States  
of America excluding  
American Samoa  
Rarotonga

Section 2

Routes to be operated in both directions by the designated airline of Western Samoa:

Points of Origin

Intermediate  
Points

Points in New Zealand  
Territory

Points Beyond

Points in Western Samoa

Niue  
Tonga  
Fiji

Auckland

Sydney

Note

Points on the routes set out in Section 1 and Section 2 of this Schedule may be omitted on any or all flights provided that each service begins or ends in the territory of the Contracting Party which has designated the airline in question.