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W. Wolem  
W. Corbett

~~W. Wolem~~

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12 April, 1994.

Mr. Sean O hUiginn,  
Assistant Secretary,  
Department of Foreign Affairs.

SECRET

Dear Sean,

Thank you for your letter of 8 April, 1994, seeking the Taoiseach's approval for the renewal of the reciprocal procedure which we have with the British for the making safe of improvised explosive devices found on or near the border, for a period of six months.

I can confirm that the Taoiseach is agreeable to the renewal of these arrangements.

Yours sincerely,

FRANK MURRAY

Frank Murray,  
Secretary to the Government.



8 April 1994

Mr Frank Murray  
Secretary to the Government  
Government Buildings,  
Merrion Street,  
Dublin 2.

AN ROINN GNÓTHAÍ EACHTRACHA  
DEPARTMENT OF FOREIGN AFFAIRS

BAILE ÁTHA CLIATH 2

DUBLIN 2

*Agreed  
Thursday  
by [unclear]*  
*Business,  
But approval please  
(this is now a  
monthly item every  
6 months)* JH

SECRET

Dear Frank

The reciprocal procedure which we have with the British for the making safe of improvised explosive devices found on or near the border (copy attached) is due for renewal. The procedure was initiated in January 1987 and is renewable every six months.

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Subject to strict conditions and only where absolutely necessary the procedures enable the Garda authorities to allow:

- i) Unarmed British Army explosives officers to enter the State to a distance of up to 200 metres in connection with the making safe of actual or suspected improvised explosive devices on or near the border, and
- ii) British Army reconnaissance aircraft to enter Irish airspace to a distance of up to 200 metres for photographic purposes in connection with an actual or suspected improvised explosive device.

A recent meeting of officials of this Department, the Department of Justice, the Department of Defence, and representatives of the Army and the Gardai reviewed the operation of the procedure in the past six months. It was agreed that the procedure had operated satisfactorily and could be renewed for a further six months on the same basis as previously.

I would be grateful if you would confirm that the arrangements can be renewed on the existing terms.

Yours sincerely,

*Seán O hUiginn*

Seán O hUiginn  
Assistant Secretary



Overflights by British Military Aircraft

Whereas the Air Navigation (Foreign Military Aircraft) Order 1952 (SI. 74 of 1952) prohibits foreign military aircraft from flying over the State save on the express invitation or with the express permission of the Minister for Foreign Affairs;

And whereas I believe that in certain circumstances it is expedient to permit certain British military aircraft to fly over the State in the course of operations for the making safe of improvised explosive devices on or near the Border;

Now, therefore, I, Dick Spring T.D., Minister for Foreign Affairs, by virtue of the powers conferred on me by the said Order, hereby permit certain British military aircraft to fly over the State and in accordance with the stipulations set out in the Schedule hereto.

This permission shall come into operation on the day of signing hereof and shall be valid for a period of six months from the said day unless earlier withdrawn.

Schedule:                              Stipulations

- (I)                 The overflight is for photographic purposes in connection with actual or suspected improvised explosive devices on or near the Border;
- (II)                The type of aircraft is a military Beaver or Islander fixed-wing aircraft or helicopter;

- (III) The aircraft is unarmed and carries no arms, ammunition or intelligence gathering equipment other than equipment for the photographic purposes of the overflight;
- (IV) The overflight does not form a part of a military exercise or any operation other than an operation for the purpose of making safe an actual or suspected improvised explosive device on or near the Border;
- (V) The aircraft does not carry, without the express permission of the Minister for Transport, Energy and Communications of Ireland, any dangerous goods;
- (VI) All relevant air traffic control or other appropriate operational procedures are complied with, the required navigational and communications equipment is carried, and the aircraft does not cause damage to persons or property;
- (VII) The call sign is given in the notification;
- (VIII) The number of crew is specified in the notification;
- (IX) Casement Aerodrome, Baldonnel is notified by the appropriate British authority of the intended flight plan in advance and the permit number for overflight clearance is inserted on the flight plan (IED 01 (designation for overflights) /93.)
- (X) Landings are not permitted;
- (XI) The area to be flown over is specified in the notification by reference to the townland, the

nearest border crossing and the grid numbers;

- (XII) The height is a minimum of 150 ft. above ground level, and a maximum of 500 ft. above ground level;
- (XIII) The depth of penetration into the State does not exceed 200 metres from the nearest point on the Border;
- (XIV) The timing of the overflight is given in the notification and any subsequent change of timing caused by weather conditions or other factors is notified without delay;
- (XV) Subject to stipulation (XVIII) below the number of passes over the area in question does not exceed 5;
- (XVI) Subject to stipulation (XVIII) below the period of time over the area in question does not exceed 25 minutes;
- (XVII) The senior Garda officer (not below the rank of Inspector) at the scene or in the locality is notified by the RUC in advance and is provided with the information required in these stipulations and these particulars are confirmed in writing at the earliest opportunity thereafter;
- (XVIII) In the event of the said Garda officer not being satisfied that these stipulations have been observed, he has the right to deny or suspend an overflight and to issue directions as to duration, time and number of passes over the area in question and in regard to any other aspect of an overflight;
- (XIX) Formal notification in writing giving the



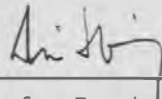
information required by these stipulations is given to the Department of Foreign Affairs by the British Embassy as soon as possible in each case;

(XX) This permission is availed of only when absolutely necessary;

(XXI) This permission is given for a period of six months (subject to renewal for further periods of six months) with a review of the permission at the end of every six month period;

(XXII) This permission may be terminated or varied at any time at the discretion of the Minister for Foreign Affairs.

Given under my official seal this ..... day of October, 1993.



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Minister for Foreign  
Affairs of Ireland.

Wearing of Uniform by Ammunition Technical Officers  
of the British Army

Whereas sub-sections (1) and (2) of Section 317 of the Defence Act 1954 (no. 18 of 1954) provide that no person shall, save with the consent in writing of a Minister of State, enter or land in the State or go into any public place in the State while wearing any foreign uniform;

And whereas by sub-section (3) of the said Section a Minister of State may direct that the said sub-sections (1) and (2) shall not apply during a specified period in respect of any particular class of persons defined in such manner as he thinks fit;

And whereas I believe that in certain circumstances it is expedient to permit British military experts of the particular class hereby defined to cross the Border in connection with the making safe of actual or suspect improvised explosive devices on or near the Border;

Now, therefore, by virtue of sub-section (3) of Section 317 of the said Act, I, Dick Spring T.D., a Minister of State, hereby direct that the said sub-section (1) and (2) of Section 317 of the Defence Act 1954 (no. 18 of 1954) shall not apply to the entry into the State or going into any public place in the State of unarmed Ammunition Technical Officers of the British Army (not being more than two in number in any one place) in uniform in connection with the making safe of actual or

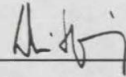


suspect improvised explosive devices on or near the Border to a maximum distance of 200 metres into the State from the nearest point of the Border and subject to the agreement of a member of the Garda Síochána, not below the rank of Inspector, at the scene or in the locality.

This direction does not imply that any liability is accepted by the State for death, injury, loss or damage howsoever arising by reason of the entry into or presence in the State of uniformed personnel to whom this direction applies.

This direction is to come into operation on the day of signing hereof and shall be valid for a period of 6 months from the said date of commencement unless earlier withdrawn.

Given under my official seal this ..... day of October, 1993.



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Minister for Foreign  
Affairs of Ireland