

No. 5151

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
YUGOSLAVIA**

**Agreement (with annex) concerning air services. Signed
at London, on 3 February 1959**

Official texts: English and Serbo-Croat.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
2 June 1960.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
YUGOSLAVIE**

**Accord (avec annexe) relatif aux services aériens. Signé à
Londres, le 3 février 1959**

Textes officiels anglais et serbo-croate.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
2 juin 1960.*

No. 5151. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA CONCERNING AIR SERVICES. SIGNED AT LONDON, ON 3 FEBRUARY 1959

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal People's Republic of Yugoslavia, (hereinafter referred to as "the Contracting Parties"),

Desiring to conclude an Agreement, for the purpose of promoting the development of air services and so contribute to international co-operation.

Have agreed as follows :

Article I

For the purpose of the present Agreement, unless the context otherwise requires :

- (1) the term "aeronautical authorities" means, in the case of the United Kingdom, the Minister of Transport and Civil Aviation and any person or body authorised to perform any functions at present exercised by the said Minister or similar functions, and, in the case of the Federal People's Republic of Yugoslavia the Uprava Civilnog Vazduhoplovstva or other institution authorised to perform any functions at present exercised by the said Uprava Civilnog Vazduhoplovstva or similar functions;
- (2) the term "territory" means in relation to the United Kingdom and Third States the land areas and territorial waters adjacent thereto, including the air space above them under the sovereignty, suzerainty, protection or trusteeship thereof and in relation to the Federal People's Republic of Yugoslavia the land areas and territorial waters adjacent thereto, including the air space above them under the sovereignty thereof;
- (3) the term "designated airline" means an airline which one Contracting Party shall have designated, by written notification to the other Contracting Party, in accordance with Article 3 of the present Agreement, for the operation of air services on a route specified in the Annex² to this Agreement;

¹ Applied provisionally as from 3 February 1959, the date of signature, and came into force on 30 September 1959, upon the date of the exchange of the instruments of ratification at Belgrade, in accordance with article 19.

² See p. 359 of this volume.

- (4) the term “air service” means any scheduled air service performed by aircraft for public transport of passengers, mail or cargo;
- (5) the term “international air service” means an air service which passes through the air space over the territory of more than one State;
- (6) the term “airline” means any air transport enterprise operating an international air service.

Article 2

(1) Each Contracting Party grants to the other Contracting Party on a basis of reciprocity the rights specified in the present Agreement for the purpose of establishing air services on the routes specified in the Annex to this Agreement (hereinafter called “the agreed services” and “the specified routes”).

(2) Nothing in this Agreement or the Annex thereto shall be deemed to confer on the designated airlines of one Contracting Party the privilege of taking up, in the territory of the other Contracting Party, passengers, cargo or mail for remuneration and destined for another point in the territory of that other Contracting Party.

Article 3

(1) Each Contracting Party shall have the right to designate in writing to the other Contracting Party one or more airlines for the purpose of operating the agreed services on the specified routes.

(2) On receipt of the designation, the other Contracting Party shall, subject to the provisions of paragraphs (3) and (4) of this Article, without delay grant to the airline or airlines designated the appropriate operating authorisation.

(3) The aeronautical authorities of one Contracting Party may require an airline designated by the other Contracting Party to satisfy them that it is qualified to fulfil the conditions prescribed under the laws and regulations normally and reasonably applied by them in conformity with this Agreement to the operation of international commercial air services.

(4) Each Contracting Party shall have the right to refuse to accept the designation of an airline and to withhold or revoke the grant to an airline of the privileges specified in the Annex to this Agreement or to impose such conditions as it may deem necessary on the exercise by an airline of those privileges in any case where it is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in nationals of the Contracting Party designating the airline.

(5) At any time after the provisions of paragraphs (1) and (2) of this Article have been complied with, an airline so designated and authorised may begin to

operate the agreed services provided that a service shall not be operated unless a tariff established in accordance with the provisions of Article 10 of the present Agreement is in force in respect of that service.

(6) Each Contracting Party shall have the right to suspend the exercise by an airline of the privileges specified in the Annex to this Agreement or to impose such conditions as it may deem necessary on the exercise by an airline of those privileges in any case where the airline fails to comply with the laws or regulations of the Contracting Party granting those privileges or otherwise fails to operate in accordance with the conditions prescribed in the present Agreement; provided that, unless immediate suspension or imposition of conditions is essential to prevent further infringements of laws or regulations, this right shall be exercised only after consultation with the other Contracting Party.

Article 4

(1) There shall be fair and equal opportunity for the airlines of both Contracting Parties to operate the agreed services on the specified routes between their respective territories.

(2) In operating the agreed services, the airlines of each Contracting Party shall take into account the interests of the airlines of the other Contracting Party so as not to affect unduly the services which the latter provide on the whole or part of the same routes.

(3) The agreed services provided by the designated airlines of the Contracting Parties shall bear close relationship to the requirements of the public for transportation on the specified routes and shall have as their primary objective the provision, at a reasonable load factor, of capacity adequate to carry the current and reasonably anticipated requirements for the carriage of passengers, cargo and mail originating from or destined for the territory of the Contracting Party which had designated the airline. Provision for the carriage of passengers, cargo and mail both taken on and put down at points on the specified routes in the territories of States other than that designating the airline shall be made in accordance with the general principles that capacity shall be related to :

- (a) traffic requirements to and from the territory of the Contracting Party which has designated the airline;
- (b) traffic requirements of the area through which the airline passes, after taking account of other transport services established by airlines of the States comprising the area; and
- (c) the requirements of through airline operation.

Article 5

The aeronautical authorities of either Contracting Party shall supply to the aeronautical authorities of the other Contracting Party at their request such

periodic or other statements of statistics as may be reasonably required for the purpose of reviewing the capacity provided on the agreed services by the designated airlines of the first Contracting Party. Such statements shall include all information required to determine the amount of traffic carried by those airlines on the agreed services and the origins and destinations of such traffic.

Article 6

(1) The laws and regulations of each Contracting Party shall apply to the navigation and operation of the aircraft of the airline designated by the other Contracting Party during entry into, stay in, departure from, and flight over the territory of the first Contracting Party.

(2) The laws and regulations of each Contracting Party relating to the arrival in or departure from its territory of passengers, crews or cargo of aircraft, and in particular regulations regarding passports, customs, currency and medical and quarantine formalities, shall be applicable to passengers, crews and cargo arriving in or departing from the territory of that Contracting Party in aircraft of the airline designated by the other Contracting Party.

(3) The designated airline or airlines of one Contracting Party shall comply, in their commercial and financial activities on the territory of the other Contracting Party, with the laws and regulations of that other Contracting Party.

(4) Intending passengers shall be free, when buying tickets in either the United Kingdom or the Federal People's Republic of Yugoslavia to fly on the specified routes by the designated airline or airlines of either Contracting Party.

(5) Notwithstanding the provisions of paragraph (2) of this Article, visas for air crew and cabin crew of aircraft operating the agreed services shall be granted in advance, with a validity of at least six months, to a number of complete aircraft crews appropriate to the operations of each airline. These visas shall be valid for any number of flights into and out of the territory of the other Contracting Party during the period of their validity.

(6) Each Contracting Party shall on request supply to the other copies of the relevant laws and regulations referred to in this Article.

Article 7

Certificates of airworthiness, and licences issued or rendered valid by one Contracting Party shall be recognised as valid by the other Contracting Party but each Contracting Party reserves the right to refuse to recognise, for the purpose of flight above its own territory, licences granted to any of its nationals by the other Contracting Party.