

No. 5834

**ROMANIA
and
UNITED ARAB REPUBLIC**

**Civil Air Transport Agreement (with annex). Signed at
Cairo, on 14 August 1958**

Official texts: Romanian, Arabic and French.

Registered by Romania on 25 August 1961.

**ROUMANIE
et
RÉPUBLIQUE ARABE UNIE**

**Accord relatif aux transports aériens civils (avec annexe).
Signé au Caire, le 14 août 1958**

Textes officiels roumain, arabe et français.

Enregistré par la Roumanie le 25 août 1961.

[TRANSLATION — TRADUCTION]

No. 5834. CIVIL AIR TRANSPORT AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE ROMANIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE UNITED ARAB REPUBLIC. SIGNED AT CAIRO, ON 14 AUGUST 1958

The Government of the Romanian People's Republic and the Government of the United Arab Republic (hereinafter referred to as the Contracting Parties), desiring to regulate mutual relations in the field of civil aviation and to promote the development of air services between the two countries, have agreed on the following provisions :

Article I

1. For the purposes of this Agreement and its annex :²

(a) The expression "aeronautical authority" means

—In the case of the Romanian People's Republic, "the Ministry of Transport and Telecommunications" or any agency authorized to perform the functions for which the said Ministry is at present responsible ;

—In the case of the United Arab Republic, the Department of Civil Aviation or any agency authorized to perform the functions for which the said Department is at present responsible ;

(b) The expression "designated airline" means any airline which the aeronautical authority of one Contracting Party has designated in writing to the aeronautical authority of the other Contracting Party for the operation of the agreed services ;

(c) The expression "agreed services" means the scheduled air services agreed on by the designated airlines and approved by the aeronautical authorities of the two Contracting Parties ;

(d) The expression "specified routes" means the air routes specified in the annex to this Agreement.

2. The annex to this Agreement shall be deemed to constitute an integral part thereof and all reference to the Agreement shall include reference to the annex, except where otherwise provided.

¹ Came into force on 23 December 1958 by an exchange of notes, in accordance with article XIX.

² See p. 222 of this volume.

Article II

The two Contracting Parties grant each other the rights specified in this Agreement for the purpose of establishing and operating the agreed services on the specified routes.

Article III

The agreed services may be inaugurated as soon as :

(a) The Contracting Party to which the rights referred to in article II are granted has designated an airline for this purpose and as soon as the Contracting Party granting the rights has issued to the said airline the appropriate operating permit.

(b) Subject to the provisions of paragraph (d) of this article, each Contracting Party shall without unjustified delay issue the requisite operating permit to the airline designated by the other Contracting Party.

(c) The aeronautical authority of either Contracting Party may, before authorizing the airline designated by the other Contracting Party to inaugurate the agreed services, require the said airline to prove that it is qualified to fulfil the conditions prescribed by the laws and regulations normally applied to the operation of international air services.

(d) Each Contracting Party reserves the right to withhold an operating permit from the airline designated by the other Contracting Party or to revoke such a permit in any case where it is not satisfied that substantial ownership and effective control of such airline are vested in the other Contracting Party or in nationals or corporate bodies of that Contracting Party, or in case of failure by such airline to comply with the laws and regulations referred to in article XII.

Unless revocation of the permit is essential to prevent further infringements, this right shall be exercised only after consultation with the other Contracting Party.

Article IV

Subject to the provisions of articles V and VI, each Contracting Party grants to the airline designated by the other Contracting Party, for the purpose of operating the agreed services, the right to pick up and set down in its territory, and at the traffic stops specified in the annex, international traffic destined for or coming from the territory of the other Contracting Party or of third countries, excluding, however, any right of cabotage in the territory of the first-mentioned Contracting Party.

Article V

1. The airline designated by each Contracting Party shall receive fair and equitable treatment for the purpose of operating the agreed services.

2. The agreed services of each Contracting Party shall have as their primary objective the provision of transport capacity adapted to the normal and reasonably foreseeable requirements of air traffic between the territory of the Contracting Party which has designated the operating airline and the countries of ultimate destination of the traffic.

3. The transport capacity to be provided by each of the designated airlines on the specified routes shall be determined by direct agreement between the designated airlines, subject to approval by the aeronautical authorities of the two Contracting Parties.

Article VI

The rights granted may not be improperly exercised by the airline designated by either Contracting Party to the detriment or disadvantage of any airline of the other Contracting Party operating scheduled services on all or part of the same route.

Article VII

Fees and other charges for the use of airports and of airport installations and technical facilities in the territory of either Contracting Party shall be levied in accordance with the rates and tariffs uniformly established by the laws and regulations of that Contracting Party.

Article VIII

1. Aircraft making flights in accordance with article II of this Agreement, and fuel, lubricating oils, spare parts, regular equipment and stores present on board such aircraft shall, on arriving in or leaving the territory of the other Contracting Party, be exempt from import and export duties, inspection fees and other duties and charges, even though such materials are used or consumed in flight over that territory, unless, however, they are transferred in the territory of the other Contracting Party to third parties.

2. Fuel and lubricating oils taken on board aircraft of the airline designated by either Contracting Party shall be exempt, subject to the customs regulations in force in the territory of the other Contracting Party, from customs duties, inspection fees and other national and local duties and charges imposed by the latter Contracting Party, even though such stores are partly consumed between two points situated in the territory of the Contracting Party granting the exemption.

3. Spare parts, fuel and lubricating oils necessary for the performance and safety of flights made in accordance with article II of this Agreement and tools intended to complete the equipment of the aircraft shall, on importation into or exportation from the territory of the other Contracting Party, be exempt from import and export duties and other duties and charges but may not be transferred, in that ter-