

No. 5835

**ROMANIA
and
NORWAY**

Civil Air Transport Agreement (with annexes and related letter). Signed at Bucharest, on 16 June 1958

Official text: French.

Registered by Romania on 25 August 1961.

**ROUMANIE
et
NORVÈGE**

Accord (avec annexes et lettre connexe) relatif aux transports aériens civils. Signé à Bucarest, le 16 juin 1958

Texte officiel français.

Enregistré par la Roumanie le 25 août 1961.

[TRANSLATION — TRADUCTION]

No. 5835. CIVIL AIR TRANSPORT AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE ROMANIAN PEOPLE'S REPUBLIC AND THE ROYAL GOVERNMENT OF NORWAY. SIGNED AT BUCHAREST, ON 16 JUNE 1958

The Government of the Romanian People's Republic and the Royal Government of Norway (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

The two Contracting Parties grant each other the rights specified in annex I² to this Agreement, necessary for the establishment and operation of the air services shown in the said annex.

Article II

1. The air services shown in annex I to this Agreement may be inaugurated as soon as the Contracting Party to which the rights referred to in article I are granted has designated an airline for this purpose and as soon as the Contracting Party granting the rights has issued to the airline the appropriate operating permit.

2. Subject to the conditions laid down in paragraph 4 of this article, each Contracting Party shall as soon as possible issue the requisite operating permit to the airline designated by the other Contracting Party.

3. The aeronautical authority of either Contracting Party may, before authorizing the airline designated by the other Contracting Party to inaugurate the air services shown in annex I, 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.

4. 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

¹ Came into force on 19 June 1959 by an exchange of notes, in accordance with article XVI.

² See p. 235 of this volume.

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 IX.

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 III

1. Each Contracting Party shall prescribe the routes to be followed over its territory by aircraft of the airline designated by the other Contracting Party in operating the services specified in annex I. The routes to be followed by aircraft shall be those laid down for international traffic.

2. Questions relating to the safety and technical conduct of flights shall be regulated in annex II¹ to this Agreement and shall fall within the jurisdiction of the aeronautical authorities of the Contracting Parties.

Article IV

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 V

1. Aircraft making flights in accordance with article I 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 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. Spare parts, fuel and lubricating oils necessary for the performance and safety of flights made in accordance with article I 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 territory, to third

¹ See p. 237 of this volume.

parties. Fuel, lubricants and spare parts may be stored at the airports served by each of the designated airlines for the purpose of the flights provided for in article I of this Agreement.

3. The aforesaid supplies shall, in the territory of the other Contracting Party, be kept under customs supervision.

Article VI

The tariffs to be applied by the designated airlines shall be fixed by agreement as regards such sections of the air routes enumerated in annex I to this Agreement as may be operated jointly by the airlines of both Contracting Parties. The said agreement shall so far as possible be concluded in accordance with the rate-fixing procedure established by the International Air Transport Association (IATA). The tariffs so fixed shall be subject to approval by the aeronautical authorities of both Contracting Parties.

Article VII

Aircraft of the designated airlines shall, on flights over the territory of the other Contracting Party, bear the nationality and registration marks of their countries prescribed for international air navigation and carry certificates of registration, certificates of airworthiness and a licence for the aircraft's radio station. Moreover the competent authorities of each Contracting Party shall prescribe such additional aircraft documents as their aircraft operated in international traffic shall be required to carry, and shall notify the competent authorities of the other Contracting Party thereof. Pilots in command of aircraft and other members of the crew shall be in possession of the prescribed certificates of competency and licences.

Article VIII

For the purpose of operating the air services specified in annex I to this Agreement, each Contracting Party shall recognize as valid certificates of competency, licences and certificates of airworthiness issued or rendered valid by the other Contracting Party.

Article IX

1. The laws and regulations of either Contracting Party relating to the admission to, stay in and departure from its territory of aircraft engaged in international air navigation or to the operation, navigation and piloting of such aircraft within its

territory shall also apply to aircraft of the airline designated by the other Contracting Party.

2. The laws and regulations of either Contracting Party relating to the admission to, stay in and departure from its territory of passengers, crews and cargo shall apply to the passengers, crews and cargo of aircraft belonging to the airline designated by the other Contracting Party. The foregoing shall apply in particular to the provisions respecting importation, exportation, immigration, customs and health measures.

Article X

In the event of a forced landing by, damage to or a disaster involving an aircraft of one Contracting Party in the territory of the other Contracting Party, the Party in whose territory the accident occurs shall immediately notify the other Contracting Party thereof, take the necessary action to investigate the causes of the accident and, at the request of the other Contracting Party, grant representatives of that Party free access to its territory for the purpose of attending as observers the inquiry into the accident. It shall likewise take immediate action to assist the crew and passengers injured in the accident and to protect the mail, baggage and cargo on board the aircraft. The Party conducting the inquiry shall report the findings thereof to the other Contracting Party and, if the other Contracting Party so desires, hand over to it all relevant material.

Article XI

Each of the designated airlines shall be entitled to maintain in the territory of the other Contracting Party such technical and commercial personnel as may be needed to operate the air services provided for in article I of this Agreement. The aeronautical authorities shall agree on the number of persons to be employed for this purpose.

Article XII

Questions relating to the settlement of accounts shall be regulated by special contracts between the airlines of the Contracting Parties, concluded in accordance with the payments agreements in force between the Contracting Parties, or, if there are no such agreements, shall be dealt with in accordance with the exchange regulations in force in the territories of the Contracting Parties. The Contracting Parties shall do everything in their power to facilitate the transfer of the funds involved.