

No. 5926

**GHANA
and
UNITED ARAB REPUBLIC**

Agreement (with annex and exchange of letters) for the establishment of scheduled air services between and beyond their respective territories. Signed at Cairo, on 29 August 1960

Official texts of the Agreement and annex: English and Arabic.

Official text of the letters: Arabic.

Registered by the International Civil Aviation Organization on 25 October 1961.

**GHANA
et
RÉPUBLIQUE ARABE UNIE**

Accord (avec annexe et échange de lettres) relatif à l'établissement de services aériens réguliers entre les territoires des deux pays et au-delà. Signé au Caire, le 29 août 1960

Textes officiels de l'Accord et de l'annexe: anglais et arabe.

Texte officiel des lettres: arabe.

Enregistré par l'Organisation de l'aviation civile internationale le 25 octobre 1961.

No. 5926. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF GHANA AND THE GOVERNMENT OF THE UNITED ARAB REPUBLIC FOR THE ESTABLISHMENT OF SCHEDULED AIR SERVICES BETWEEN AND BEYOND THEIR RESPECTIVE TERRITORIES. SIGNED AT CAIRO, ON 29 AUGUST 1960

The Government of the Republic of Ghana and the Government of U. A. R., hereinafter described as the Contracting Parties.

Being parties to the Convention on International Civil Aviation opened for signature at Chicago on the 7th day of December, 1944² (hereinafter referred to as the Convention).

Considering that it is desirable to organize international air services in a safe and orderly manner and to further as much as possible the development of international co-operation in this field as a means of promoting friendly understanding and goodwill among peoples and securing the many indirect benefits of this form of transportation to the common welfare of both countries,

And desiring to conclude an Agreement, supplementary to the said Convention, for the purpose of establishing air services between and beyond their respective territories,

Have agreed as follows :

Article 1

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

- (a) the term "the Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944 and includes any Annex adopted under Article 90 of that Convention and any amendment of the Annexes or Convention under Articles 90 and 94 thereof ;
- (b) the term "aeronautical authorities" means in the case of the United Arab Republic, the Director General of Civil Aviation and any person or body authorised to perform any functions at present exercised by the said Director General or similar functions, and, in the case of the Republic of Ghana, the Minister respon-

¹ In accordance with article 17 (2), the Agreement entered into force provisionally on 29 August 1960, the date of signature.

² See footnote 2, p. 12 of this volume.

sible for Civil Aviation and any person or body authorised to perform any functions at present exercised by the said Minister or similar functions ;

- (c) 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 the routes specified in the Annex¹ to the present Agreement ;
- (d) the term “territory” in relation to either Contracting Party means the land areas and territorial waters adjacent thereto under the sovereignty, protection or trusteeship of that Contracting Party ; and
- (e) the term “air service”, “International air service”, “airline”, and “stop for non-traffic purposes” have the meanings respectively assigned to them in Article 96 of the Convention.

Article 2

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

(2) Subject to the provisions of the present Agreement, the airlines designated by each Contracting Party shall enjoy, while operating an agreed service on a specified route, the following privileges :

- (a) to fly without landing across the territory of the other Contracting Party ;
- (b) to make stops in the said territory for non-traffic purposes ; and
- (c) to make stops in the said territory at the points specified for that route in the Annex to the present Agreement for the purpose of putting down and taking on international traffic in passengers, cargo and mail originating in or destined for the said territory or a third country.

(3) Nothing in paragraph 2 of this Article shall be deemed to confer on the airlines of one Contracting Party the privilege of taking up, in the territory of the other Contracting Party, passengers, cargo or mail carried for remuneration or hire 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.

¹ See p. 104 of this volume ;

(2) On receipt of the designation, the other Contracting Party shall, subject to the provisions of paragraphs (3) and (4) of this Article, without undue 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 to the operation of international commercial air services provided that such laws and regulations do not conflict with the provisions of the Convention.

(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 paragraph (2) of Article 2 of the present 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 its nationals.

(5) At any time after the provisions of paragraph (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 7 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 paragraph (2) of Article 2 of the present 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) The laws, rules and regulations of each Contracting Party especially those relating to entry into or departure from its territory of aircraft engaged in international air navigation or to the operation and navigation of such aircraft while within its territory, shall apply to aircraft of the designated airlines of the other Contracting Party.

(2) The laws, rules and regulations of each Contracting Party, especially those relating to entry into or departure from its territory of passengers, crew or cargo of aircraft (such as regulations relating to entry, clearance, immigration, passports,

customs, quarantine and exchange regulation) shall be applicable to passengers, crew and cargo of aircraft of the designated airlines of the other Contracting Party, while in the territory of the former Contracting Party.

Article 5

(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 provides or shall 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 for 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.

Article 6

(1) Aircraft operated on international services by the designated airlines of either Contracting Party, as well as supplies of fuels, lubricants, spare parts, regular aircraft equipment and aircraft stores (including food, beverages and tobacco) on board such aircraft shall be exempt from all customs duties, inspection fees and other duties or taxes on arriving in the territory of the other Contracting Party, provided such equipment and supplies remain on board the aircraft up to such time as they are re-exported or are used on the part of the journey performed over that territory.

(2) There shall also be exempt from the same duties and taxes, with the exception of charges corresponding to the service performed :

- (a) aircraft stores, spare parts and regular aircraft equipment taken on board in the territory of a Contracting Party, within limits fixed by the authorities of the said Contracting Party, and for use on board outbound aircraft engaged in an international service of the other Contracting Party.
- (b) spare parts and regular aircraft equipment introduced into the territory of either Contracting Party for the maintenance or repair of aircraft used on international services by the designated airlines of the other Contracting Party ;