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No. 6034

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

**Agreement (with annex) concerning civil aviation. Signed
at London, on 25 October 1960**

Official texts: English and Hungarian.

*Registered by the United Kingdom of Great Britain and Northern Ireland on 19 January
1962.*

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

**Accord (avec annexe) relatif à l'aviation civile. Signé à
Londres, le 25 octobre 1960**

Textes officiels anglais et hongrois.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 19 janvier
1962.*

No. 6034. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC CONCERNING CIVIL AVIATION. SIGNED AT LONDON, ON 25 OCTOBER 1960

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

Desiring to promote their mutual relations in the field of civil aviation and to conclude an Agreement for the purpose of establishing air services between their respective territories,

Have agreed as follows :

Article I

(1) For the purposes of the present Agreement :

- (a) the term "aeronautical authorities" means, in the case of the United Kingdom, the Minister of 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 Hungarian People's Republic, the Director General of the Board of Civil Aviation of the Ministry of Communications and Posts, and any person or body authorised to perform any functions at present exercised by the said Director General or similar functions ;
- (b) the term "territory" in relation to a State means the land areas and territorial waters adjacent thereto, including the airspace above them, under the sovereignty, protection or trusteeship of that State ;
- (c) the term "air service" means any scheduled air service performed by aircraft for public transport of passengers, mail or cargo ;
- (d) the term "international air service" means an air service which passes through the airspace over the territory of more than one State ;
- (e) the term "airline" means any air transport enterprise operating an international air service ;

¹ Came into force on 3 May 1961, upon an exchange of notes confirming that the constitutional requirements of each Contracting Party had been fulfilled, in accordance with article XIX.

(f) the term "designated airline" means an airline which has been designated and authorised by the aeronautical authorities of the Contracting Parties in accordance with Article III of the present Agreement.

(2) The Annex¹ to this Agreement shall be deemed to be part of the Agreement and all references to the Agreement shall be deemed to include references to the Annex, except where otherwise expressly provided.

Article II

(1) Each Contracting Party grants to the other Contracting Party the rights specified in the Annex to the present Agreement for the purpose of establishing scheduled international air services (hereinafter referred to as "the agreed services") on the routes specified in the appropriate Part of the Annex to the present Agreement (hereinafter referred to as "the specified routes").

(2) Nothing in paragraph (1) of this Article shall be deemed to confer on the airlines of one Contracting Party the privilege of carrying cabotage traffic, that is to say, 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 III

(1) The aeronautical authorities of 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 such designation, the aeronautical authorities of the other Contracting Party shall, subject to the provisions of paragraph (4) of this Article, without delay grant to the airline or airlines designated the appropriate operating authorisations.

(3) When an airline has been so designated and authorised, it may begin at any time to operate the agreed services provided that a tariff established in accordance with the provisions of Article VII of the present Agreement is in force in respect of that service and provided that a written notice of the commencement of the service is given in due time by the designated airline or airlines to the aeronautical authorities of the other Contracting Party.

(4) Each Contracting Party shall have the right to refuse to grant, revoke or to suspend the exercise of the rights set forth in the operating authorisations referred to in paragraph (2) of this Article or to impose such conditions as it may deem necessary on the exercise by a designated airline of the rights specified in the Annex to the present Agreement :

¹ See p. 324 of this volume.

- (a) in any case where the said Contracting Party is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline, in its institutions, or in its nationals, or
- (b) in the case of failure of that airline to comply with the laws or regulations of the Contracting Party granting these rights, or to operate in accordance with the laws or regulations of the Contracting Party granting these rights, or to operate in accordance with the conditions prescribed under the present Agreement.

(5) Action shall not be taken in pursuance of paragraph (4) of this Article before notice in writing of such proposed action stating the grounds thereof is given to the other Contracting Party and consultation between the aeronautical authorities of both Contracting Parties has not resulted in agreement within a period of thirty days after the date of receipt of the said notice by the Contracting Party to whom it is addressed.

Article IV

Non-scheduled flights shall be subject to special permission being granted in accordance with the relevant requirements of the Contracting Parties. Requests for permission for such flights shall be addressed, in accordance with a simplified procedure to be agreed between the aeronautical authorities of the Contracting Parties, to the aeronautical authorities whose permission is sought.

Article V

(1) Aircraft operated on international services by the designated airlines of either Contracting Party, as well as their regular equipment, supplies of fuels and lubricants, and aircraft stores (including food, beverages and tobacco) on board such aircraft shall be exempt from all customs duties, inspection fees and other similar charges 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, fees and charges, with the exception of charges corresponding to the services performed :

- (a) aircraft stores 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 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 ;
- (c) fuel and lubricants destined to supply outbound aircraft operated on international services by the designated airlines of the other Contracting Party, even when these

supplies are to be used on the part of the journey performed over the territory of the Contracting Party in which they are taken on board.

Materials referred to in sub-paragraphs (a), (b) and (c) above may be required to be kept under Customs supervision or control.

(3) The regular airborne equipment, as well as the materials and supplies retained on board the aircraft of either Contracting Party may be unloaded in the territory of the other Contracting Party only with the approval of the Customs authorities of that territory. In such case, they shall be subject to the supervision of the said authorities up to such time as they are re-exported or otherwise disposed of in accordance with Customs regulations.

Article VI

The aeronautical authorities of the Contracting Parties shall, if so requested, provide each other, either directly or through their designated airlines, with statistics relating to the traffic carried by their designated airlines, to, from or through the territory of the other Contracting Party, showing the origin and destination of the traffic.

Article VII

(1) The tariffs to be charged by the designated airlines of one Contracting Party for carriage to or from the territory of the other Contracting Party shall be established at reasonable levels, due regard being paid to all relevant factors including cost of operation, reasonable profit and the tariffs of other airlines.

(2) The tariffs referred to in paragraph (1) of this Article, together with the rates of agency commission applicable, shall be agreed by the designated airlines concerned of both Contracting Parties.

(3) The tariffs so agreed shall be submitted for the approval of the aeronautical authorities of the Contracting Parties at least sixty (60) days before the proposed date of their introduction ; in special cases, this time limit may be reduced, subject to the agreement of the said authorities.

(4) If the designated airlines cannot agree on any of these tariffs, the aeronautical authorities of the Contracting Parties shall determine such tariffs by agreement between themselves. No tariff shall come into force if the aeronautical authorities of either Contracting Party have not approved it.

(5) The tariffs established in accordance with the provisions of this Article shall remain in force until new tariffs have been established in accordance with the provisions of this Article.