

No. 6736

**MALI
and
CZECHOSLOVAKIA**

Agreement concerning air services (with annex and exchange of notes). Signed at Prague, on 27 November 1961

Official texts: French and Czech.

Registered by the International Civil Aviation Organization on 15 May 1963.

**MALI
et
TCHÉCOSLOVAQUIE**

Accord relatif aux services aériens (avec annexe et échange de notes). Signé à Prague, le 27 novembre 1961

Textes officiels français et tchèque.

Enregistré par l'Organisation de l'aviation civile internationale le 15 mai 1963.

[TRANSLATION — TRADUCTION]

No. 6736. AGREEMENT¹ BETWEEN THE REPUBLIC OF MALI AND THE CZECHOSLOVAK SOCIALIST REPUBLIC CONCERNING AIR SERVICES. SIGNED AT PRAGUE ON 27 NOVEMBER 1961

The Government of the Republic of Mali and the Government of the Czechoslovak Socialist Republic, desiring to conclude an agreement for the purpose of developing air transport between their countries and establishing air services between their respective territories, have appointed their representatives, who have agreed as follows :

Article 1

The Contracting Parties grant each other the rights specified in this Agreement and its annex for the purpose of establishing and operating the agreed air services on the routes listed in the annex. The said services may be inaugurated immediately or at a later date, at the option of the Contracting Party to which these rights are granted.

Article 2

1. Each Contracting Party shall have the right to designate an airline to operate on the specified routes.

2. The other Party upon approving that choice shall forthwith grant the appropriate operating permit to the designated airline, subject to the provisions of paragraphs 3 and 4 of this article.

3. The aeronautical authorities of one Contracting Party may require the airline designated by the other Contracting Party to satisfy them that it is qualified to fulfil the conditions prescribed by the laws and regulations normally governing the operation of international 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 an operating permit, and, should the occasion arise, to stipulate in the permit granted such conditions as it deems necessary when it is not satisfied that substantial ownership and effective control of the designated airline are vested in the other Party or its nationals or in the event of failure of the designated airline to comply with its laws and regula-

¹ Applied provisionally from 27 November 1961, the date of signature, in accordance with article 14.

tions or in any way to fulfil the conditions specified in this Agreement. This measure shall be taken only after prior negotiation with the other Contracting Party, unless immediate suspension or imposition of conditions is essential to prevent further infringement of such laws or regulations.

Article 3

1. The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of aircraft engaged in international navigation or to the operation of such aircraft while within its territory shall apply to the aircraft of the airline designated by the other Contracting Party.

2. The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of passengers, crews, mail or cargo, such as regulations governing entry, clearance, immigration, customs and quarantine, shall be applicable to the passengers, crews and cargo of the aircraft of the airline designated by the other Contracting Party on entry into or departure from and while operating within the territory of the first Contracting Party.

Article 4

1. Fuel, lubricating oils, regular aircraft equipment, spare parts and aircraft stores introduced into the territory of one Contracting Party by or on behalf of the airline designated by the other Contracting Party and intended solely for use by the aircraft of that airline shall be accorded most favoured nation treatment in respect of customs duties, inspection fees and other national duties and charges in the territory of the first Contracting Party.

2. Aircraft operated by the airline designated by one Contracting Party on the agreed services and fuel, lubricating oils, spare parts, regular equipment and aircraft stores remaining on board such aircraft shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or other national duties and charges, even though such supplies be used or consumed by such aircraft on flights over the said territory.

3. Fuel, lubricating oils, spare parts, regular aircraft equipment and aircraft stores for use in the operation of the agreed services may be stored at airports served by the designated airline.

4. Supplies exempted from customs duties under the terms of paragraph 2 may not be unloaded without the consent of the customs authorities of the other Contracting Party. If such supplies cannot be used or consumed they shall be re-exported. Pending removal from the said territory, they shall remain at the disposal of the designated airline but under the supervision of the said customs authorities.

Article 5

1. Each Contracting Party shall, on a basis of reciprocity, exempt on its territory the designated airline of the other Contracting Party from all taxation on profits or earnings deriving from the operation of the agreed air services.

2. Each Contracting Party may impose or permit to be imposed appropriate and reasonable charges for the use of airports and other facilities, provided that such charges do not exceed the charges paid by its national airline operating similar international services.

Article 6

The designated airlines of each Contracting Party shall have the right to maintain in the territory of the other Contracting Party such technical and commercial staff as may be required to operate its services. Where a designated airline declines to maintain its own staff in the territory of the other Contracting Party, it shall as far as possible assign any work to the airport staff or to the staff of the designated airline of the other Contracting Party.

Article 7

The transport capacity provided by the airlines designated for the operation of the agreed air services shall be related to traffic requirements and, in the case of common routes, shall be fixed by direct agreement between the airlines; it shall be subject to approval by the aeronautical authorities of the two Contracting Parties.

Article 8

1. The tariffs to be applied on the agreed services shall be fixed at reasonable levels by agreement between the designated airlines, regard being paid to all relevant factors such as cost of operation, characteristics of each service and the tariffs of other airlines.

2. The tariffs shall be subject to the approval of the aeronautical authorities of the Contracting Parties; if the designated airlines cannot agree on the tariffs, they shall be fixed by agreement between the aeronautical authorities; if agreement is still not forthcoming, the dispute shall be settled in accordance with the provisions of article 10 of this Agreement.

Article 9

There shall be direct contact and consultation as necessary between the aeronautical authorities of the Contracting Parties to ensure close co-operation in all matters affecting the application of this Agreement and its annex.