

No. 6769

**ROMANIA
and
GHANA**

**Agreement (with schedule) for air services between
and beyond their respective territories. Signed at
Bucharest, on 30 September 1961**

Official text: English.

Registered by Romania on 7 June 1963.

**ROUMANIE
et
GHANA**

**Accord (avec tableau) relatif aux services aériens entre
les territoires des deux pays et au-delà. Signé à Bucarest,
le 30 septembre 1961**

Texte officiel anglais.

Enregistré par la Roumanie le 7 juin 1963.

No. 6769. AGREEMENT¹ BETWEEN THE GOVERNMENTS OF THE ROUMANIAN PEOPLE'S REPUBLIC AND OF GHANA FOR AIR SERVICES BETWEEN AND BEYOND THEIR RESPECTIVE TERRITORIES. SIGNED AT BUCHAREST, ON 30 SEPTEMBER 1961

The Government of the Roumanian People's Republic and the Government of Ghana

Desiring to conclude an Agreement 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 "aeronautical authorities" means, in the case of the Roumanian People's Republic, the Ministry of Transport and Telecommunications or anybody authorised to perform any functions at present exercised by the said Ministry or similar functions, and in the case of Ghana, the Ministry responsible for Civil Aviation or anybody authorised to perform any functions at present exercised by the said Ministry or similar functions ;

(b) 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 such notification ;

(c) The term "change of gauge" means the operation of an air service by a designated airline in such a way that one section of the route is flown by aircraft different in capacity from those used on another section ;

(d) The term "territory" in relation to a State means the land areas and territorial waters adjacent thereto under the sovereignty of that State.

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

¹ Came into force on 9 April 1962, the date of the exchange of the instruments of ratification at Bucharest, in accordance with article 17.

specified in the appropriate Section of the Schedule thereto (hereinafter called "the agreed services" and "the specified routes").

(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 purpose ; and

(c) To make stops in the said territory at the points specified for that route in the Schedule to the present Agreement for the purpose of putting down and taking on international traffic in passengers, cargo and mail.

(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 (cabotage).

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.

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

(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 nationals of the Contracting Party designating the airline.

(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 aircraft used by the designated airlines of either Contracting Party in the operation of the agreed services on the specified routes, as well as fuel, lubricating oils, spare parts, regular equipment and aircraft stores on board of such aircraft, on arrival in the territory of the other Contracting Party shall be exempt from customs duties, inspection fees and all other similar national or local duties and charges, even though such supplies are used by such aircraft on flights in that territory—provided that such articles are not transferred to third parties in that territory.

(2) Fuel and lubricating oils taken on board aircraft of the designated airlines of one Contracting Party, in the territory of the other Contracting Party shall, subject to compliance in other respects with the customs regulations of the latter Contracting Party, be exempt from customs duties, inspection fees and all other similar national or local duties and charges imposed in the territory of the latter Contracting Party, even though such supplies are used by such airlines on flights in that territory.

(3) Fuel and lubricating oils, spare parts, regular equipment and aircraft stores imported into the territory of either Contracting Party for incorporation in or use on an aircraft of the other Contracting Party shall be admitted free of customs duty, inspection fees, and other similar national or local duties and charges,—provided that such articles are not transferred to third parties in that territory.

Such articles, while in the said territory, shall be kept under customs supervision and control.

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.