

No. 7043

**GREECE
and
ROMANIA**

**Agreement (with annex) concerning scheduled commercial
air services. Signed at Athens, on 2 May 1960**

Official text: French.

Registered by Greece on 7 January 1964.

**GRÈCE
et
ROUMANIE**

**Accord (avec annexe) relatif aux transports aériens com-
merciaux réguliers. Signé à Athènes, le 2 mai 1960**

Texte officiel français.

Enregistré par la Grèce le 7 janvier 1964.

[TRANSLATION — TRADUCTION]

No. 7043. AGREEMENT¹ BETWEEN THE ROYAL GOVERNMENT OF GREECE AND THE GOVERNMENT OF THE ROMANIAN PEOPLE'S REPUBLIC CONCERNING SCHEDULED COMMERCIAL AIR SERVICES. SIGNED AT ATHENS, ON 2 MAY 1960

The Royal Government of Greece and the Government of the Romanian People's Republic (hereinafter referred to as the Contracting Parties), desiring to regulate mutual relations in the field of civil aviation and to promote the development of scheduled commercial air services between the two countries, have agreed as follows :

Article 1

1. For the purposes of this Agreement and its annex :

(a) The expression "aeronautical authorities" means :

—In the case of the Kingdom of Greece, "the Ministry of Communications and Public Works" or any agency authorized to perform the functions for which the said Ministry is at present responsible ;

—In the case of the Romanian People's Republic, "the Ministry of Transport and Telecommunications" or any agency authorized to perform the functions for which the said Ministry is at present responsible ;

(b) The expression "designated airline" means any airline designated in accordance with the provisions of this Agreement by the aeronautical authorities of one Contracting Party for the operation of the agreed services.

2. The annex to this Agreement shall be considered an integral part of the Agreement and, unless otherwise provided, all references to the Agreement shall be considered to refer also to the annex.

Article 2

1. The Contracting Parties grant each other the rights specified in the annex to this Agreement for the purpose of establishing the scheduled international air services defined in that annex, which cross or serve their respective territories.

2. The designated airlines shall take account of their mutual interests on common routes so as not to affect unduly their respective services.

¹ Came into force provisionally on 2 May 1960, the date of signature, in accordance with the provisions of article 15. The exchange of the instruments of ratification took place at Bucharest on 24 September 1963.

3. The agreed services shall have as their primary purpose the provision of capacity adequate to the traffic demand between the country to which the designated airline belongs and the country of destination.

4. The designated airlines shall enjoy fair and equal opportunities to operate the agreed services between the territories of the Contracting Parties.

5. The right to pick up and set down in the territory of a Contracting Party international traffic destined for or originating in third countries shall be exercised according to the general principles of orderly development of international air communications in such a way that the capacity shall be adapted :

(a) To air traffic requirements between the country of origin and the country of destination ;

(b) To traffic requirements in the areas traversed, account being taken of local and regional services ;

(c) To the requirements of economic operation of the agreed services.

Article 3

1. Each Contracting Party shall have the right to designate in writing to the other Contracting Party an airline for the operation of the agreed services on the specified routes.

2. Upon receipt of the designation, the other Contracting Party shall, subject to the provisions of paragraphs 3 and 4 of this article, grant the appropriate operating permit.

3. The aeronautical authorities of one Contracting Party, before granting the permit provided for in paragraph 2 above, may require the 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 those authorities to the operation of international air services.

4. Each Contracting Party shall have the right to withhold the operating permit referred to in paragraph 2 of this article, or to impose such conditions as may appear to it to be necessary for the exercise by an airline of the rights specified in the annex to this Agreement whenever the said Contracting Party is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party which designated the airline, or in nationals or bodies corporate of that Contracting Party.

At any time after an airline has been designated and authorized in accordance with the preceding provisions, it may commence operation of the agreed services in accordance with the provisions of this Agreement.

Article 4

1. Each Contracting Party reserves the right to revoke an operating permit or suspend the exercise, by an airline designated by the other Contracting Party, of the rights specified in the annex to this Agreement, or to impose such conditions as it may deem on the exercise of these rights :

(a) In any case where it is no longer satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party which designated the airline, or in nationals or bodies corporate of that Contracting Party ;

(b) In the case of failure by the said airline to comply with the laws and regulations of the Contracting Party which granted the privileges ;

(c) In case the said airline fails in any way to operate in accordance with the conditions prescribed in the present Agreement and its annex.

2. Unless revocation, suspension or immediate imposition of conditions are necessary in order to prevent further infringements of the laws or regulations, this right shall be exercised only after consultation with the other Contracting Party.

Article 5

1. Each Contracting Party shall ensure that its designated airline communicates to the aeronautical authorities of the other Contracting Party, for their approval, one month in advance, complete flight schedules, specifying frequency, types of aircraft to be used and any other such information concerning the operation of the agreed air services.

The said airlines shall communicate any alteration in the above information with, in principle, the same amount of notice.

2. The airline designated by each Contracting Party shall provide the aeronautical authorities of the other Contracting Party, at their request, with all information needed to determine the traffic pertaining to the agreed services.

Article 6

1. The tariffs to be applied by the airline of each Contracting Party for carriage to or from the territory of the other Contracting Party, shall be fixed at reasonable rates, due account being taken of all relevant factors, including operating costs, normal profit, and the tariffs of other airlines.

2. The tariffs mentioned in paragraph 1 of this article shall be fixed by agreement between the airlines designated by the Contracting Parties and shall be determined, as far as possible, in accordance with the rate-fixing procedure established by the International Air Transport Association (IATA).