

No. 7258

**GREECE
and
ITALY**

**Agreement (with annex) relating to air services. Signed
at Rome, on 26 May 1956**

Official text: French.

Registered by the International Civil Aviation Organization on 8 June 1964.

**GRÈCE
et
ITALIE**

**Accord (avec annexe) relatif aux services aériens. Signé à
Rome, le 26 mai 1956**

Texte officiel français.

Enregistré par l'Organisation de l'aviation civile internationale le 8 juin 1964.

[TRANSLATION — TRADUCTION]

No. 7258. AGREEMENT¹ BETWEEN GREECE AND ITALY
RELATING TO AIR SERVICES. SIGNED AT ROME,
ON 26 MAY 1956

The Greek Government and the Italian Government, considering :

That the possibilities of commercial aviation as a means of transport have increased considerably ;

That it is desirable to organize regular air communications in a safe and orderly manner and to develop as much as possible international co-operation in this field ;

That it is therefore necessary to conclude an agreement between Greece and Italy regulating scheduled air services;

Have appointed their plenipotentiaries who, being duly authorized for that purpose, have agreed as follows.

Article 1

For the purposes of this Agreement and its annex,² unless the text otherwise provides :

(a) The expression "aeronautical authority" means, in the case of Greece, "the Ministry of Communications and Public Works, Civil Aviation Service" or any person or body authorized to perform the functions at present exercised by that authority ; and in the case of Italy, "the Ministry of Defence-Aviation, General Directorate of Civil Aviation and Air Traffic" or any person or body authorized to perform the functions at present exercised by that authority.

(b) The expression "designated airline" means any airline which the aeronautical authority of one Contracting Party has notified, in writing, to the aeronautical authority of the other Contracting Party as being the airline designated by it under articles 2 and 3 of this Agreement for the operation of the air services mentioned in such notification.

(c) The term "territory" shall have the meaning given to it in article 2 of the Convention on International Civil Aviation, signed at Chicago on 7 December 1944.³

¹ Came into force on 1 April 1961, the date on which notice of ratification was given by an exchange of notes, in accordance with the provisions of article 14 (a).

² See p. 315 of this volume.

³ See footnote 1, p. 226 of this volume.

(d) Account shall be taken of the definitions given in article 96 of the said Convention.

Article 2

(a) The Contracting Parties grant each other in time of peace the rights specified in the annex for the purpose of establishing the scheduled international air services described therein to or through their respective territories.

(b) Each Contracting Party shall designate one or more airlines to operate the agreed services and shall decide on the date of inauguration of those services, subject to issuance of the permit referred to in article 3 below.

Article 3

(a) Subject to the provisions of articles 5 and 9 hereunder, the necessary operating permit shall be issued to the designated airline of each Contracting Party.

(b) The aeronautical authorities of one of the Contracting Parties, before granting the operating permit to the airlines designated by the other Contracting Party, may require the said airlines to satisfy them that they are able to fulfil the conditions prescribed by the laws, decrees and regulations normally applied to the operation of scheduled air services, provided that those laws, decrees and regulations do not conflict with the provisions of the Chicago Convention or of this Agreement.

Article 4

(a) The transport capacity provided by the designated airlines shall be adapted to the traffic demand.

(b) In the operation of common routes, the designated airlines shall take into account their mutual interests so as not to affect unduly their respective services.

(c) The agreed services shall have as their primary object the provision of capacity adequate to meet the traffic demand between the country of the airline and the countries of destination.

(d) The designated airlines shall enjoy fair and equal opportunity to operate the agreed services between the territories of the Contracting Parties.

(e) The right to pick up or set down in the territory of either Contracting Party, at the points specified in the schedules in the annex, international traffic destined for or coming from third countries shall be exercised in accordance with the general principles of orderly development to which the Greek and Italian Governments subscribe and in such a manner that the capacity shall be related to :

1. The traffic demand between the country of origin and the countries of destination ;
2. The traffic demand of the areas traversed, local and regional services being taken into account ;
3. The requirements of economic operation of the agreed services.

Article 5

The aeronautical authorities of each Contracting Party shall, one month in advance, communicate to the aeronautical authorities of the other Contracting Party, for their approval, complete timetables of the services, indicating the frequency of operation.

The said authorities shall communicate to each other any alteration of the above particulars, in principle with the same notice.

Article 6

(a) The tariffs to be fixed for the carriage of passengers and cargo on all the specified services shall be the tariffs of IATA provided that the airlines designated by the Contracting Parties are members of the said Association.

(b) If the airlines of one Contracting Party are not members of IATA, the said tariffs shall be fixed by agreement between the airlines concerned and shall be subject to approval by the aeronautical authorities of the Contracting Parties.

(c) If a dispute arises between the designated airlines concerned, or if the aeronautical authorities do not approve the tariffs fixed in accordance with the provisions of the preceding paragraph, the Contracting Parties shall endeavour to reach an agreement and, if they fail to do so, the dispute shall be settled in accordance with article 11 of this Agreement.

In the interim, the tariffs in force shall be applied.

Article 7

(a) For the use of airports and other services provided by one Contracting Party the designated airline of the other Contracting Party shall not be required to pay charges exceeding those payable by national aircraft engaged in scheduled international services.

(b) Aircraft used by the designated airline of one Contracting Party in the operation of the agreed scheduled services and fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board such aircraft shall be exempt in the territory of the other Contracting Party from all duties and charges, including customs duties and inspection fees, even though such supplies be used or consumed on flights over that territory. Supplies exempted under this provision may not be unloaded without the consent of the customs authority of the other Contracting Party and, if