

No. 7260

**IRELAND
and
AUSTRALIA**

Exchange of notes constituting and evidencing an air transport agreement. Dublin, 26 November and 30 December 1957

Official text: English.

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

**IRLANDE
et
AUSTRALIE**

Échange de notes constituant et constatant un accord relatif aux transports aériens. Dublin, 26 novembre et 30 décembre 1957

Texte officiel anglais.

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

No. 7260. EXCHANGE OF NOTES CONSTITUTING AND EVIDENCING AN AIR TRANSPORT AGREEMENT¹ BETWEEN IRELAND AND AUSTRALIA. DUBLIN, 26 NOVEMBER AND 30 DECEMBER 1957

I

*From the Australian Chargé d'Affaires ad interim at Dublin to the
Minister for External Affairs of Ireland*

26th November, 1957

Excellency,

I have the honour to refer to discussions which have recently taken place between representatives of our two Governments (hereinafter referred to as the Contracting Parties) relating to the conclusion of an Air Transport Agreement, and to record hereunder my Government's understanding of such Agreement.

Article 1

For the purposes of this Agreement, unless the context otherwise requires, the term "designated airline" means an airline or airlines which one Contracting Party has designated in writing to the other Contracting Party in accordance with Article 4 as being the airline or airlines authorised to operate international air services in accordance with the provisions of Article 3.

Article 2

To the extent to which they are applicable to the air services established under this Agreement, the provisions of the Convention on International Civil Aviation signed at Chicago on December 7th, 1944,² (hereinafter called "the Convention") shall remain in force in their present form as between the Contracting Parties for the duration of this Agreement as if they were incorporated herein, unless both Contracting Parties ratify any amendment to the Convention which shall have come into force, in which case the Convention as amended shall remain in force as aforesaid.

¹ Came into force on 26 November 1957, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, Vol. 15, p. 295; Vol. 26, p. 420; Vol. 32, p. 402; Vol. 33, p. 352; Vol. 44, p. 346; Vol. 51, p. 336; Vol. 139, p. 469; Vol. 178, p. 420; Vol. 199, p. 362; Vol. 252, p. 410; Vol. 324, p. 340; Vol. 355, p. 418; Vol. 409, p. 370, and Vol. 472, p. 402.

Article 3

Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement to enable its designated airline to establish and operate international air services on the routes specified in Article 15 (hereinafter called "agreed services" and "specified routes" respectively).

Article 4

(1) The agreed services on any specified route may be inaugurated immediately or at a later date at the option of the Contracting Party to which the rights are granted under Article 3 of this Agreement, but not before—

- (a) the Contracting Party to which the rights have been granted has designated an airline for that route ; and
- (b) the Contracting Party granting the rights has given the appropriate operating permission to the airline concerned. Operating permission shall, subject to the provisions of paragraph (2) of this Article and of paragraph (1) of Article 7, be given without delay.

(2) An airline designated by one Contracting Party may be required to satisfy the aeronautical authorities of the other Contracting Party that it is qualified to fulfil the conditions prescribed by the laws and regulations normally applied by those authorities to the operation of international air services.

Article 5

Subject to the provisions of this Agreement, the designated airline of each Contracting Party shall enjoy, while operating an agreed service on a specified route, the following rights :

- (a) the right to fly without landing across the territory of the other Contracting Party ;
- (b) the right to make stops in that territory for non-traffic purposes ; and
- (c) the right to make stops in that territory, at the point specified for that route in Article 15, for the purposes of putting down and of taking on international traffic in passengers, cargo or mail.

Article 6

Fuel, lubricating oils, spare parts, regular equipment and aircraft stores on board aircraft of the designated airline of one Contracting Party on arrival in the territory of the other Contracting Party or taken on board those aircraft in that territory, and not unloaded from the aircraft without the consent of the customs authorities, if intended solely for use by or in aircraft of that airline in the operation of the agreed services shall, subject to compliance in other respects with the customs requirements of the latter Contracting Party, be exempted from customs duties, inspection fees and similar national or local duties and charges imposed in the territory of the latter Contracting Party, even though the supplies are used in or consumed by the aircraft on flights in that territory.