

No. 7269

**NETHERLANDS
and
POLAND**

**Civil Air Transport Agreement (with annexes). Signed at
Warsaw, on 21 July 1960**

Official text: French.

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

**PAYS-BAS
et
POLOGNE**

**Accord relatif aux transports aériens civils (avec annexes).
Signé à Varsovie, le 21 juillet 1960**

Texte officiel français.

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

[TRANSLATION — TRADUCTION]

No. 7269. CIVIL AIR TRANSPORT AGREEMENT¹ BETWEEN
THE ROYAL GOVERNMENT OF THE NETHERLANDS
AND THE GOVERNMENT OF THE POLISH PEOPLE'S
REPUBLIC. SIGNED AT WARSAW, ON 21 JULY 1960

The Royal Government of the Netherlands and the Government of the Polish People's Republic, hereinafter referred to as "the Contracting Parties", desiring to regulate mutual relations in the field of civil air transport, have agreed on the following provisions :

Article I

Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement for the purpose of establishing scheduled international air services on the routes specified in the annexes² thereto.

Such services and routes are hereafter from time to time called "agreed services" and "specified routes", respectively. The airlines designated by each Contracting Party shall enjoy, while operating an agreed service on a specified route, the following rights :

- (a) To fly without landing across the territory of the other Contracting Party ;
- (b) To make stops in the said territory for non-traffic purposes ; and
- (c) To take up and to set down passengers, baggage, cargo and mail at any point on the routes specified in the annexes to this Agreement, subject to the provisions of this Agreement and its annexes.

Article II

1. Each Contracting Party shall have the right to designate one or more airlines for the purpose of operating the agreed services on the specified routes. This designation shall be notified in writing to the aeronautical authorities of one Contracting Party by the aeronautical authorities of the other Contracting Party.

2. On receipt of the notification of such designation, the other Contracting Party shall, subject to the provisions of paragraphs 3 and 4 of this article, grant without

¹ Applied provisionally from 21 July 1960, the date of signature, in accordance with the provisions of article XIV.

² See p. 203 of this volume.

delay to the airline or airlines designated by the other Contracting Party the appropriate operating permits.

3. The aeronautical authorities of either 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 applied to the operation of international air services by such authorities in conformity with the provisions of the Convention on International Civil Aviation opened for signature at Chicago on 7 December 1944.¹

4. Each Contracting Party shall have the right to refuse to grant the operating permits referred to in paragraph 2 of this article, or to impose such conditions as it may deem necessary on the exercise by a designated airline of the rights specified in article I of the present Agreement, in any case where the said Contracting Party is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in its nationals.

5. On receipt of the operating permit specified in paragraph 2 of this article, the designated airline may begin at any time to operate any agreed service, provided that a tariff, established in accordance with the provisions of article IX of this Agreement, is in force in respect of that service.

Article III

1. Each Contracting Party shall have the right to revoke an operating permit, or to suspend the exercise of the rights specified in article I of this Agreement by a designated airline of the other Contracting Party, or to impose such conditions as it may deem necessary on the exercise of these rights, in cases where :

(a) 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 that Contracting Party ; or

(b) That airline has failed to comply with the laws and regulations of the Contracting Party granting these rights ; or

(c) That airline fails to operate in accordance with the provisions of this Agreement.

2. Unless immediate revocation, suspension or imposition of the conditions mentioned in paragraph 1 of this article is essential to prevent further infringements of laws or regulations, such right may only be exercised after consultation with the other Contracting Party.

¹ See footnote 2, p. 30 of this volume.

Article IV

1. The airlines designated by the Contracting Parties for the operation of the agreed services shall offer a capacity adequate to meet the current and reasonably anticipated requirements of international air traffic for such services.

2. The operating conditions of the agreed services shall be governed by separate arrangements between the designated airlines.

3. If the national regulations of a Contracting Party so require, the arrangements mentioned in paragraph 2 of this article shall be submitted for approval to the aeronautical authorities of that Contracting Party.

Article V

1. Aircraft employed in international service by the designated airlines of one Contracting Party together with their regular equipment, supplies of fuel and lubricants, and aircraft stores (including foodstuffs, beverages and tobacco) shall, on arrival in the territory of the other Contracting Party, be exempt from all customs duties, inspection fees and other duties or charges, provided that such equipment, supplies and stores remain on board the aircraft until re-exported.

2. The following shall also be exempt from the same duties, fees and charges, with the exception of fees and charges levied as consideration for services rendered :

(a) Aircraft stores taken on board in the territory of one Contracting Party in quantities within the limits fixed by the competent authorities of the said Contracting Party, and destined for use on board the aircraft employed on international services by the designated airlines of the other Contracting Party ;

(b) Normal equipment and spare parts imported into the territory of one Contracting Party for the maintenance or repair of aircraft employed on international services by the designated airlines of the other Contracting Party ;

(c) Fuel and lubricants intended for aircraft employed on international services by the designated airlines of the other Contracting Party, even when such supplies are to be used on that part of the flight which takes place over the territory of the Contracting Party in which they were taken on board.

3. If national laws or regulations so require, the materials specified in paragraphs 1 and 2 of this article shall be subject to Customs control.

Article VI

Regular equipment, supplies and stores on board the aircraft of one Contracting Party may be unloaded in the territory of the other Contracting Party only with