

No. 7437

**DENMARK
and
YUGOSLAVIA**

**Air Transport Agreement (with annex, exchange of notes
and *procès-verbal*). Signed at Copenhagen, on 11 Feb-
ruary 1964**

Official text: French.

Registered by Denmark on 15 October 1964.

**DANEMARK
et
YOUUGOSLAVIE**

**Accord (avec annexe, échange de notes et *procès-verbal*)
relatif aux transports aériens. Signé à Copenhague,
le 11 février 1964**

Texte officiel français.

Enregistré par le Danemark le 15 octobre 1964.

[TRANSLATION — TRADUCTION]

No. 7437. AIR TRANSPORT AGREEMENT¹ BETWEEN THE KINGDOM OF DENMARK AND THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA. SIGNED AT COPENHAGEN, ON 11 FEBRUARY 1964

The Government of the Kingdom of Denmark and the Government of the Socialist Federal Republic of Yugoslavia, hereinafter referred to as the "Contracting Parties",

Considering :

That it is desirable for them to organize their scheduled air transport in a safe and orderly manner and to develop their co-operation in this field as much as possible, thus contributing to international co-operation,

That it is therefore necessary to conclude an Agreement regulating scheduled air transport between their countries,

Have appointed their plenipotentiaries, duly authorized for this purpose, who have agreed as follows :

Article I

The Contracting Parties grant each other, on a basis of reciprocity, the right to establish the scheduled air services specified in the annex² to this Agreement.

In accordance with the provisions of this Agreement, all or part of these services may be operated immediately or at a later date at the option of the Contracting Party to whom this right is granted.

Article II

1. The aeronautical authority of each Contracting Party shall notify the aeronautical authority of the other Contracting Party of the designation of one or more airlines which may operate scheduled air services by virtue of this Agreement.

2. On receipt of such notice, the aeronautical authority of the other Contracting Party shall, subject to the provisions of paragraph 3 below and of article III of this Agreement, grant the necessary operating permit to the designated airline or airlines without delay.

¹ Came into force on 31 July 1964, the date of the exchange of notes by which the Contracting Parties notified each other that ratification or approval of the Agreement pursuant to their constitutional procedures had been effected, in accordance with the provisions of article XIX.

² See p. 257 of this volume.

3. The aeronautical authorities concerned may, before granting the above-mentioned permit to a designated airline, satisfy themselves that it is qualified to fulfil the conditions prescribed under the laws and regulations normally applied to international air services, provided that the said laws and regulations do not conflict with the provisions of this Agreement.

4. At any time after the provisions of paragraphs 1 and 2 of this article have been complied with, the airline or airlines so designated and authorized may begin to operate the scheduled air services.

Article III

1. The aeronautical authority of each Contracting Party reserves the right to withhold or withdraw an operating permit temporarily or permanently from the designated airline or airlines of the other Contracting Party whenever it has no proof that substantial ownership and effective control of the said airlines are vested in one or other of the Contracting Parties or in their nationals.

2. The aeronautical authorities of the Contracting Parties reserve the right to withdraw the operating permit temporarily or permanently whenever the designated airline or airlines fail to comply with the laws and regulations normally applied in their respective territories to international air services, or to observe the provisions of this Agreement.

3. Nevertheless, this action may be taken only if consultations between the aeronautical authorities have failed to produce agreement.

Article IV

Transport for remuneration from one point to another in the same territory (cabotage) remains reserved exclusively to the national airlines of each Contracting Party, whatever the real origin or destination of the traffic in question.

Article V

1. The designated airline or airlines shall receive fair and equitable treatment for the purpose of operating the services specified in the annex.

2. The rights granted may not be improperly exercised by the designated airline or airlines of either Contracting Party to the detriment or disadvantage of any airline of the other Contracting Party operating scheduled transport services on all or part of the same route specified in the annex.

Article VI

No distinction shall be made by the Contracting Parties in their territories between the designated airlines and foreign airlines.

Article VII

1. Tariffs shall be fixed at reasonable levels, due regard being paid to economy of operation, reasonable profit and the characteristics of the agreed services, in such a manner as to avoid any undesirable competition. In fixing these tariffs, account shall also be taken of the principles governing international air services in the matter.

2. The designated airlines of each Contracting Party shall submit to the aeronautical authority of the other Contracting Party their time-tables, for approval, and their tariffs, for information, at least thirty days before they are put into effect. Any alteration in these time-tables or tariffs shall be communicated for the same purpose, to the said authorities, as soon as possible.

Article VIII

1. Each Contracting Party agrees that the sums payable by the designated airline or airlines of the other Contracting Party for the use of airports and other technical installations shall not be higher than those paid by other foreign airlines operating similar international services.

2. Fuel and lubricating oils taken on board in, and spare parts and regular equipment introduced into, the territory of one Contracting Party solely for use by aircraft employed by the designated airline or airlines of the other Contracting Party on the agreed services shall be accorded in that territory, subject to reciprocity, treatment as favourable as that granted to foreign airlines operating similar international services with respect to customs duties, inspection fees or other national duties and charges.

3. Aircraft used by the designated airline or airlines of one Contracting Party for the operation of the air services specified in the annex 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 customs duties, inspection fees and other national duties and charges, even though, within the limits essential for operation of the agreed services, they are used or consumed while within that territory, provided, however, that they are not disposed of.

4. Articles exempted under paragraph 3 above may not be unloaded in the territory of a Contracting Party save with the consent of the customs authorities of that Contracting Party. Between flights they shall be subject to supervision by the said authorities, but this shall not preclude their movement or use for technical purposes.

5. Equipment, spare parts and tools introduced into and stored in the territory of one Contracting Party by the designated airline or airlines of the other Contracting Party in accordance with the provisions of paragraphs 2, 3 and 4 of this article may nevertheless be released to airlines of third countries in the interest of the safety and regularity of their international air services.

Article IX

Certificates of airworthiness and licences issued or rendered valid by either Contracting Party shall be recognized by the other Contracting Party for the purpose of operating the agreed services. Each Contracting Party reserves the right, however, to refuse to recognize for the purpose of flight over its territory licences issued to its nationals by another State.

Article X

Aircraft employed by the designated airline or airlines of the Contracting Parties on the services described in the annex and members of their crews shall carry the following valid documents :

- Certificate of registration ;
- Certificate of airworthiness ;
- Appropriate licences for each member of the crew ;
- Journey log book or document in lieu thereof ;
- Aircraft radio operating licence ;
- Passenger list ;
- Cargo and mail manifest ; and
- If required, a special permit to carry certain types of cargo by air.

Article XI

1. Each Contracting Party undertakes to render the same measure of assistance in its territory to aircraft of the other Contracting Party which are in distress as it would to its own aircraft. This undertaking shall cover in like measure searches for missing aircraft.

2. In the event of such an aircraft being involved in an accident resulting in death, serious injury, or serious damage to the aircraft, the Contracting Party in