

No. 7750

**GREECE
and
HUNGARY**

Agreement on civil aviation (with annex and Understanding). Signed at Athens, on 27 April 1963

Official text: English.

Registered by Greece on 10 May 1965.

**GRÈCE
et
HONGRIE**

Accord relatif à l'aviation civile (avec annexe et Procès-verbal d'accord). Signé à Athènes, le 27 avril 1963

Texte officiel anglais.

Enregistré par la Grèce le 10 mai 1965.

No. 7750. AGREEMENT¹ BETWEEN THE ROYAL HELLENIC GOVERNMENT AND THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC ON CIVIL AVIATION. SIGNED AT ATHENS, ON 27 APRIL 1963

The Royal Hellenic Government and the Government of the Hungarian People's Republic described below at the Contracting Parties, desirous of establishing regulations concerning their mutual relations in the field of civil aviation and of encouraging the development of regular commercial air transport between their two countries, have agreed as follows :

Article I

1. For the purpose of this Agreement, the following terms shall mean :

(a) "Aeronautical Authorities" :

i) In the case of the Royal Hellenic Government :

The Chief of Civil Aviation of the Ministry of Communications for the time being, or any person or body authorized by the Royal Hellenic Government to perform any functions presently exercised by the said Chief or similar functions.

ii) In the case of the Hungarian Government :

The Director General of the Board of Civil Aviation of the Ministry of Communications and Posts for the time being, or any person or body authorized by the Government of the Hungarian People's Republic to perform any functions presently exercised by the said Director General or similar functions.

(b) "Territory" : The land areas, territorial waters adjacent thereto, and the airspace above, under the sovereignty of either Contracting Party.

(c) "International Air Service" : Any air service performed by aircraft for the public transport of passengers, mail or cargo and passing through the airspace over the territory of more than one state.

(d) "Designated Airline" : The Air Transport enterprise which either Contracting Party has notified in writing to the other Contracting Party as the airline to operate the agreed air services, and perform the rights granted by the other Contracting Party, in accordance with this Agreement.

¹ Came into force provisionally on 27 April 1963, the date of signature, in accordance with article XV (1).

(e) "Specified Routes": Air routes specified in the Annex to this Agreement.

2. The Annex ¹ to this Agreement shall be deemed to be part of the Agreement and all references to the "Agreement" shall include reference to the Annex, except otherwise expressly provided.

Article II

1. Each Contracting Party grants to the other Contracting Party the rights specified in the Annex to the present Agreement for the purpose of establishing scheduled international air services specified in this Annex.

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

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

4. There shall be fair and equal opportunity for the designated airlines to operate on the agreed services between the territories of the Contracting Parties.

5. The right to take on and put down in the territory of one Contracting Party, international traffic destined for or coming from third countries, shall be exercised in accordance with general principles of orderly development of the international air transport and in such a way that capacity be related to :

(a) the traffic demand between the country of origin and the countries of destination,

(b) the traffic demand of the area through which the air services pass, taking into consideration the local and regional services,

(c) the requirements of an economical operation of the agreed services.

Article III

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

2. On receipt of such designation, the other Contracting Party shall, subject to the provisions of paragraphs (3) and (4) of this article, grant without delay to the designated airline the appropriate operating authorizations.

¹ See p. 18 of this volume.

3. The aeronautical authorities of one Contracting Party before granting the authorization referred to in paragraph (2) of this article may require the airline designated by the other Contracting Party to prove that it is qualified to fulfill the conditions prescribed under the laws and regulations normally and reasonably applied to the operation of international air services by such authorities.

4. Each Contracting Party shall have the right to refuse to grant the operating authorization 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 the Annex hereto, in any case where the said Contracting Party has not the proof that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in physical or legal persons of this Contracting Party.

5. When an airline has been so designated and authorized, it may begin at any time to operate the agreed services in accordance with the provisions of the present Agreement.

Article IV

1. Each Contracting Party shall have the right to revoke an operating authorization or to suspend the exercise of the rights specified in the Annex to the present Agreement by the airline designated by the other Contracting Party, or to impose such conditions as it may deem necessary on the exercise of these rights :

(a) in any case where it has not the proof that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in physical or legal persons of such Contracting Party, or

(b) in the case of failure by that airline to comply with the laws or regulations of the Contracting Party granting these rights, or

(c) in case the airline otherwise fails to operate in accordance with the conditions prescribed under the present Agreement and the Annex thereto.

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

Article V

1. Each Contracting Party shall cause its designated airline to submit to the aeronautical authorities of the other Party, for approval, one month in advance, the complete timetable of the services specifying the frequencies and aircraft type to be used as well as any other relevant information concerning the operation

of the agreed air services. The airlines in question shall communicate any modification of the above mentioned data, in principle with a same prior notification.

2. The designated airline of either Contracting Party shall supply to the aeronautical authorities of the other Contracting Party, on request, any necessary data for the determination of the traffic related to the agreed services.

Article VI

1. The tariffs to be charged by the airline of one Contracting Party for carriage to or from the territory of the other Contracting Party shall be established at reasonable levels due regard being paid to all relevant factors including cost of operation, reasonable profit, and the tariffs of other airlines.

2. The tariffs referred to in paragraph (1) of this article shall be agreed by the designated airlines concerned of both Contracting Parties. If the designated airlines cannot agree on any of these tariffs, the aeronautical authorities of the Contracting Parties shall try to determine the tariff by agreement between themselves.

3. The tariffs agreed between the designated airlines shall be submitted by them for approval to their National aeronautical authorities at least thirty (30) days before the proposed date of their introduction; in special cases, this time limit may be reduced, subject to the agreement of the said authorities.

4. The aeronautical authorities of either Contracting Party shall communicate directly to the aeronautical authorities of the other Contracting Party their approval or any eventual disapproval of the proposed tariffs as much in advance as practicable and, if possible, at least fifteen (15) days before the proposed date of introduction of such tariffs. Any eventual disagreement thereon shall be settled in accordance with the provisions of article XII para. 2.

Article VII

Taxes and other charges for the use of airports, their installations and technical equipment on the territory of one Contracting Party, shall be levied in accordance with the official level of tariffs established by the laws and regulations of this Contracting Party.

Article VIII

1. Aircraft operated on services prescribed in the Annex to this Agreement as well as fuel and lubricants, spare parts, regular equipment and stores on board such aircraft shall be exempt from import and export duties and other duties and taxes on arriving in and departing from the territory of the other Contracting Party, even when the above mentioned supplies are used or consumed during the