

No. 7919

**GREECE
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement on commercial scheduled air transport (with
exchange of notes). Signed at Bonn, on 7 June 1963**

Official texts: Greek, German and English.

Registered by Greece on 13 September 1965.

**GRÈCE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord relatif aux transports aériens commerciaux réguliers
(avec échange de notes). Signé à Bonn, le 7 juin 1963**

Textes officiels grec, allemand et anglais.

Enregistré par la Grèce le 13 septembre 1965.

No. 7919. AGREEMENT¹ BETWEEN THE KINGDOM OF GREECE AND THE FEDERAL REPUBLIC OF GERMANY ON COMMERCIAL SCHEDULED AIR TRANSPORT. SIGNED AT BONN, ON 7 JUNE 1963

The Kingdom of Greece and the Federal Republic of Germany

Desiring to make arrangements for the regulation of commercial scheduled air transport between and beyond their respective territories,

Have agreed as follows :

Article 1

For the purposes of the present Agreement, unless otherwise stated in the text :

a) the term "aeronautical authorities" shall mean in the case of the Kingdom of Greece, the Civil Aviation Administration of the Ministry of Communications and in the case of the Federal Republic of Germany, the Federal Minister of Transport or in both cases any other person or agency authorized to perform the functions exercised by the said authorities;

b) the term "designated airline" shall mean the airline that one of the Contracting Parties has designated in writing to the other Contracting Party in accordance with Article 3 of the present Agreement as being the airline which is to operate the international air services on the routes specified in accordance with paragraph (2) of Article 2 of the present Agreement,

c) the terms "territory", "air service", "international air service" and "stop for non-traffic purposes" shall, for the purposes of the present Agreement, have the meaning laid down in Articles 2 and 96 of the Convention of December 7, 1944,² on International Civil Aviation as amended at present or in future.

Article 2

1. Each Contracting Party shall grant to the other Contracting Party for the purpose of operating international air services by the designated airline of

¹ Came into force on 13 August 1965, thirty days after the exchange of the instruments of ratification which took place at Athens on 13 July 1965, in accordance with article 18. During the negotiations preceding the conclusion of the Agreement the parties agreed (as recorded in an exchange of letters dated at Bonn on 14 December 1961) that "the civil aviation authorities on both sides, after signing this Agreement, will proceed according to the actual legislation in such a way as if the Agreement had already come into force".

² United Nations, *Treaty Series*, Vol. 15, p. 295; for subsequent actions relating to this Convention, see references in Cumulative Indexes 1 to 4, as well as Annex B in volumes 409 and 472.

either Contracting Party over the routes specified in accordance with paragraph (2) of this Article :

- (a) the right to fly across its territory without landing,
- (b) the right to land in its territory for non-traffic purposes, and
- (c) the right to land in its territory at the points on the routes specified in accordance with paragraph (2) of this Article, in order to take on or discharge on a commercial basis international traffic in passengers, mail and/or cargo.

2. The routes over which the designated airlines of the two Contracting Parties will be authorized to operate international air services shall be specified in a Route Schedule to be agreed upon in an exchange of notes.

Article 3

1. The international air services on the routes specified in accordance with paragraph (2) of Article 2 of the present Agreement may be started at any time, provided that :

- (a) the Contracting Party to whom the rights specified in paragraph (1) of Article 2 are granted, has designated in writing one airline, and
- (b) the Contracting Party granting these rights has authorized the designated airline of the other Contracting Party to inaugurate the air services.

2. The Contracting Party granting these rights shall, subject to the provisions of paragraph (3) and (4) of this Article and subject to the provisions of Article 10 of the present Agreement, grant without delay the said authorization to operate the international air services.

3. Each Contracting Party may require the airline designated by the other Contracting Party to satisfy it that the airline designated is qualified to meet the requirements prescribed under the laws and regulations of the first Contracting Party governing the operation of international air services.

4. Each Contracting Party may refuse to grant the rights or may withhold the exercise of such rights provided for in Article 2 of the present Agreement from the airline designated by the other Contracting Party if such airline is not able to prove upon request that substantial ownership and effective control of such airline are vested in nationals or corporations of the other Contracting Party or in that State itself.

Article 4

1. Each Contracting Party may revoke, suspend or limit by the imposition of conditions, the authorization granted in accordance with paragraph (2) of Article 3 of the present Agreement in the event of failure by the designated airline to comply with the laws and regulations of the Contracting Party granting

the rights or to comply with the provisions of the present Agreement or to fulfil the obligations arising therefrom. This shall also apply if the proof referred to in paragraph (4) of Article 3 is not furnished. Each Contracting Party shall exercise this right only after consultation with the other Contracting Party as provided in Article 13 of the present Agreement, unless an immediate suspension of operations, revocation or imposition of conditions is necessary to avoid further infringements of laws or regulations.

2. Each Contracting Party shall have the right by written Communication to the other Contracting Party to replace subject to the provisions of Article 3 the airline it has designated by another airline. The newly designated airline shall have the same rights and shall be subject to the same obligations as the airline which it replaces.

Article 5

The charges imposed by either Contracting Party for the use of airports and other aviation facilities by the aircraft of the designated airline of the other Contracting Party shall not be higher than those paid by aircraft of its national airline engaged in similar international air services.

Article 6

1. Aircraft operated on international services by the designated airline of either Contracting Party, as well as their regular equipment, supplies of fuels and lubricants and aircraft stores (including food, beverages and tobacco) on board such aircraft shall be exempt from all customs duties, inspection fees and other duties or taxes levied on the occasion of importation, exportation or transit of such goods on arriving in the territory of the other Contracting Party, provided such equipment and supplies shall remain on board the aircraft up to such time as they are re-exported.

2. There shall also be exempt from the same duties and taxes, with the exception of charges corresponding to the service performed :

(a) aircraft stores taken on board in the territory of either Contracting Party, within limits fixed by the authorities of said Contracting Party, and for use on board aircraft engaged on an agreed service of the other Contracting Party;

(b) spare parts and regular equipment entered into the territory of either Contracting Party for the maintenance or repair or for the equipment of aircraft used on an agreed service by the designated airline of the other Contracting Party;

(c) fuel and lubricants destined to supply aircraft operated on an agreed service by the designated airline of the other Contracting Party, even when these supplies are to be used on the part of the journey performed over the territory

of the Contracting Party in which they are taken on board. This exemption shall also cover any special consumption charges.

Materials referred to in sub-paragraphs (a), (b) and (c) above may be required to be kept under customs supervision or control.

3. The regular airborne equipment, as well as the materials and supplies retained on board the aircraft of either Contracting Party may be unloaded in the territory of the other Contracting Party only with the approval of the customs authorities of such territory. In such case, they may be placed under the supervision of said authorities up to such time as they are re-exported or otherwise disposed of in accordance with customs regulations.

Article 7

As far as possible passengers in transit across the territory of either Contracting Party shall be subject to no more than a very simplified control. Baggage and cargo in direct transit shall be exempt from customs duties and other similar taxes.

Article 8

1. There shall be fair and equal opportunity for the designated airline of each Contracting Party to operate international air services on any route specified in accordance with paragraph (2) of Article 2 of the present Agreement.

2. In the operation of international air services on the routes specified in accordance with paragraph (2) of Article 2 of the present Agreement, the designated airline of either Contracting Party shall take account of the interests of the designated airline of the other Contracting Party so as not to affect unduly the air services which the latter airline operates over the same routes or parts thereof.

3. The international air services of the designated airline of either Contracting Party on the routes specified in accordance with paragraph (2) of Article 2 of the present Agreement shall have as their primary objective the provision of capacity adequate to the foreseeable traffic demands to and from the territory of the Contracting Party designating the airline. The right of such airline to carry traffic between points in the territory of the other Contracting Party and points in third countries on the routes specified in accordance with paragraph (2) of Article 2 of the present Agreement shall be exercised in the interests of an orderly development of international air transport, and in such a way that capacity is related to :

(a) the traffic demand to and from the territory of the Contracting Party designating the airline,