

No. 8154

**CZECHOSLOVAKIA
and
GUINEA**

Agreement concerning air services (with annex and exchange of letters). Signed at Prague, on 16 December 1961

Official texts: French and Czech.

Registered by the International Civil Aviation Organization on 15 March 1966.

**TCHÉCOSLOVAQUIE
et
GUINÉE**

Accord relatif aux services aériens (avec annexe et échange de lettres). Signé à Prague, le 16 décembre 1961

Textes officiels français et tchèque.

Enregistré par l'Organisation de l'aviation civile internationale le 15 mars 1966.

[TRANSLATION — TRADUCTION]

No. 8154. AGREEMENT¹ BETWEEN THE CZECHOSLOVAK SOCIALIST REPUBLIC AND THE REPUBLIC OF GUINEA CONCERNING AIR SERVICES. SIGNED AT PRAGUE, ON 16 DECEMBER 1961

The Government of the Czechoslovak Socialist Republic and the Government of the Republic of Guinea, desiring to promote civil air transport between and beyond their respective territories, and taking into account that they are both parties to the Convention on International Civil Aviation opened for signature at Chicago on 7 December 1944,² have agreed as follows :

Article 1

Each Contracting Party grants to the other Contracting Party the rights specified in the present Agreement for the purpose of establishing and operating agreed air services on the routes specified in the Annex. These services may be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted.

Article 2

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

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

3. The aeronautical authorities of one Contracting Party may require that an airline designated by the other Contracting Party is qualified to fulfil the conditions prescribed under the laws and regulations normally applied to the operation of international air services.

4. Each Contracting Party shall have the right to refuse to accept the designation of an airline and to withhold or revoke the grant to an airline of the operating authorization or to impose such conditions in the grant as it may deem necessary if it is not satisfied that substantial ownership and effective control of the airline are vested in the Contracting Party designating the airline or its nationals or in a case where the designated airline does not comply with the laws

¹ Applied from 16 December 1961, the date of signature, and came into force on 18 January 1964, the date on which the Contracting Parties notified each other of its approval by their appropriate authorities, in accordance with article 17.

² United Nations, *Treaty Series*, Vol. 15, p. 295; for the texts of the Protocols amending this Convention, see Vol. 320, pp. 209 and 217; Vol. 418, p. 161, and Vol. 514, p. 209.

and regulations of the Contracting Party granting the authorization or otherwise fails to fulfil the conditions prescribed in the present Agreement. This provision shall be applied only after previous consultation with the other Contracting Party.

Article 3

1. The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of aircraft engaged in international air navigation or to the operation of such aircraft while within its territory shall apply to the aircraft of the designated airline of the other Contracting Party.

2. The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of passengers, crew, mail or cargo of aircraft, such as regulations relating to entry, clearance, immigration, customs and quarantine, shall be applicable to the passengers, crew and cargo of the aircraft of the designated airline of the other Contracting Party on entry into or departure from and while within the territory of the first Contracting Party.

3. Passengers in transit across the territory of one Contracting Party shall be subject only to very simplified control formalities. Baggage and cargo in transit shall be exempt from customs duty, inspection fees and similar charges.

Article 4

1. The aircraft of the designated airline of one Contracting Party used for operating international transport services, as well as fuel, lubricating oils, regular aircraft equipment, spare parts and aircraft stores intended solely for use by such aircraft shall, when introduced into or taken from the territory of the other Contracting Party, be accorded exemption from customs duties and inspection fees even though such supplies are used or consumed by or on such aircraft on flights in the said territory.

2. Fuel, lubricating oils, regular aircraft equipment, spare parts and aircraft stores introduced into, or taken on board aircraft in, the territory of one Contracting Party by the designated airline of the other Contracting Party and intended solely for use by the aircraft of the latter Contracting Party shall, with respect to customs duties, inspection fees or other similar national duties and charges, be accorded treatment not less favourable than that granted to foreign airlines operating similar international services.

3. Fuel, lubricating oils, spare parts, regular aircraft equipment and aircraft stores intended for use in the operation of the agreed services may be stored at airports served by the designated airline.

4. Articles exempt from customs duty under the provisions of paragraph 1 may not be discharged without the consent of the customs authorities of the other Contracting Party. If they cannot be used or consumed, they shall be

re-exported and shall, until exported, remain at the disposal of the designated airline, but under the supervision of the customs authorities, and may not in any circumstances be transferred.

Article 5

Each Contracting Party may impose or permit to be imposed just and reasonable charges for the use of airports and other facilities, provided that such charges shall not be higher than those paid by any other foreign airline operating similar international air services.

Article 6

1. The designated airline of one Contracting Party shall conduct its financial and commercial activities in the territory of the other Contracting Party in accordance with the latter Party's laws and regulations.

2. Each Contracting Party shall, subject to reciprocity, permit the designated airline of the other Contracting Party to transfer to its head office the income derived from air transport.

Article 7

The designated airline of each Contracting Party shall be entitled to maintain in the territory of the other Contracting Party the technical and commercial staff necessary for the proper operation of its services.

Article 8

1. The airline designated by each Contracting Party shall enjoy, while operating the agreed services, the right :

- (a) To discharge in the territory of the other Contracting Party passengers, mail and cargo taken on in the territory of its own State;
- (b) To take on in the territory of the other Contracting Party passengers, mail and cargo destined for the territory of its own State;
- (c) To discharge and take on in the territory of the other Contracting Party passengers, mail and cargo coming from or destined for the territory of third countries;
- (d) To omit stops at intermediate points specified in the Annex and situated in the territory of third countries.

2. Each Contracting Party shall grant to the designated airline of the other Contracting Party the following privileges :

- (a) To fly without landing across the territory of the other Contracting Party;
- (b) To make stops in the territory of the other Contracting Party for non-traffic purposes.