

No. 8211

**LUXEMBOURG
and
SPAIN**

**Air Transport Agreement (with schedule of routes). Signed
at Luxembourg, on 26 March 1962**

Official texts: French and Spanish.

Registered by the International Civil Aviation Organization on 3 June 1966.

**LUXEMBOURG
et
ESPAGNE**

**Convention sur le transport aérien (avec tableau des routes).
Signée à Luxembourg, le 26 mars 1962**

Textes officiels français et espagnol.

Enregistrée par l'Organisation de l'aviation civile internationale le 3 juin 1966.

[TRANSLATION — TRADUCTION]

No. 8211. AIR TRANSPORT AGREEMENT¹ BETWEEN THE
GRAND DUCHY OF LUXEMBOURG AND SPAIN. SIGNED
AT LUXEMBOURG, ON 26 MARCH 1962

The Government of the Grand Duchy of Luxembourg and the Government of Spain, both being signatories to the Convention on International Civil Aviation signed at Chicago in 1944,² desiring to regulate and develop civil air traffic between their respective territories, the Grand Duchy of Luxembourg and Spain, have, for that purpose and in accordance with the recommendations of the European Civil Aviation Conference, agreed upon 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 regular international air services on the routes specified in the schedule annexed to this Agreement. These services and routes are hereinafter referred to as "agreed services" and "specified routes" respectively. The airlines designated by each Contracting Party shall, while operating an agreed service on a specified route, enjoy the following rights :

- (a) The right to fly without landing across the territory of the other Contracting Party ;
- (b) The right to make stops in the said territory for non-traffic purposes ;
- (c) The two Contracting Parties grant each other the right to pick up and set down, for traffic purposes, international traffic in passengers, cargo and mail from Spain or from Luxembourg at the points in their respective territories which are specified in the schedule of routes annexed to this Agreement.

Article II

1. Each Contracting Party shall have the right to designate in writing to the other Contracting Party one or more airlines for the operation of the agreed services on the specified routes.
2. On receiving notice of such designation, the other Contracting Party shall without delay, subject to the provisions of paragraphs 3 and 4 of this article, grant the appropriate operating permits to the designated airline or airlines.

¹ Applied provisionally from 26 March 1962, the date of signature, and came into force on 2 June 1965, the date of the exchange of notes signifying the approval of the Convention by the Contracting Parties in accordance with their respective constitutional procedures, in conformity with article XV.

² See footnote 2, p. 135 of this volume.

3. The aeronautical authorities of one Contracting Party may require the airline designated by the other Contracting Party to show proof that it is able to fulfil the conditions prescribed by the laws and regulations normally and reasonably applied by the said authorities, in accordance with the provisions of the Convention on International Civil Aviation (Chicago, 1944), to the operation of international air services.

4. Each Contracting Party shall have the right to withhold 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, if the said Contracting Party is not satisfied that substantial ownership and effective control of such airline are vested in the Contracting Party designating the airline or in its nationals.

5. When an airline has been thus designated and authorized, it may commence operation of any agreed service at any time, provided that a tariff fixed in accordance with the provisions of article VIII of this Agreement is applied to such 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 an airline designated by the other Contracting Party, or to impose such conditions as it may deem necessary on the exercise of those rights if :

- (a) It is not satisfied that substantial ownership and effective control of such airline are vested in the Contracting Party designating the airline or in its nationals, or
- (b) The airline has not complied with the laws or regulations of the Contracting Party granting those rights, or
- (c) The airline fails to operate in accordance with the conditions prescribed in this Agreement.

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

Article IV

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