

No. 8704

**CYPRUS
and
HUNGARY**

**Agreement on air transport (with annex). Signed at Nicosia,
on 2 June 1964**

Official text: English.

Registered by the International Civil Aviation Organization on 31 July 1967.

**CHYPRE
et
HONGRIE**

**Accord relatif aux transports aériens (avec annexe). Signé à
Nicosie, le 2 juin 1964**

Texte officiel anglais.

Enregistré par l'Organisation de l'aviation civile internationale le 31 juillet 1967.

No. 8704. AGREEMENT¹ BETWEEN THE REPUBLIC OF CYPRUS AND THE HUNGARIAN PEOPLE'S REPUBLIC ON AIR TRANSPORT. SIGNED AT NICOSIA, ON 2 JUNE 1964

The Republic of Cyprus and the Hungarian People's Republic, hereinafter called in the present Agreement the Contracting Parties, both desiring to make arrangements for air transport between and beyond their respective territories, thus contributing to international collaboration in this respect and strengthening the friendly relations between them and with a view to promoting tourism, have agreed on the following :

Article 1

1. For the purpose of the present Agreement and the Annex thereto the following terms have the following meaning, unless otherwise stated in the text :

(a) "Aeronautical Authorities "

- i. In the case of the Republic of Cyprus the Civil Aviation Administration of the Ministry of Communications and Works or any other person or body authorized to perform the functions presently exercised by the said Administration.
- ii. In the case of the Hungarian People's Republic 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, cargo and mail and passing through the airspace over the territory of more than one state.

¹ Applied provisionally as from 2 June 1964, the date of signature, and came into force on 24 May 1966, the date of which both Contracting Parties had stated that the formalities required by each of them had been accomplished, in accordance with article 24.

(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 the present Agreement.

(e) “ Specified Routes ”.

Air routes specified in the Annex to this Agreement.

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

Article 2

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

Such services and routes are hereinafter called “ the agreed services ” and “ the specified routes ”, respectively.

The airline designated by each Contracting Party shall enjoy, while operating an agreed service on a specified route, the following rights :

- (a) to fly, without landing, across the territory of the other Contracting Party;
 - (b) to make stops in the said territory for non-traffic purposes;
 - (c) to make stops in the said territory at the points specified for that route in the Annex to the present Agreement, for the purpose of putting down and taking on international traffic in passengers, cargo and mail.
2. Nothing in paragraph 1 of this Article shall be deemed to confer on the airline of one Contracting Party the privilege of taking up, in the territory of the other Contracting Party, passengers, cargo or mail carried for remuneration or hire and destined for another point in the territory of that other Contracting Party.

Article 3

1. Each Contracting Party has 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 paragraph 3 and 4 of this Article, without delay, grant to the designated airline the appropriate operating authorization.

3. The Aeronautical Authorities of one Contracting Party may require the airline designated by the other Contracting Party to satisfy them 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 the designated airline of the rights specified in Article 2, in any case where the said Contracting Party is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in its nationals.

5. When an airline has been so designated and authorized, it may begin at any time to operate the agreed services, provided that a tariff, established in accordance with the provisions of Article 12 of the present Agreement, is in force in respect of that service.

Article 4

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

2. In the operation of international air services on the routes specified in accordance with Article 2 of the present Agreement, the designated airline of one 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 on the same routes or parts of them.

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

- (a) the traffic demand from and to the territory of the Contracting Party designating the airline;
- (b) the traffic demand existing in the areas through which the air services pass, taking account of local and regional services;
- (c) the requirements of an economical operation of through services.

Article 5

1. The designated airline of each Contracting Party shall communicate for approval to the Aeronautical Authorities of the other Contracting Party not later than thirty days prior to the inauguration of services on the routes specified in accordance with Article 2 of the present Agreement the types of aircraft to be used and the flight schedules. This shall likewise apply to later changes.
2. The Aeronautical Authorities of each of the Contracting Parties shall furnish to the Aeronautical Authorities of the other Contracting Party, at their request, with all periodic statistical data of the designated airlines, as may be reasonably required for the purpose of reviewing the capacity provided by the designated airline of each Contracting Party on the routes specified in accordance with Article 2 of the present Agreement. Such data shall include all information required to determine the amount of traffic and the origin and destination of such traffic.

Article 6

Non-scheduled flights may be operated by the designated airline of each contracting party subject to special permission in accordance with the pertinent national regulations of the Contracting Parties. Requests for such non-scheduled flights shall be made by the Aeronautical Authority of one Contracting Party direct to the Aeronautical Authority of the other Contracting Party.

Article 7

1. Each Contracting Party shall have the right to revoke an operating authorization or to suspend the exercise of the rights specified in Article 2 of 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 is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in nationals 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.
2. Unless immediate revocation, suspension or imposition of the conditions mentioned in paragraph 1 of this Article is essential to prevent further infringements of laws or regulations, such right shall be exercised only after consultation with the other Contracting Party.