

No. 8999

**BULGARIA
and
TURKEY**

**Air Transport Agreement (with annexes). Signed at Ankara,
on 18 April 1966**

Official texts: Bulgarian, Turkish and English.

Registered by Bulgaria and Turkey on 26 February 1968.

**BULGARIE
et
TURQUIE**

**Accord relatif aux transports aériens (avec annexes). Signé
à Ankara, le 18 avril 1966**

Textes officiels bulgare, turc et anglais.

Enregistré par la Bulgarie et la Turquie le 26 février 1968.

No. 8999. AIR TRANSPORT AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BULGARIA AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY. SIGNED AT ANKARA, ON 18 APRIL 1966

The Government of the People's Republic of Bulgaria and the Government of the Republic of Turkey, hereinafter called the Contracting Parties,

Desiring to conclude an agreement for the purpose of establishing air services between and beyond their respective territories,

Have agreed as follows:

Article 1

For the purpose of the present Agreement, unless the context otherwise requires:

- (a) the term "territory" means the land areas, territorial waters adjacent thereto and the air space above under the sovereignty of either Contracting Party.
- (b) the term "aeronautical authorities" means in the case of the People's Republic of Bulgaria, the Ministry of Communications and any person or body authorized to perform any function exercised by the said Ministry, and in the case of the Republic of Turkey, the Ministry of Transport and any person or body authorised to perform any function exercised by the said Ministry.
- (c) the term "designated airline" means an airline which has been designated and authorised in accordance with Article 3 of the present Agreement.
- (d) the term "air service" means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.
- (e) the term "international air service" means an air service which passes through the air space over the territory of more than one State.
- (f) the term "airline" means any air transport enterprise offering or operating an international air service.
- (g) the term "stop for non-traffic purposes" (technical landing) means a landing for any purpose other than taking on or discharging passengers, cargo or mail.

¹ Came into force on 24 June 1967 by the exchange of the instruments of ratification, in accordance with article 21.

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 Annex I to the present Agreement. Such services and routes are hereafter called "the agreed services" and "the specified routes" respectively. The airlines 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; and
- (c) to make stops in the said territory at the points specified for that route in Annex I to the present Agreement for the purpose of putting down and taking up international traffic in passengers, cargo and mail.

2. Nothing in paragraph (1) of this article shall be deemed to confer on the airlines 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 shall have the right to designate in writing to the other Contracting Party one or more airlines 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, without delay grant to the airline or airlines designated the appropriate operating authorisations.

3. The aeronautical authorities of one Contracting Party may require an airline designated by the other Contracting Party to satisfy them that it is qualified to fulfil 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 authorisations 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 1, in any case where the said Contracting Party is not satisfied that the substantial ownership and the 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 authorised in accordance with the provisions of the present Agreement, it may begin at any time to operate the agreed services, provided that a tariff established in accordance with the provisions of Article 9 of the present Agreement is in force in respect of that service.

Article 4

1. Each Contracting Party shall have the right to revoke an operating authorisation or to suspend the exercise of the rights specified in Article 2 of the

present Agreement by an 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 its 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 and regulations, such right shall be exercised only after consultation with the other Contracting Party.

Article 5

1. Aircraft operated on international services by the designated airlines 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 on arriving in the territory of the other Contracting Party, provided such equipment and supplies remain on board the aircraft up to such time as they are re-exported or are used on the part of the journey performed over that territory.

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 the said Contracting Party, and for use on board aircraft engaged in an international service of the other Contracting Party;
- (b) spare parts entered into the territory of either Contracting Party for the maintenance or repair of aircraft used on international services by the designated airlines of the other Contracting Party;
- (c) fuel and lubricants destined to supply aircraft operated on international services by the designated airlines 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.

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

Article 6

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 the said authorities up to such time as they are re-exported or otherwise disposed of in accordance with customs regulations.

Article 7

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 airlines of both Contracting Parties to operate the agreed services on the specified routes between their respective territories.

2. In operating the agreed services, the airlines of each Contracting Party shall take into account the interests of the airlines of the other Contracting Party so as not to affect unduly the services which the latter provide on the whole or part of the same routes.

3. The agreed services provided by the designated airlines of the Contracting Parties shall bear a close relationship to the requirements of the public for transportation on the specified routes and shall have as their primary objective the provision, at a reasonable load factor, of capacity adequate to carry the current and reasonably anticipated requirements for the carriage of passengers, cargo and mail originating from or destined for the territory of the Contracting Party which has designated the airline.

4. The rights of the designated airline of either Contracting Party 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 shall be exercised in accordance with the general principles that capacity shall be related to:

- (a) the traffic requirements to and from the territory of the Contracting Party which has designated the airline;
- (b) the traffic requirements of the area through which the airline passes, after taking account of other transport services established by airlines of the States comprising the area; and
- (c) the requirements of through airline operations.

Any privileges to be granted under this paragraph shall finally be determined by the competent aeronautical authorities of the Contracting Parties.

5. The capacity to be provided and the frequency of the services to be operated shall at the outset be agreed between the aeronautical authorities of the Contracting Parties before the services are inaugurated. Such capacity and fre-