

**UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND
and
CEYLON**

**Agreement for air services between and beyond their
respective territories (with schedule and exchange of
letters). Signed at Colombo, on 5 August 1949**

*English official text communicated by the Secretary-General of the International
Civil Aviation Organization. The registration took place on 7 September
1949.*

**ROYAUME-UNI DE GRANDE-BRETAGNE ET
D'IRLANDE DU NORD
et
CEYLAN**

**Accord relatif aux services aériens entre leurs territoires
respectifs et au-delà desdits territoires (avec annexe et
échange de lettres). Signé à Colombo, le 5 août 1949**

*Texte officiel anglais communiqué par le Secrétaire général de l'Organisation
de l'aviation civile internationale. L'enregistrement a eu lieu le 7 septembre
1949.*

No. 554. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE GOVERNMENT OF CEYLON FOR AIR SERVICES BETWEEN AND BEYOND THEIR RESPECTIVE TERRITORIES. SIGNED AT COLOMBO, ON 5 AUGUST 1949

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ceylon,

Being parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944,² and

Desiring to conclude an Agreement, supplementary to the said Convention, for the purpose of establishing air services between and beyond United Kingdom and Ceylonese territories,

Have agreed as follows:

Article 1

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

(a) the term "the Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944, and includes any Annex adopted under Article 90 of that Convention and any amendment of the Annexes or Convention under Articles 90 or 94 thereof;

(b) the term "aeronautical authorities means, in the case of the United Kingdom, the Minister of Civil Aviation and any person or body authorised to perform any functions presently exercised by the said Minister or similar functions, and, in the case of Ceylon, the Director of Civil Aviation and any person or body authorised to perform any functions presently exercised by the said Director of Civil Aviation or similar functions;

¹ Came into force on 5 August 1949, as from the date of signature in accordance with article 14.

² United Nations, *Treaty Series*, Volume 15, page 295; Volume 26, page 420; Volume 32, page 402, and Volume 33, page 352.

(*c*) the term “designated airline” means an airline which the aeronautical authorities of either Contracting Party shall have notified in writing to the aeronautical authorities of the other Contracting Party as an airline designated by it in accordance with Article 2 of the present Agreement to operate air services on the routes specified in such notification;

(*d*) the term “territory” in relation to a Contracting Party means the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or trusteeship of that Contracting Party;

(*e*) the term “change of gauge” means the operation of one of the agreed services by a designated airline in such a way that the section of the route nearer the terminal in the territory of the Contracting Party designating the airline is flown by aircraft different in capacity from those used on the more distant section; and

(*f*) the terms “air service”, “international air service”, “airline” and “stop for non-traffic purposes” have the meanings respectively assigned to them in Article 96 of the Convention.

Article 2

(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 by virtue of the present Agreement air services on the routes specified in the appropriate section of the Schedule to the present Agreement (hereinafter respectively referred to as the agreed services and the specified routes). On receipt of the designation of an airline, that other Contracting Party shall, subject to the provisions of paragraph (2) of this Article and of Article 3 of the present Agreement, without delay grant to that airline the appropriate operating authorisation.

(2) Before granting the authorisation referred to in paragraph (1) of this Article, 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 which they normally apply in conformity with the provisions of the Convention to the operation of commercial airlines.

(3) At any time after the provisions of paragraph (1) of this Article have been complied with, an airline so designated and authorised may begin to operate the agreed services.

Article 3

(1) 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 rights specified in the present Agreement or to impose such conditions as it may deem necessary on the exercise by an airline of those rights 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 the Contracting Party designating the airline.

(2) Each Contracting Party shall have the right, after consultation with the other Contracting Party, to suspend the exercise by an airline of the rights specified in the present Agreement or to impose such conditions as it may deem necessary on the exercise by an airline of those rights in any case where the airline fails to comply with the laws or regulations of the Contracting Party granting those rights or otherwise fails to operate in accordance with the conditions prescribed in the present Agreement.

Article 4

(1) Subject to the provisions of the present Agreement, a designated airline of one Contracting Party shall enjoy, while operating the agreed services on a specified route, the rights (*a*) to fly its aircraft 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 the Schedule to the present Agreement for the purpose of putting down and taking on international traffic in passengers, cargo and mail coming from or destined for other points so specified.

(2) Paragraph (1) of this Article shall not be deemed to confer on the airlines of one Contracting Party the right to take 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 5

(1) There shall be fair and equal opportunity for the designated 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 designated 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 provisions, at a reasonable load factor, of capacity required for the carriage of passengers, cargo and mail destined for or coming from the territory of the Contracting Party designating the airline. A designated airline of one Contracting Party may provide for the carriage of traffic between the territory of the other Contracting Party and third countries on condition that capacity is related to:

- (a) the requirements of traffic destined for or coming from the territory of the former Contracting Party;
- (b) the traffic requirements of the area through which the airline passes, after account has been taken of other air services provided by airlines of the States comprising the area; and
- (c) the requirements of through airline operation.

(4) There shall be frequent and close collaboration between the aeronautical authorities of the Contracting Parties for the purpose of ensuring the observation of the principles and the implementation of the provisions of the present Agreement.

(5) The aeronautical authorities of each Contracting Party shall supply to the aeronautical authorities of the other Contracting Party at their request such periodic or other statements of traffic statistics as may be reasonably required for the purpose of reviewing the capacity provided by its designated airlines on the agreed services.

Such statements shall include all information required to determine the amount of traffic carried by the designated airlines of the former Contracting Party on the agreed services and the origins and destinations of such traffic.

Article 6

A designated airline of one Contracting Party may make a change of gauge at a point in the territory of the other Contracting Party only on the following conditions: