

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

Agreement relating to air services to, in and through their respective territories (with annex). Signed at London, on 5 April 1946

Exchange of notes constituting an agreement modifying the annex to the Agreement of 5 April 1946. London, 18 and 22 August 1947

Exchange of notes constituting an agreement modifying the annex to the Agreement of 5 April 1946. London, 23 December 1947 and 23 January 1948

Official text: English.

Registered by the International Civil Aviation Organization on 5 October 1950.

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

Accord relatif aux services aériens à destination, à l'intérieur et en transit au-dessus de leurs territoires respectifs (avec annexe). Signé à Londres, le 5 avril 1946

Echange de notes constituant un accord modifiant l'annexe de l'accord du 5 avril 1946. Londres, 18 et 22 août 1947

Echange de notes constituant un accord modifiant l'annexe de l'accord du 5 avril 1946. Londres, 23 décembre 1947 et 23 janvier 1948

Texte officiel anglais.

Enregistrés par l'Organisation de l'aviation civile internationale le 5 octobre 1950.

NO. 928. AGREEMENT¹ BETWEEN THE GOVERNMENT OF IRELAND
AND THE GOVERNMENT OF THE UNITED KINGDOM RELATING
TO AIR SERVICES TO, IN AND THROUGH THEIR RESPEC-
TIVE TERRITORIES. SIGNED AT LONDON, ON 5 APRIL 1946

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

Desiring to conclude an Agreement for the purpose of establishing certain air services as soon as possible to, in and through Ireland and the United Kingdom,

Have accordingly appointed authorised representatives for the purpose of negotiating such an Agreement who have agreed as follows:

Article 1

Each Contracting Party grants to the other Contracting Party rights to the extent described in the Annex to this Agreement for the purpose of the establishment of the air services described therein or as amended in accordance with Article 8 hereof (hereinafter referred to as "the agreed services").

Article 2

(1) The agreed services may be inaugurated immediately or at a later date by the designated air carrier or carriers of the Contracting Party to whom the rights are granted at the option of that Party provided that the Contracting Party granting the rights has given the appropriate operating permission to the air carrier or carriers concerned (which, subject to the provisions of paragraph (2) of this Article 6, it shall do without undue delay).

(2) The designated air carrier or carriers may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it or they is or are qualified to fulfil the conditions prescribed by or under the laws and regulations normally applied by those authorities to the operations of commercial air carriers.

¹ Came into force provisionally on 5 April 1946, by signature, and definitely on 4 June 1946, upon approval by the two Governments.

Article 3

(1) The charges which either of the Contracting Parties may impose, or permit to be imposed, on the designated air carrier or carriers of the other Contracting Party for the use of airports and other facilities shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international air services.

(2) Fuel, lubricating oils and spare parts introduced into, or taken on board aircraft in, the territory of one Contracting Party by, or on behalf of, a designated air carrier of the other Contracting Party and intended solely for use by the aircraft of such carrier shall be accorded, with respect to customs duties, inspection fees or other charges imposed by the former Contracting Party, treatment not less favourable than that granted to national air carriers engaged in international air services or such carriers of the most favoured nation.

(3) Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of a designated air carrier of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or similar duties or charges, even though such supplies be used by such aircraft on flights within that territory.

Article 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party and still in force shall be recognised as valid by the other Contracting Party for the purpose of operation of the agreed service. Each Contracting Party reserves the right, however, to refuse to recognize for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Article 5

(1) The laws and regulations of one Contracting Party relating to entry into or departure from its territory of aircraft engaged in international air navigation or to the operation and navigation of such aircraft while within its territory shall apply to aircraft of the designated air carrier or carriers 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 or cargo of aircraft (such as regulations relating to entry, clearance, immigration, passports, customs and quarantine) shall be applicable to the passengers, crew or cargo of the aircraft of

the designated air carrier or carriers of the other Contracting Party while in the territory of the first Contracting Party.

Article 6

Each Contracting Party reserves the right to withhold or revoke the exercise of the rights specified in the Annex to this Agreement by a carrier designated by the other Contracting Party in the event that it is not satisfied that substantial ownership and effective control of such carrier are vested in nationals of either Contracting Party, or in case of failure by that carrier to comply with the laws and regulations referred to in Article 5 hereof, or otherwise to fulfil the conditions under which the rights are granted in accordance with this Agreement and its Annex.

Article 7

This Agreement shall be registered with the Provisional International Civil Aviation Organisation set up by the Interim Agreement ¹ on International Civil Aviation signed at Chicago on the 7th December, 1944.

Article 8

If either of the Contracting Parties considers it desirable to modify any provision or provisions of the Annex to this Agreement it may request consultation between the aeronautical authorities of both Contracting Parties, such consultation to begin within a period of sixty days of the date of the request. When these authorities agree on modifications to the Annex, these modifications will come into effect when they have been confirmed by the Contracting Parties.

Article 9

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or of the Annex thereto shall be referred for decision to the Interim Council in accordance with the provisions of Article III Section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on 7th December, 1944, unless the Contracting Parties agree to settle the dispute by reference to an Arbitral Tribunal appointed by agreement between the Contracting Parties, or to some other person or body. The Contracting Parties undertake to comply with the decision given.

Article 10

If a general multilateral air Convention which is accepted by both Contracting

¹ International Civil Aviation Conference, Chicago, Illinois, 1 November to 7 December 1944. *Final Act and Related Documents*, United States of America, Department of State publication 2282, Conference Series 64.