

No. 49741

**Israel
and
Greece**

Air Services Agreement between the Government of the State of Israel and the Government of the Hellenic Republic (with annexes). Jerusalem, 18 October 2010

Entry into force: *19 August 2011, in accordance with article 24*

Authentic texts: *English, Greek and Hebrew*

Registration with the Secretariat of the United Nations: *Israel, 20 July 2012*

**Israël
et
Grèce**

Accord relatif aux services aériens entre le Gouvernement de l'État d'Israël et le Gouvernement de la République hellénique (avec annexes). Jérusalem, 18 octobre 2010

Entrée en vigueur : *19 août 2011, conformément à l'article 24*

Textes authentiques : *anglais, grec et hébreu*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Israël, 20 juillet 2012*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AIR SERVICES AGREEMENT
BETWEEN
THE GOVERNMENT OF THE STATE OF
ISRAEL
AND
THE GOVERNMENT OF THE HELLENIC
REPUBLIC**

PREAMBLE

The Government of the State of Israel and the Government of the Hellenic Republic

Being Parties to the Convention on International Civil Aviation opened for signature at Chicago, on 7th day of December 1944;

Being equally desirous to conclude an Agreement for the purpose of establishing and operating scheduled air services between and beyond their respective territories;

Have agreed as follows:

Article 1 **Definitions**

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

a. The term "Aeronautical Authorities" means, in the case of the Hellenic Republic, the Governor of the Civil Aviation Authority and any person or body authorized to perform any functions at present exercised by the said Authority or similar functions and, in the case of the State of Israel the Ministry of Transport by the Civil Aviation Authority and any person or body authorized to perform any functions at present exercised by the said Organization or similar functions.

b. 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:

(i) any amendment thereto which has entered into force under Article 94 (a) thereof and has been ratified by both Contracting Parties; and

(ii) any Annex or any amendments thereto adopted under Article 90 of that Convention, insofar as such amendment or Annex is at any given time effective for both Contracting Parties.

c. The term "Agreement" means this Agreement, the Annex attached thereto, and any Protocols or similar documents amending the present Agreement or the Annex.

d. The term "designated airline" means, an airline which has been designated and authorized in accordance with the provisions of Article 3 of the present Agreement.

e. The term "agreed services" means scheduled air services on the routes specified in the Annex to this Agreement for the transport of passengers, cargo and mail, separately or in combination.

f. The term "capacity" in relation to an aircraft means, the payload of that aircraft available on a route or section of a route and the term "capacity" in relation to "an agreed service" means, the capacity of the aircraft used on such service, multiplied by the frequency operated by such aircraft over a given period and a route or section of a route.

g. The term "territory" in relation to a State has the meaning assigned to it in Article 2 of the Convention.

h. The terms "air service", "international air service", "airline" and "stop for non-traffic purposes" shall have the meanings respectively assigned to them in Article 96 of the Convention.

i. The term "tariff" means the price to be charged for the carriage of passengers, baggage and cargo and the conditions under which those prices apply, including prices and conditions for agency and other auxiliary services performed by the carrier in connection with the air transportation but excluding remuneration and conditions for the carriage of mail.

j. The term "user charges" means a charge made to airlines by competent authorities, or permitted by them to be made, for the provision of airport property or facilities, or of air navigation facilities, or aviation security facilities or services, including related services and facilities, for aircraft, their crews, passengers and cargo.

k. The term "EU Treaties" means the Treaty on European Union and the Treaty on the Functioning of the European Union.

It is understood that the titles given to the Articles of the present Agreement do in no way restrict or extend the meanings of any of the provisions of the present Agreement.

Article 2 **Grant of Rights**

1. Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement for the conduct of scheduled international air services by the designated airline(s) of the other Contracting Party as follows:

- 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 at the points on the route(s) specified in the Route Schedule annexed to this Agreement for the purpose of taking on board and discharging international traffic in passengers, cargo and mail, separately or in combination.

2. The airlines of each Party, other than those designated under Article 3 (Designation and Authorization) of this Agreement shall also enjoy the rights specified in paragraphs 1 a) and b) of this Article.

3. Nothing in the provisions of paragraph (1) shall be deemed to confer on the airline(s) of one Contracting Party the right to take on board, 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 the other Contracting Party.

Article 3
Designation and Authorizations

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, and to withdraw or alter such designations.

2. On receipt of such a designation the other Contracting Party shall grant the appropriate authorizations and permissions with the minimum procedural delay, provided that:

a) in the case of an airline designated by the Hellenic Republic:

- i. it is established in the territory of the Hellenic Republic under the EU Treaties and has a valid Operating License in accordance with European Union law; and
- ii. effective regulatory control of the airline is exercised and maintained by the European Union Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and
- iii. the airline is owned, directly or through majority ownership, and it is effectively controlled by Member States of the European Union or the European Free Trade Association and/or by nationals of such states (the EFTA countries are listed in Annex II of this Agreement).

b) in the case of an airline designated by the State of Israel: it is established in the territory of the State of Israel; and is licensed in accordance with the applicable law of the State of Israel; and the State of Israel has and maintains effective regulatory control of the airline;

c) the designated airline(s) is qualified to meet the conditions prescribed under the laws and regulations normally applied - in conformity with the provisions of the Convention - to the operation of international air services by the Party receiving the designation.

3. On receipt of the operating authorization of paragraph 2, a designated airline may at any time begin to operate the agreed services for which it is so designated, provided that the airline complies with the applicable provisions of this Agreement.

Article 4
Suspension and Revocation

1. Either Contracting Party may refuse, revoke, suspend or limit the operating authorization or technical permissions of an airline by the other Contracting Party, where:

a) in the case of an airline designated by the Hellenic Republic: