

No. 52661*

**Canada
and
Morocco**

Air Transport Agreement between the Government of Canada and the Government of the Kingdom of Morocco (with annex). Ottawa, 14 February 1975

Entry into force: *provisionally on 14 February 1975 and definitively on 7 May 1986 by notification, in accordance with article XXII*

Authentic texts: *English and French*

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**Canada
et
Maroc**

Accord sur le transport aérien entre le Gouvernement du Canada et le Gouvernement du Royaume du Maroc (avec annexe). Ottawa, 14 février 1975

Entrée en vigueur : *provisoirement le 14 février 1975 et définitivement le 7 mai 1986 par notification, conformément à l'article XXII*

Textes authentiques : *anglais et français*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF
CANADA AND THE GOVERNMENT OF THE KINGDOM OF MOROCCO

The Government of Canada and the Government of the
Kingdom of Morocco hereinafter referred to as the
Contracting Parties,

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

Desiring to conclude an Agreement on air transport
between and beyond their respective territories,

Have agreed as follows:

ARTICLE I

For the purpose of this Agreement, unless otherwise
stated:

- (a) "Aeronautical Authorities" means, in the case of Canada, the Minister of Transport and the Canadian Transport Commission and, in the case of Morocco the Direction de l'Air Ministère des Travaux publics or in both cases, any other authority or person empowered to perform the functions now exercised by the said authorities;
- (b) "Agreed services" means scheduled air services performed by aircraft on the routes specified in the Annex to this Agreement for the transport of passengers, cargo and mail, separately or in combination;
- (c) "Agreement" means this Agreement, the Annex attached thereto, and any amendments thereto;
- (d) "Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the 7th day of December, 1944;
- (e) "Designated airline" means an airline which has been designated and authorized in accordance with Articles III and IV of this Agreement;

- (f) "Tariffs" shall be deemed to include all rates, tolls, fares, charges for transportation, conditions of carriage, classifications, rules, regulations, practices and services related thereto, but excluding remuneration and conditions for the carriage of mail;
- (g) "Territory", "Air Service", "International Air Service", "Airline" and "Stop for non-traffic purposes" have the meaning respectively assigned to them in Articles 2 and 96 of the Convention.

ARTICLE II

1. Each Contracting Party grants to the other Contracting Party the following rights for the conduct of international air services by the airline designated by the other Contracting Party:

- (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 named on the routes specified in the Annex for the purpose of taking up and discharging international traffic in passengers, cargo and mail, separately or in combination.

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 and mail carried for remuneration or hire and destined for another point in the territory of that other Contracting Party.

ARTICLE III

Each Contracting Party shall have the right to designate, by diplomatic note, an airline to operate the agreed services on any route specified in the Annex for such a Contracting Party and to substitute another airline for that previously designated.

ARTICLE IV

Following receipt of a notice of designation or of substitution pursuant to Article III, the aeronautical authorities of the other Contracting Party shall, consistent with its laws and regulations, grant with a minimum of delay to an airline so designated the appropriate authorizations to operate agreed services for which that airline has been designated.

2. Upon receipt of such authorizations the airline may begin at any time to operate the agreed services, partly or in whole, provided that the tariffs established in accordance with the provisions of Article XII of this Agreement are in force in respect of such services.

ARTICLE V

1. The aeronautical authorities of each Contracting Party shall have the right to withhold the authorizations referred to in Article IV with respect to an airline designated by the other Contracting Party, to revoke such authorizations or impose on them conditions, temporarily or permanently:

- (a) in the event of failure by such airline to qualify before the aeronautical authorities of that Contracting Party under the laws and regulations applied by these authorities in conformity with the Convention;
- (b) in the event of failure by such airline to comply with the laws and regulations of that Contracting Party;
- (c) in the event that they are not satisfied that substantial ownership and effective control of the airline are vested in the Contracting Party designating the airline or its nationals; and
- (d) in case the airline otherwise fails to operate in accordance with the conditions prescribed under this Agreement.

2. Unless immediate action is essential to prevent infringement of the laws and regulations referred to above, the rights enumerated in paragraph 1 of this Article shall be exercised only after consultations with the aeronautical authorities of the other Contracting Party. Unless otherwise agreed by the Contracting Parties, such consultations shall begin within a period of sixty (60) days from the date of the other Contracting Party receives the request.

ARTICLE VI

1. The laws, regulations and procedures of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation or to the operation and navigation of such aircraft shall be complied with by the designated airline of the other Contracting Party upon entrance into, departure from and while within the said territory.

2. The laws and regulations of a Contracting Party respecting entry, clearance, transit, immigration, passports, customs and quarantine shall be complied with by the designated airline of the other Contracting Party and its crews, passengers, cargo and mail upon transit of, admission to, departure from and while within the territory of such a Contracting Party.

ARTICLE VII

1. Certificates of airworthiness, certificates of competency and licences issued or rendered valid by one Contracting Party and still in force, shall be recognized as valid by the other Contracting Party for the purpose of operating the agreed services on the routes specified in the Annex to this Agreement provided that such certificates or licences were issued or rendered valid pursuant to and in conformity with the standards established under the Convention. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flights above its own territory, certificates of competency and licences granted to its own nationals by the other Contracting Party.

2. If the privileges or conditions of the licences or certificates referred to in paragraph 1 above, issued by the aeronautical authorities of one Contracting Party to any person or designated airline operating the agreed services on the routes specified in the Annex to this Agreement, should permit a difference from the standards established under the Convention, and which difference has been filed with the International Civil Aviation Organization, the aeronautical authorities of the other Contracting Party may request consultations with the aeronautical authorities of that Contracting Party with a view to satisfying themselves that the practice in question is acceptable to them. Failure to reach a satisfactory agreement in matters regarding flight safety will constitute grounds for the application of Article V; in other cases Article XVIII applies.

ARTICLE VIII

1. The charges imposed in the territory of either Contracting Party for the use of airports and other aviation facilities by the aircraft of the designated airline of the other Contracting Party shall not be higher than those imposed on aircraft of a national airline engaged in similar international air services.

2. Neither of the Contracting Parties shall give a preference to its own or any other airline over the airline of the other Contracting Party in the application of its customs, immigration, quarantine and similar regulations or in the use of airports, airways and air traffic services and associated facilities under its control.

ARTICLE IX

1. In the operation by the airline of either Contracting Party of the air services described in the Annex to this Agreement, the interests of the airline of the other Contracting Party shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same routes.