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Japan
and
Lao People's Democratic Republic

Agreement between Japan and the Lao People's Democratic Republic for air services (with exchange of letters and schedule). Vientiane, 16 January 2015

Entry into force: *23 May 2016, in accordance with article 21*

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Japon
et
République démocratique populaire lao

Accord entre le Japon et la République démocratique populaire lao relatif aux services aériens (avec échange de lettres et annexe). Vientiane, 16 janvier 2015

Entrée en vigueur : *23 mai 2016, conformément à l'article 21*

Texte authentique : *anglais*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN JAPAN AND THE LAO PEOPLE'S DEMOCRATIC REPUBLIC FOR AIR SERVICES

The Government of Japan and the Government of the Lao People's Democratic Republic,

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

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

Have agreed as follows:

ARTICLE 1

1. For the purposes of the present Agreement, unless the context otherwise requires:

(a) the term "Convention" means the Convention on International Civil Aviation opened for signature at Chicago on December 7, 1944, including any Annexes adopted under Article 90 of that Convention and any amendment made to the Convention or its Annexes under Articles 90 and 94 thereof;

(b) the term "aeronautical authorities" means, in the case of Japan, the Minister of Land, Infrastructure, Transport and Tourism and any person or body authorised to perform any functions on civil aviation at present exercised by the said Minister or similar functions, and, in the case of the Lao People's Democratic Republic, the Minister of Public Works and Transport and any person or body authorised to perform any functions on civil aviation at present exercised by the said Minister or similar functions;

(c) the term “designated airline” means an airline which one Contracting Party has designated by written notification to the other Contracting Party for the operation of air services on the routes specified in such notification, and to which the appropriate operating permission has been given by that other Contracting Party, in accordance with the provisions of Article 3 of the present Agreement;

(d) the term “territory” means a territory as defined in Article 2 of the Convention;

(e) 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;

(f) the term “Schedule” means the Schedule to the present Agreement or as amended in accordance with the provisions of Article 17 of the present Agreement;

(g) the term “specified route” means any of the routes specified in the Schedule; and

(h) the term “agreed service” means any air service operated on the specified routes.

2. The Schedule forms an integral part of the present Agreement, and all reference to the “Agreement” shall include reference to the Schedule except where otherwise provided.

ARTICLE 2

Each Contracting Party grants to the other Contracting Party the rights specified in the present Agreement, particularly to enable its designated airlines to establish and operate the agreed services.

ARTICLE 3

1. The agreed services on any specified route may be inaugurated immediately or at a later date at the option of the Contracting Party to which the rights are granted under Article 2 of the present Agreement, subject to the provisions of Article 11 of the present Agreement, and not before:

(a) the Contracting Party to which the rights have been granted has designated an airline or airlines for that route; and

(b) the Contracting Party granting the rights has given the appropriate operating permission in accordance with its laws and regulations to the airline or airlines concerned; which it shall, subject to the provisions of paragraph 2 of this Article and of paragraph 1 of Article 7, be bound to grant without delay.

2. Each of the airlines designated by either Contracting Party may be required to satisfy the aeronautical authorities of the other Contracting Party that it is qualified to fulfil the conditions prescribed by the laws and regulations normally and reasonably applied by those authorities to the operation of international air services.

ARTICLE 4

1. The airlines of each Contracting Party shall enjoy the following privileges in respect of their international air services:

(a) to fly across the territory of the other Contracting Party without landing; and

(b) to make stops in the territory of the other Contracting Party for non-traffic purposes.

2. Subject to the provisions of the present Agreement, the designated airlines of each Contracting Party shall enjoy, while operating an agreed service on a specified route, the privilege to make stops in the territory of the other Contracting Party at the points specified for that route in the Schedule for the purposes of discharging and of taking on international traffic in passengers, cargo and mail separately or in combinations.

3. Nothing in paragraph 2 of this Article shall be deemed to confer on the airlines of one Contracting Party the privilege of taking on, 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

The charges which either of the Contracting Parties may impose, or permit to be imposed, on the designated airlines of the other Contracting Party for the use of airports and other facilities under its control shall be just and reasonable and not higher than would be paid for the use of such airports and facilities by the airlines of the most favoured nation or by any national airline of the former Contracting Party engaged in international air services.

ARTICLE 6

1. Fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft engaged in the agreed services operated by the designated airlines of either Contracting Party shall be exempt from customs duties, excise taxes, inspection fees and other similar duties, taxes or charges in the territory of the other Contracting Party, even when they are consumed or used on the part of the journey performed over that territory.

2. Fuel, lubricating oils, spare parts, regular equipment and aircraft stores taken on board aircraft of the designated airlines of either Contracting Party in the territory of the other Contracting Party and used in the agreed services shall, subject to the regulations of the latter Contracting Party, be exempt from customs duties, excise taxes, inspection fees and other similar duties, taxes or charges.

3. Fuel, lubricating oils, spare parts, regular equipment and aircraft stores introduced for the account of the designated airlines of either Contracting Party and stored in the territory of the other Contracting Party under customs supervisions for the purpose of supplying aircraft of those designated airlines, shall, subject to the regulations of the latter Contracting Party, be exempt from customs duties, excise taxes, inspection fees and other similar duties, taxes or charges.