

No. 4499

**CHILE
and
SWEDEN**

**Agreement (with annex) concerning air services between and
beyond their respective territories. Signed at Santiago
de Chile, on 27 October 1952**

Official texts : Spanish and Swedish.

Registered by the International Civil Aviation Organization on 9 September 1958.

**CHILI
et
SUÈDE**

**Accord (avec annexe) relatif aux services aériens entre les
territoires des deux pays et au-delà. Signé à Santiago, le
27 octobre 1952**

Textes officiels espagnol et suédois.

Enregistré par l'Organisation de l'aviation civile internationale le 9 septembre 1958.

[TRANSLATION — TRADUCTION]

No. 4499. AGREEMENT¹ BETWEEN THE GOVERNMENT OF CHILE AND THE GOVERNMENT OF SWEDEN CONCERNING AIR SERVICES BETWEEN AND BEYOND THEIR RESPECTIVE TERRITORIES. SIGNED AT SANTIAGO DE CHILE, ON 27 OCTOBER 1952

The Government of Chile and the Government of Sweden, hereinafter referred to as the Contracting Parties,

Desiring to conclude an agreement for the purpose of establishing and operating commercial air services between and beyond the territories of Chile and Sweden, Have agreed as follows :

Article 1

Each Contracting Party grants to the other Party the rights specified in this Agreement for the purpose of establishing the air services specified in the annex² to this Agreement (hereinafter referred to as the "agreed services"). The agreed services may be inaugurated immediately or at a later date at the option of the Contracting Party to which the rights are granted.

Article 2

(a) The agreed services may be inaugurated as soon as the Contracting Party to which the rights specified in this Agreement are granted has designated one or more airlines to operate the specified routes.

(b) The airline or airlines thus designated by one Contracting Party may be required to satisfy the competent aeronautical authorities of the other Contracting Party that they are qualified to fulfil the conditions prescribed under the laws and regulations normally applied by the said authorities to the operation of commercial air services and that they are applying for operating permits in accordance with the conditions set forth in those laws and regulations.

Article 3

In order to prevent discriminatory practices and to ensure equality of treatment, the Contracting Parties agree that :

¹ Applied as from the date of signature on 27 October 1952, in accordance with article 19.

² See p. 88 of this volume.

(a) The charges which either Contracting Party may impose or permit to be imposed on the designated airline or airlines 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 other facilities by its national aircrafts engaged in similar international services.

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

(c) Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores on board aircraft of the designated airline or airlines of one Contracting Party shall, on arrival in or departure from the territory of the other Contracting Party, be exempt from customs duties, inspection fees or similar charges, even though such supplies be used by such aircraft on flights over that territory.

Article 4

Certificates of airworthiness, certificates of competency and licences issued or rendered valid by one Contracting Party for the purpose of operating the services specified in the annex shall be recognized by the other Contracting Party. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flight over its own territory, certificates of competency and licences granted to its own nationals by another State.

Article 5

(a) The laws and regulations 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 aircraft while within its territory, shall apply to aircraft of the designated airline or airlines of the other Contracting Party.

(b) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of passengers, crews or cargo of aircraft (such as regulations relating to entry, departure, clearance, immigration, passports, customs and quarantine) shall apply to the passengers, crews or cargo of aircraft of the designated airline or airlines of the other Contracting Party while within that territory.

Article 6

(a) Each Contracting Party reserves the right to withhold or revoke the rights specified in this Agreement in any case where it is not satisfied that substantial ownership and effective control of the designated airline or airlines of the other Contracting Party are vested in nationals of the other Contracting Party or where the designated airline or airlines fail to comply with its laws and regulations as provided by article 5 or otherwise to fulfil the conditions under which the rights are granted in accordance with this Agreement.

(b) A joint airline constituted in accordance with chapter XVI of the Convention on International Civil Aviation signed at Chicago on 7 December 1944¹ and designated by a Contracting Party shall be deemed to have satisfied the requirements of paragraph (a) of this article if operating rights have been granted to all the individual airlines incorporated in the joint airline in accordance with the aforesaid Chapter, under special agreements. In such case, the joint airline must be an operating organization composed of individual airlines, and substantial ownership and effective control of one of the individual airlines incorporated in the joint airline must be vested in at least one of the Contracting Parties or its nationals.

Article 7

If either Contracting Party considers it desirable to modify any provision of the annex to this Agreement, such modification may be made by direct agreement between the competent aeronautical authorities of the Contracting Parties.

Article 8

If a general multilateral air transport convention which is accepted by both Contracting Parties enters into force, this Agreement shall be amended so as to conform with the provisions of the said convention.

Article 9

The airlines of each Contracting Party, designated in accordance with this Agreement, shall enjoy, in the territory of the other Contracting Party, rights of transit and non-traffic stops and the right to pick up and set down international commercial traffic in passengers, cargo and mail on the route or routes specified in the annex.

¹ See footnote 2, p. 28 of this volume.