



Treaty Series No. 10 (1948)

AGREEMENT

BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND
THE GOVERNMENT OF GREECE FOR

AIR SERVICES IN EUROPE

ATHENS, 26TH NOVEMBER, 1945

[Ratifications exchanged in London, 28th January, 1948]

[Together with Exchange of Notes modifying the above Agreement,
Athens, 21st February, 1947]

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON
HIS MAJESTY'S STATIONERY OFFICE

SIXPENCE NET

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND
THE GOVERNMENT OF GREECE FOR AIR SERVICES IN EUROPE

AGREEMENT FOR AIR SERVICES IN EUROPE

Athens, 26th November, 1945

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Greece,

Desiring to conclude an Agreement for the purpose of establishing direct air communications as soon as possible between the United Kingdom and Greece,

Have accordingly appointed plenipotentiaries for this purpose, who being duly authorised to this effect, have agreed as follows:—

ARTICLE 1

Each contracting party grants to the other contracting party the rights specified in the Annex to this Agreement for the purpose of the establishment of the air services therein described. Such services may be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

(1) Each of the specified air services may be put into operation as soon as the contracting party to whom the rights have been granted has designated an airline or airlines for the specified route or routes and the contracting party granting the rights shall, subject to paragraph (2) of this Article and to Article 6, be bound to grant without delay the appropriate operating permission to the airline or airlines concerned.

(2) (a) The airline or airlines designated may be required to satisfy the competent air authorities of the contracting party granting the rights that it (or they) is (or are) qualified to fulfil the conditions prescribed under the laws and regulations normally applied by these authorities to the operations of commercial airlines.

(b) In areas of military occupation, or in areas affected thereby, the inauguration of the services shall be subject to the approval of the competent military authorities.

ARTICLE 3

(1) The charges which either of the contracting parties 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 facilities by its national aircraft engaged in similar international 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, the other contracting party or its designated airline and intended solely for use by the latter's aircraft 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 airlines or the airline of the most favoured nation.

(3) Aircraft operated on the agreed services and supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of the designated airline or airlines 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 in that territory.

ARTICLE 4 .

Certificates of airworthiness, certificates of competency and licences 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 operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognise, for the purpose of flights above its own territory certificates of competency and licences 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 airline or airlines 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 airline or airlines 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 an operating permission in any case in which 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 either contracting party, or in case of failure by the designated airline or airlines to comply with its laws and regulations as referred to in Article 5, or otherwise to fulfil the conditions under which the rights are granted in accordance with this Agreement.

ARTICLE 7

This Agreement shall be registered with the Provisional International Civil Aviation Organisation set up under the Interim Agreement on International Civil Aviation drawn up at the Chicago Conference in December 1944.⁽¹⁾

ARTICLE 8

If either of the contracting parties considers it desirable to modify any provision or provisions of the Annex to this Agreement, such modification may be made by direct agreement between the competent air authorities of both 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

(1) "Miscellaneous No. 6 (1945)," Cmd. 6614.

decision to the Interim Council in accordance with the provisions of Article III of the Interim Agreement on International Civil Aviation signed at Chicago on the 7th December, 1944, unless the contracting parties agree to settle the dispute by referring 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 comes into force which is accepted by both contracting parties, the present Agreement shall be amended so as to conform with the provisions of the said convention.

ARTICLE 11

Either contracting party may at any time give notice to the other if it desires to terminate this Agreement. If such notice is given, this Agreement shall terminate twelve months after the date of its receipt by the other contracting party, unless the notice to terminate is withdrawn by agreement before the expiry of this period.

ARTICLE 12

The instruments of ratification shall be exchanged in London as soon as possible. On the exchange of the instruments of ratification this Agreement shall be deemed to have entered into force as from the date of signature.

In witness thereof the undersigned plenipotentiaries, being duly authorised thereto by their respective Governments, have signed the present Agreement and have affixed thereto their seals :

For the Government of the United Kingdom of Great Britain and Northern Ireland :—

(L.S.) IVOR THOMAS.

For the Government of Greece :—

(L.S.) J. S. SOFIANOPOULOS.

Done this twenty-sixth day of November nineteen hundred and forty-five in duplicate at Athens in the Greek and English languages both texts being equally authentic.

ANNEX

THE airline designated by the Government of the United Kingdom for the purpose of the operation of the air services on the routes specified in Schedule I attached hereto shall be the British Overseas Airways Corporation or such other corporation as shall be notified by the competent aeronautical authority of the United Kingdom as having succeeded to the rights of the British Overseas Airways Corporation under this agreement.

2. The airline(s) designated by the Government of Greece for the purpose of the operation of the air services on the route(s) specified in Schedule II shall be an airline or airlines to be notified by the competent aeronautical authority of Greece.

3. For the purpose of operating air services on the routes specified in Schedule I, the designated British airline referred to in paragraph 1 above shall be accorded in Greece rights of transit, of non-traffic stops and of commercial entry and departure for international traffic as hereinafter

provided, and the use on the said routes of aerodromes and ancillary facilities designated for international traffic.

4. For the purpose of operating air services on the route (or routes) specified in Schedule II attached hereto the designated Greek airline(s) referred to in paragraph 2 above shall be accorded in the United Kingdom rights of transit, of non-traffic stops and of commercial entry and departure for international traffic as hereinafter provided, and the use on the said route (or routes) of aerodromes and ancillary facilities designated for international traffic.

5.—(a) The designated airline of the United Kingdom shall be entitled to set down and pick up at the places in Greece specified in Schedule I traffic embarked in or destined for the United Kingdom.

(b) The designated airline of Greece shall be entitled to set down and pick up at the places in the United Kingdom specified in Schedule II traffic embarked in or destined for Greece.

(c) The capacity to be provided from time to time by the designated airlines of Greece and of the United Kingdom for the conveyance of the traffic referred to in sub-paragraphs (a) and (b) shall be maintained in equilibrium with the traffic offering between Greece and the United Kingdom.

(d) The total capacity will be divided equally between the airlines referred to in paragraphs 1 and 2 above, where they are operating the same or similar routes.

(e) The capacity to be provided at the outset shall be agreed between the competent aeronautical authorities of the contracting parties before the services are inaugurated.

(f) Thereafter the capacity to be provided shall be discussed from time to time between the competent aeronautical authorities of the contracting parties.

(g) The load factor to be adopted for determining the frequency to be operated shall be agreed at the outset between the airlines referred to in paragraphs 1 and 2 above, subject to the approval of the competent aeronautical authorities of the contracting parties.

(h) The load factor initially determined may be reviewed from time to time by the airlines referred to above. Any recommendation for the variation of the load factor shall be submitted to the competent aeronautical authorities of the contracting parties for approval.

(i) On the basis of the figures in force for the time being of the capacity to be operated, the load factor and the payload of the aircraft employed, the frequency of the services to be operated by the airlines referred to in paragraphs 1 and 2 above shall be agreed between them, subject to the approval of the competent aeronautical authorities of the contracting parties before the services start or are changed.

(j) In order to meet unexpected traffic demands of a temporary character the airlines referred to in paragraphs 1 and 2 above may, notwithstanding the provisions of sub-paragraphs (c) and (d) of this paragraph, agree between them such temporary increases of capacity as are necessary to meet the traffic demand. Any such increases should be reported forthwith to the competent aeronautical authorities which may confirm or modify them.

6. In so far as one of the contracting parties may not wish, permanently or temporarily, to operate, in full or in part, the capacity to which it is entitled under the preceding paragraph, that contracting party may arrange with the other contracting party, under terms and conditions to be agreed between them, for the designated airline(s) of such other contracting party to operate additional capacity so as to maintain the full schedule of services agreed upon between them in accordance with the preceding paragraph. It

will, however, be a condition of any such arrangement, that if the first named contracting party should at any time decide to commence to operate or to increase the frequency of its services, within the total capacity to which it is entitled under the preceding paragraph, the airline(s) of the other contracting party will withdraw correspondingly some or all of the additional capacity which it (they) had been operating.

7. If the airline of a contracting party desires to set down and pick up in the territory of the other contracting party traffic embarked in or destined for the territories of third parties and the other contracting party is prepared to consider a claim to carry such traffic, the contracting parties will enter into consultation with the other States concerned in order to determine what adjustments of capacity, if any, should be made at the appropriate stages on the route. The grant of any privileges under this paragraph and any consequential adjustment of capacity should be governed by—

- (a) the capacity determined in accordance with paragraph 5 of this Annex;
- (b) the air transport needs of the territories concerned judged in relation to public convenience and necessity;
- (c) the adequacy of other air transport services in and between the territories concerned, and
- (d) the economy of through airline operations.

The application of this clause to the airlines of the United Kingdom and of Greece respectively shall be as set out in Schedules I and II.

8.—(a) Tariffs to be charged by the air transport undertakings referred to in this Annex shall be agreed in the first instance between them in consultation with other airlines operating on the route or any section thereof. Any tariffs so agreed will be subject to the approval of the contracting parties. In the event of disagreement between the airlines, the contracting parties themselves shall endeavour to reach agreement. Should the contracting parties fail to agree, the matter in dispute will be referred to arbitration, as provided for in Article 9 of this Agreement.

(b) The tariffs to be agreed in accordance with (a) above shall be fixed at reasonable levels, due regard being paid to all relevant factors including economical operation, reasonable profit, differences of characteristics of service (including standards of speed and accommodation) and the tariffs charged by any other operators on the route. Tariffs charged for traffic taken up or put down at points on a route (other than traffic destined for or embarked in the country whose Government has designated the airline) may be higher than the corresponding tariffs for similar traffic carried by local or regional services on the corresponding sector of the route.

9. Wherever in this Agreement the term "airline" is used, it is intended to mean an organisation which is operating air services whether a private enterprise or a State Corporation.

SCHEDULE I

BRITISH ROUTES

London—Vienna—Belgrade—Athens.

London—Lyons—Marseilles—Genoa—Naples—Athens.

THE above-mentioned routes may be varied by agreement between the competent aeronautical authorities of the contracting parties.

The designated airline of the United Kingdom shall be entitled, subject to the provisions of paragraph 8 (b) of this Annex, to set down or pick up at

places in Greece traffic embarked in or destined for places outside Greece on the routes specified in this Schedule provided that the capacity shall not exceed that agreed for the routes in question.

If the Government of Greece grants to any other airline rights more favourable than those accorded in this Schedule to the designated airlines of the United Kingdom, the Government of Greece will immediately grant to the designated airline of the United Kingdom rights not less favourable than those granted to the airlines(s) of the most favoured nation.

SCHEDULE II

GREEK ROUTES

Two routes between Athens and London to be notified by the competent aeronautical authority of Greece.

THE above-mentioned routes may be varied by agreement between the competent aeronautical authorities of the contracting parties.

The designated airline(s) of Greece shall be entitled, subject to the provisions of paragraph 8 (b) of this Annex, to set down or pick up at places in the United Kingdom traffic embarked in or destined for places outside the United Kingdom on the route(s) specified in this Schedule provided that the capacity shall not exceed that agreed for the route(s) in question.

If the Government of the United Kingdom grants to any other airline rights more favourable than those accorded in this Schedule to the designated airline(s) of Greece, the Government of the United Kingdom will immediately grant to the designated airline(s) of Greece rights not less favourable than those granted to the airline(s) of the most favoured nation.

EXCHANGE OF NOTES

No. 1

Mr. Ivor Thomas to M. Sofianopoulos

Your Excellency,

26th November, 1945

In amplification of the Agreement for Air Services in Europe, signed this day, I understand your Excellency to desire that whenever a civil air service is in operation, under a bilateral or a multilateral agreement, no freight, mail or civilian passengers shall be carried on any military air service unless civil aircraft are incapable of meeting the traffic requirements: I understand your Excellency further to desire that such incapability shall be judged by the competent Greek authorities, subject to arbitration on appeal of the airline concerned to the Council of the Provisional International Civil Aviation Organisation.

I have the honour to declare that these requirements are acceptable to His Majesty's Government in the United Kingdom.

I avail, &c.

(Signed) IVOR THOMAS.

No. 2

M. Sofianopoulos to Mr. Ivor Thomas.

Sir,

26th November, 1945

I HAVE the honour to acknowledge receipt of your letter dated this day of which text follows:—

[As in No. 1]

Thanking you for the above communication, I avail, &c.

(Signed) J. S. SOFIANOPOULOS.

No. 3

Mr. Ivor Thomas to M. Sofianopoulos

Your Excellency,

26th November, 1945

WITH reference to the Agreement on Air Services in Europe, signed this day, which supersedes the Convention regarding Air Transport Services signed in Athens on the 30th May, 1939,⁽²⁾ I have the honour to inform your Excellency that His Majesty's Government in the United Kingdom desire to give notice of termination of the above-mentioned Agreement of the 30th May, 1939, in accordance with article 23 thereof.

I avail, &c.

(Signed) IVOR THOMAS.

No. 4

M. Sofianopoulos to Mr. Ivor Thomas

Sir,

26th November, 1945

I HAVE the honour to acknowledge receipt of your letter dated from to-day, by which you have informed me that, with reference to the Agreement on Air Services in Europe, signed this day, which supersedes the Convention regarding Air Transport Services signed in Athens on the 30th May, 1939, His Majesty's Government in the United Kingdom desire to give notice of termination of the above-mentioned Agreement of the 30th, May, 1939, in accordance with article 23 thereof.

Taking note of the above communication, I avail, &c.

(Signed) J. S. SOFIANOPOULOS.

(²) "Treaty Series No. 13 (1940)," Cmd. 6207.

ΣΥΜΦΩΝΙΑ ΔΙ' ΑΕΡΟΠΟΡΙΚΑΣ ΓΡΑΜΜΑΣ ΕΝ ΕΥΡΩΠΗ

Ἡ Κυβέρνησις τοῦ Ἠνωμένου Βασιλείου τῆς Μεγάλης Βρεταννίας καὶ Βορείου Ἰρλανδίας καὶ ἡ Κυβέρνησις τῆς Ἑλλάδος,

Ἐπιθυμοῦσαι νὰ συνάψωσι Συμφωνίαν πρὸς τὸν σκοπὸν τῆς ἐγκαταστάσεως ἀπ' εὐθείας ἐναερίων συγκοινωνιῶν τὸ ταχύτερον δυνατὸν μεταξύ τοῦ Ἠνωμένου Βασιλείου καὶ τῆς Ἑλλάδος,

ᾠρισαν, πρὸς τὸν σκοπὸν τοῦτον, πληρεξουσίους, οἵτινες δεόντως πρὸς τοῦτο ἐξουσιοδοτημένοι, συνεφώνησαν τὰ ἑξῆς:

Ἄρθρον 1.

Ἐκαστον συμβαλλόμενον Μέρος χορηγεῖ εἰς τὸ ἕτερον συμβαλλόμενον Μέρος τὰ ἐν τῷ Παρατήματι τῆς παρουσίας Συμφωνίας καθοριζόμενα δικαιώματα, πρὸς τὸν σκοπὸν τῆς ἐγκαταστάσεως τῶν ἐν αὐτῷ περιγραφόμενων ἀεροπορικῶν γραμμῶν. Τοιαῦτα γραμμαὶ δύνανται νὰ ἐγκατασταθῶσιν ἀμέσως ἢ μεταγενεστέως κατὰ βούλησιν τοῦ συμβαλλομένου Μέρους εἰς ὃ ἐχορηγήθησαν τὰ δικαιώματα.

Ἄρθρον 2.

(1) Ἐκάστη τῶν καθοριζόμενων Ἀεροπορικῶν γραμμῶν δύναται νὰ τεθῆ ἐν λειτουργίᾳ εὐθὺς ὡς τὸ συμβαλλόμενον Μέρος, εἰς ὃ ἐχορηγήθησαν τὰ δικαιώματα, ὅρισεν Ἀεροπορικὴν Ἑταιρείαν ἢ Ἑταιρείας διὰ τὴν καθοριζομένην ὁδὸν ἢ ὁδοὺς καὶ τὸ χορηγοῦν τὰ δικαιώματα συμβαλλόμενον Μέρος θὰ ὑποχρεοῦται, ὑπὸ τὴν ἐπιφύλαξιν τῆς παραράφου (2) τοῦ παρόντος ἄρθρου καὶ τοῦ ἄρθρου 6 νὰ χορηγήσῃ ἀνευ ἀναβολῆς τὴν κατάλληλον ἄδειαν λειτουργίας εἰς τὴν ἢ τὰς ἐνδιαφερομένας Ἀεροπορικὰς Ἑταιρείας.

(2) (α) Ἡ ὀρισθεῖσα ἢ αἱ ὀρισθεῖσαι Ἀεροπορικαὶ Ἑταιρεῖαι δύνανται νὰ ὑποχρεωθῶσιν ὅπως παρέχωσιν εἰς τὰς ἀρμοδίας ἀεροπορικὰς Ἀρχὰς τοῦ συμβαλλομένου Μέρους τοῦ χορηγοῦντος τὰ δικαιώματα ἀποδείξει ὅτι εἶναι ἱκανὴ ἢ ἱκαναὶ νὰ ἐκπληρώσωσι τοὺς ὅρους τοὺς καθοριζομένους ὑπὸ τῶν νόμων καὶ κανονισμῶν τῶν συνήθως ἐφαρμοζομένων ὑπὸ τῶν ἐν λόγῳ Ἀρχῶν, διὰ τὴν λειτουργίαν ἐμπορικῶν Ἀεροπορικῶν Ἑταιρειῶν.

(β) Εἰς ζῶνας στρατιωτικῆς κατοχῆς ἢ εἰς ζῶνας ἐπηρεαζόμενας ἐκ ταύτης ἢ ἐναρξίς λειτουργίας τῶν γραμμῶν τούτων θὰ ὑπόκειται εἰς τὴν ἔγκρισιν τῶν ἀρμοδίων Στρατιωτικῶν Ἀρχῶν.

Ἄρθρον 3.

(1) Τὰ τέλη ἄτινα ἀμφοτέρω τὰ συμβαλλόμενα Μέρη δύνανται νὰ ἐπιβάλλουν, ἢ νὰ ἐπιτρέψωσι νὰ ἐπιβληθῶσι εἰς τὴν καθοριζομένην ἢ τὰς καθοριζόμενας Ἀεροπορικὰς Ἑταιρείας τοῦ ἑτέρου συμβαλλομένου Μέρους διὰ τὴν χρῆσιν Ἀερολιμένων καὶ ἐτέρων διευκολύνσεων, δὲν θὰ ὑπερβαίνωσιν ἐκεῖνα ἄτινα θὰ καταβάλλωνται διὰ τὴν χρῆσιν τοιούτων Ἀερολιμένων καὶ διευκολύνσεων ὑπὸ τῶν ἐθνικῶν τοῦ ἀεροσκαφῶν τῶν ἐκτελούντων ὁμοίας διεθνεῖς ὑπηρεσίας.

(2) Ἡ καύσιμος ὕλη, τὰ λιπαντικὰ ἔλαια, ὡς καὶ τὰ ἀνταλλακτικὰ τὰ εἰσαγόμενα ἢ ἐπιβιβαζόμενα εἰς ἀεροσάφη εἰς τὸ ἔδαφος ἐνὸς συμβαλλομένου Μέρους ὑπὸ ἢ ἐπ' ὀνόματι τοῦ ἑτέρου συμβαλλομένου Μέρους ἢ τῆς

ὀριζομένης Ἀεροπορικῆς Ἑταιρείας τοῦ καὶ προοριζόμενα μόνον διὰ τὴν χρῆσιν τῶν ἀεροσκαφῶν τῆς ἐν λόγῳ Ἑταιρείας θὰ ὑπόκεινται ὡς πρὸς τοὺς τελωνειακοὺς δασμοὺς, ἐξόδα ἐλέγχου ἢ ἐτέρας ἐπιβαρύνσεις ἐπιβαλλομένας ὑπὸ τοῦ πρώτου συμβαλλομένου Μέρους, εἰς ὅρους οὐχὶ μειονεκτικωτέρους τῶν χορηγουμένων εἰς ἐθνικὰς Ἀεροπορικὰς Ἑταιρείας ἢ τὴν Ἀεροπορικὴν Ἑταιρείαν τοῦ μᾶλλον εὐνοουμένου Κράτους.

(3) Ἀεροσκάφη κινούμενα ἐπιτῶν ἐγκεριμένων γραμμῶν ὡς καὶ τὰ ἐφόδια καυσίμου ὕλης, ἐλαίων λιπάνσεως, ἀνταλλακτικῶν, ὁ προβλεπόμενος ἐξοπλισμὸς καὶ τὸ ὑλικὸν ἀποθηκῶν τοῦ ἀεροσκάφους, τὰ εὐρισκόμενα ἐπὶ τοῦ ἀεροσκάφους τῆς ἢ τῶν ὀριζομένων Ἀεροπορικῶν Ἑταιρειῶν ἐνὸς συμβαλλομένου Μέρους, θὰ ἀπαλλάσσονται εἰς τὸ ἔδαφος τοῦ ἐτέρου συμβαλλομένου Μέρους τῶν τελωνειακῶν δασμῶν, ἐξόδων ἐλέγχου ἢ παρομοίων δασμῶν ἢ ἐπιβαρύνσεων καίεις τὴν περίπτωσιν ἀκόμη καθ' ἢ τὰ ἐφόδια ταῦτα χρησιμοποιοῦνται ὑπὸ τοιούτων ἀεροσκαφῶν διὰ πτήσεις εἰς τὸ ἐν λόγῳ ἔδαφος.

Ἄρθρον 4.

Πιστοποιητικὰ πλοημότητος, πτυχία ἰκανότητος ὡς καὶ ἄδειαι ἐκδιδόμεναι ἢ κεκρωμέναι ὑφ' ἐνὸς συμβαλλομένου Μέρους καὶ οὔσαι ἐν ἰσχύϊ θὰ ἀναγνωρίζονται ὡς ἔγκυρα ὑπὸ τοῦ ἐτέρου συμβαλλομένου Μέρους διὰ τὸν σκοπὸν τῆς λειτουργίας τῶν ὁδῶν καὶ γραμμῶν τῶν περιγραφομένων ἐν τῷ Παραρτήματι. Ἐκαστον συμβαλλόμενον Μέρος ἐπιφυλάσσει πάντως εἰς ἑαυτὸ τὸ δικαίωμα νὰ μὴ ἀναγνωρίζη, διὰ τὸν σκοπὸν τῆς πτήσεως ὑπερθεν τοῦ ἰδίου αὐτοῦ ἐδάφους τὰ πιστοποιητικὰ ἰκανότητος καὶ τὰς ἀδείας τὰς χορηγηθείσας εἰς τοὺς ὑπηκόους αὐτοῦ ὑπὸ ἐτέρου Κράτους.

Ἄρθρον 5.

(1) Οἱ νόμοι καὶ κανονισμοὶ τοῦ ἐνὸς συμβαλλομένου Μέρους περὶ εἰσόδου εἰς καὶ ἐξόδου ἐκ τοῦ ἐδάφους τοῦ ἀεροσκαφῶν ἐκτελούντων διεθνή ἀεροναυτιλίαν ἢ περὶ τῆς κινήσεως καὶ ναυτιλίας τοιούτων ἀεροσκαφῶν καθ' ὃν χρόνον εὐρίσκονται ἐντὸς τοῦ ἐδάφους τοῦ, θὰ ἐφαρμόζονται εἰς τὰ ἀεροσκάφη τῆς ἢ τῶν ὀρισθειῶν Ἀεροπορικῶν Ἑταιρειῶν τοῦ ἐτέρου συμβαλλομένου Μέρους.

(2) Οἱ νόμοι καὶ κανονισμοὶ ἐνὸς συμβαλλομένου Μέρους περὶ εἰσόδου εἰς καὶ ἐξόδου ἐκ τοῦ ἐδάφους τοῦ ἐπιβατῶν, πληρωμάτων ἢ φορτίου ἀεροσκαφῶν, (ὡς π. χ. κανονισμοὶ περὶ εἰσόδου, ἐλευθέρας ἐπικοινωνίας, μεταναστεύσεως, διαβατηρίων, Τελωνείου καὶ καθάρσεως) θὰ ἐφαρμόζονται εἰς τοὺς ἐπιβάτας, τὰ πληρώματα ἢ τὸ φορτίον τοῦ ἀεροσκάφους τῆς ἢ τῶν ὀρισθειῶν Ἀεροπορικῶν Ἑταιρειῶν τοῦ ἐτέρου συμβαλλομένου Μέρους καθ' ὃν χρόνον εὐρίσκονται ἐντὸς τοῦ ἐδάφους τοῦ πρώτου συμβαλλομένου Μέρους.

Ἄρθρον 6.

Ἐκαστον συμβαλλόμενον Μέρος ἐπιφυλάσσει εἰς ἑαυτὸ τὸ δικαίωμα νὰ ἀναστείλῃ ἢ νὰ ἀκρωσῇ μίαν ἄδειαν λειτουργίας εἰς πᾶσαν περίπτωσιν καθ' ἣν δὲν πείθεται ὅτι οὐσιαστικῶς ἡ ἰδιοκτησία καὶ ὁ πραγματικὸς ἔλεγχος τῆς ἢ τῶν ὀρισθειῶν Ἀεροπορικῶν Ἑταιρειῶν τοῦ ἐτέρου συμβαλλομένου Μέρους εὐρίσκεται εἰς χεῖρας ὑπηκόων ἐνὸς τῶν συμβαλλομένων Μερῶν, ἢ εἰς περίπτωσιν καθ' ἣν αἱ ὀρισθεῖσαι Ἀεροπορικαὶ Ἑταιρείαι

δὲν συμμορφοῦνται πρὸς τοὺς νόμους καὶ κανονισμοὺς αὐτοῦ ὡς ἀναφέρεται ἐν τῷ ἄρθρῳ 5 ἢ ἄλλως δὲν πληροῦν τοὺς ὅρους ὑφ' οὓς ἐχορηγήθησαν τὰ δικαίωματα συμφώνως πρὸς τὴν παροῦσαν Συμφωνίαν.

Ἄρθρον 7.

Ἡ παροῦσα Συμφωνία θὰ καταχωρηθῆ παρὰ τῇ Προσωρινῇ Διεθνῇ Ὁργανώσει Πολιτικῆς Ἀεροπορίας τῇ ἰδρυθείσῃ διὰ τῆς Προσωρινῆς Συμφωνίας Διεθνούς Πολιτικῆς Ἀεροπορίας κατὰ τὴν Διάσκεψιν τοῦ Σικάγου τὸν Δεκέμβριον τοῦ 1944.

Ἄρθρον 8.

Ἐφ' ὅσον ἐκάτερον τῶν συμβαλλομένων Μερῶν ἤθελε κρίνει ἐπιθυμητέαν τὴν τροποποίησιν οἰασδήποτε διατάξεως ἢ διατάξεων τοῦ Παραρτήματος τῆς παρούσης Συμφωνίας, αἱ τοιαῦται τροποποιήσεις θὰ δύνανται νὰ πραγματοποιηθῶνται δι' ἀπ' εὐθείας Συμφωνίας μεταξύ τῶν ἀρμοδίων Ἀεροπορικῶν Ἀργῶν ἀμφοτέρων τῶν συμβαλλομένων Μερῶν.

Ἄρθρον 9.

Οἰασδήποτε διαφορὰ μεταξύ τῶν συμβαλλομένων Μερῶν ἀφορῶσα τὴν ἐρμηνείαν ἢ ἐφαρμογὴν τῆς παρούσης Συμφωνίας ἢ τοῦ Παραρτήματος ταύτης, θὰ ὑποβάλλεται εἰς τὸ Προσωρινὸν Συμβούλιον, πρὸς ἔκδοσιν ἀποφάσεως, συμφώνως πρὸς τὰς διατάξεις τοῦ ἄρθρου III τῆς Προσωρινῆς Συμφωνίας Διεθνούς Πολιτικῆς Ἀεροπορίας τῆς ὑπογραφείσης ἐν Σικάγῳ τῇ 7ῃ Δεκεμβρίου 1944, ἐκτὸς ἂν τὰ συμβαλλόμενα Μέρη συμφωνήσωσιν ὅπως διακανονίσωσι τὴν διαφορὰν διὰ τῆς προσφυγῆς εἰς Διαιτητικὸν Δικαστήριον ὀριζόμενον διὰ συμφωνίας μεταξύ τῶν Συμβαλλομένων Μερῶν, ἢ εἰς ἕτερον πρόσωπον ἢ Σῶμα. Τὰ συμβαλλόμενα Μέρη ὑποχρεοῦνται νὰ συμμορφωθῶσι πρὸς ἐκδιδομένην ἀπόφασιν.

Ἄρθρον 10.

Ἐὰν γενικὴ πολυμερὴς Ἀεροπορικὴ Σύμβασις ἤθελε τεθῆ ἐν ἰσχύϊ καὶ τὴν ὁποίαν ἀπεδέχθησαν ἀμφοτέρα τὰ συμβαλλόμενα Μέρη, ἢ παροῦσα Συμφωνία θέλει τροποποιηθῆ εἰς τρόπον ὥστε νὰ προσαρμόζηται πρὸς τὰς διατάξεις τῆς ἐν λόγῳ Συμβάσεως.

Ἄρθρον 11.

Ἐκαστον συμβαλλόμενον Μέρος δύναται ἀνὰ πᾶσαν στιγμὴν νὰ γνωστοποιήσῃ πρὸς τὸ ἕτερον Μέρος, τὴν καταγγελίαν τῆς παρούσης Συμφωνίας. Ἐὰν τοιαύτη καταγγελία ἤθελε γίνει, ἢ παροῦσα Συμφωνία θὰ παύσῃ ἰσχύουσα 12 μῆνας μετὰ τὴν ἡμερομηνίαν τῆς λήψεως τῆς καταγγελίας ὑπὸ τοῦ ἑτέρου Συμβαλλομένου Μέρους, ἐκτὸς ἂν ἢ καταγγελία ἤθελεν ἀποσυρθῆ κατόπιν συμφωνίας πρὸ τῆς ἐκπνοῆς τῆς περιόδου ταύτης.

Ἄρθρον 12.

Αἱ ἐπικυρώσεις θ' ἀνταλλαγῶσιν εἰς Λονδίνον τὸ ταχύτερον δυνατὸν. Ἄμα τῇ ἀνταλλαγῇ τῶν ἐπικυρώσεων ἢ Συμφωνία αὕτη θὰ θεωρηθῆ ὡς ἰσχύουσα ἀπὸ τῆς ἡμερομηνίας τῆς ὑπογραφῆς τῆς.

Εἰς πίστωσιν τῶν ἀνωτέρω οἱ ὑπογεγραμμένοι πληρεξούσιοι δεόντως ἐξουσιοδοτημένοι πρὸς τοῦτο ὑπὸ τῶν οἰκείων Κυβερνήσεων τῶν, ὑπέγραψαν τὴν παρούσαν Συμφωνίαν καὶ ἔθεσαν τὰς ἑαυτῶν σφραγίδας.

Διὰ τὴν Κυβέρνησιν τῆς Ἑλλάδος.

I. A. ΣΟΦΙΑΝΟΠΟΥΛΟΣ.

Διὰ τὴν Κυβέρνησιν τοῦ Ἠνωμένου Βασιλείου τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας.

IVOR THOMAS.

Ἐγένετο τὴν 26ην ἡμέραν τοῦ μηνὸς Νοεμβρίου τοῦ χιλιοστοῦ ἑνεακοσιοστοῦ τεσσαρακοστοῦ πέμπτου ἔτους, εἰς διπλοῦν, ἐν Ἀθήναις εἰς τὴν Ἀγγλικὴν Ἑλληνικὴν γλῶσσαν, ἀμφοτέρων τῶν κειμένων θεωρουμένων ἐξ ἴσου αὐθεντικῶν.

ΠΑΡΑΡΤΗΜΑ.

Ἡ Ἀεροπορικὴ Ἐταιρεία ἡ ὀριζομένη ὑπὸ τῆς Κυβερνήσεως τοῦ Ἠνωμένου Βασιλείου ἐπὶ τῷ σκοπῷ τῆς λειτουργίας τῶν Ἀεροπορικῶν Γραμμῶν εἰς τὰς ὁδοὺς τὰς καθοριζομένας ἐν τῷ πίνακα I τῷ προσηρτημένῳ εἰς τὸ παρὸν Παράρτημα θὰ εἶναι ἡ British Overseas Airways Corporation ἢ ἄλλος τοιοῦτος ὀργανισμὸς γνωστοποιούμενος ὑπὸ τῆς ἀρμοδίας ἀεροπορικῆς Ἀρχῆς τοῦ Ἠνωμένου Βασιλείου ὡς ἔχων ὑποκαταστήσει τὴν British Overseas Airways Corporation εἰς τὰ ἐκ τῆς Συμφωνίας ταύτης δικαιώματά της.

2) Ἡ ἢ αἱ Ἀεροπορικαὶ Ἐταιρεῖαι αἱ ὀριζομέναι ὑπὸ τῆς Κυβερνήσεως τῆς Ἑλλάδος ἐπὶ τῷ σκοπῷ τῆς λειτουργίας τῶν Ἀεροπορικῶν γραμμῶν εἰς τὴν ἢ τὰς ὁδοὺς τὰς καθοριζομένας ἐν τῷ πίνακι II θὰ εἶναι μία ἢ περισσότεραι Ἐταιρεῖαι αἵτινες θὰ γνωστοποιηθῶσιν ὑπὸ τῆς ἀρμοδίας Ἑλληνικῆς Ἀεροπορικῆς Ἀρχῆς.

3) Ἐπὶ τῷ σκοπῷ τῆς λειτουργίας Ἀεροπορικῶν Γραμμῶν ἐπὶ τῶν ὁδῶν τῶν καθοριζομένων εἰς τὸν πίνακα I θὰ χορηγηθῶσιν εἰς τὴν ὀρισθείσαν Βρετανικὴν Ἐταιρείαν περὶ ἧς τὸ ἀνωτέρω ἐδάφιον I δικαιώματα ἐν Ἑλλάδι διαμετακομίσεως, σταθμεύσεων ἄνευ ἐμπορικῶν σκοπῶν καὶ ἐμπορικῆς εἰσόδου καὶ ἐξόδου διὰ διεθνῆ κίνησιν ὡς προβλέπεται κατωτέρω, ὡς καὶ χρήσεως ἐπὶ τῶν ἐν λόγῳ ὁδῶν ἀεροδρομίων καὶ βοηθητικῶν διευκολύνσεων προοριζομένων διὰ τὴν διεθνῆ κίνησιν.

4) Ἐπὶ τῷ σκοπῷ τῆς λειτουργίας Ἀεροπορικῶν Γραμμῶν ἐπὶ τῆς καθορισθείσης διὰ τοῦ προσηρτημένου ὠδε πίνακος II ὁδοῦ ἢ ὁδῶν θὰ χορηγηθῶσιν εἰς τὴν ἐν τῇ ὡς ἄνω παραγράφῳ 2 ἀναφερομένην Ἑλληνικὴν Ἀεροπορικὴν Ἐταιρείαν ἢ Ἐταιρείας δικαιώματα ἐν τῷ Ἠνωμένῳ Βασιλείῳ διαμετακομίσεως, σταθεύσεων ἄνευ ἐμπορικῶν σκοπῶν καὶ ἐμπορικῆς εἰσόδου καὶ ἐξόδου διὰ διεθνῆ κίνησιν ὡς προβλέπεται κατωτέρω, ὡς καὶ χρήσεως ἐπὶ τῆς ἐν λόγῳ ὁδοῦ ἢ ὁδῶν ἀεροδρομίων καὶ βοηθητικῶν διευκολύνσεων προοριζομένων διὰ τὴν διεθνῆ κίνησιν.

5) (α) Ἡ ὀρισθεῖσα ἀεροπορικὴ Ἑταιρεία τοῦ Ἡνωμένου Βασιλείου θὰ εἶναι ἐξουσιοδοτημένη νὰ ἐπιβιβάζη εἰς τὰς πόλεις τῆς Ἑλλάδος τὰς ὀριζομένας ἐν τῷ Πίνακι I ἔμπορικὸν φορτίον φορτωθὲν εἰς ἡ προοριζόμενον διὰ τὸ Ἡνωμένον Βασίλειον.

(β) Ἡ ὀρισθεῖσα ἀεροπορικὴ Ἑταιρεία τῆς Ἑλλάδος θὰ εἶναι ἐξουσιοδοτημένη νὰ ἀποβιβάζη καὶ ἐπιβιβάζη εἰς τὰς πόλεις τοῦ Ἡνωμένου Βασιλείου τὰς καθοριζόμενας ἐν τῷ Πίνακι II ἔμπορικὸν φορτίον φορτωθὲν εἰς ἡ προοριζόμενον διὰ τὴν Ἑλλάδα.

(γ) Ἡ ὠφέλιμος χωρητικότης ἣτις θὰ διατίθεται ἀπὸ καιροῦ εἰς καιρὸν ὑπὸ τῶν ὀρισθειῶν Ἀεροπορικῶν Ἑταιρειῶν τῆς Ἑλλάδος καὶ τοῦ Ἡνωμένου Βασιλείου διὰ τὴν μεταφορὰν τοῦ φορτίου περὶ οὗ τὰ ἀνωτέρω ἐδάφια α καὶ β θὰ τηρῆται προσηρμοσμένη πρὸς τὰς ἀνάγκας τοῦ ἔμπορίου μεταξὺ τῆς Ἑλλάδος καὶ Ἡνωμένου Βασιλείου.

(δ) Ἡ ὀλικὴ χωρητικότης θὰ διαιρεθῆ ἐξ ἴσου μεταξὺ τῶν εἰς τὰς ὡς ἄνω παραγράφους 1 καὶ 2 ἀναφερομένων Ἀεροπορικῶν Ἑταιρειῶν ἐφ' ὅσον ἐκμεταλλεύονται τὰς αὐτὰς ἢ παρεμφερεῖς ἐναερίου ὁδοῦς.

(ε) Ἡ διὰ τὴν ἔναρξιν διατεθησομένη ὠφέλιμος χωρητικότης θέλει συμφωνηθῆ μεταξὺ τῶν ἀρμοδίων ἀεροπορικῶν Ἀρχῶν τῶν συμβαλλομένων Μερῶν πρὸ τῆς ἐνάρξεως λειτουργίας τῶν γραμμῶν.

(στ) Ἀκολουθῶς ἡ ὠφέλιμος χωρητικότης ἣτις θὰ διατίθεται θέλει συζητεῖται ἀπὸ καιροῦ εἰς καιρὸν μεταξὺ τῶν ἀρμοδίων ἀεροπορικῶν Ἀρχῶν τῶν συμβαλλομένων Μερῶν.

(ζ) Ὁ συντελεστὴς φορτίου ὅστις θὰ υἱοθετηθῆ πρὸς καθορισμὸν τῆς ἐφαρμοστέας συχνότητος θέκει συμφωνηθῆ κατὰ τὴν ἔναρξιν μεταξὺ τῶν ἐν τοῖς ὡς ἄνω παραγράφους 1 καὶ 2 ἀναφερομένων Ἀεροπορικῶ Ἑταιρειῶν, θὰ ὑπόκειται δὲ εἰς τὴν ἔγκρισιν τῶν ἀρμοδίων ἀεροπορικῶν Ἀρχῶν τῶν συμβαλλομένων Μερῶν.

(η) Ὁ ἀρχικῶς καθορισθεὶς συντελεστὴς φορτίου δύναται νὰ ἀναθεωρηθῆ ἀπὸ καιροῦ εἰς καιρὸν ὑπὸ τῶν ὡς ἄνω ἀναφερομένων Ἀεροπορικῶν Ἑταιρειῶν. Πᾶσα σύστασις διὰ τὴν μεταβολὴν τοῦ συντελεστοῦ φορτίου θὰ ὑποβάλλεται εἰς τὰς ἀρμοδίας ἀεροπορικὰς Ἀρχὰς τῶν συμβαλλομένων Μερῶν πρὸς ἔγκρισιν.

(θ) Ἐπὶ τῇ βάσει τῶν ἐπὶ τοῦ παρόντος ἐν ἰσχύϊ ἀριθμῶν διὰ τὴν διαθέσιμον ὠφέλιμον χωρητικότητα, τὸν συντελεστὴν φορτίου καὶ τὸ πληρῶνον φορτίον τῶν χρησιμοποιουμένων ἀεροσκαφῶν, ἡ συχνότης τῶν γραμμῶν αἰτίνες θὰ τεθοῦν ἐν λειτουργίᾳ ὑπὸ τῶν ἀεροπορικῶν Ἑταιρειῶν τῶν ἀναφερομένων εἰς τὰς ἄνω παραγράφους 1 καὶ 2 θέλει συμφωνηθῆ μεταξὺ τῶν, ὑπὸ τὴν ἐπιφύλαξιν τῆς ἐγκρίσεως ὑπὸ τῶν ἀρμοδίων Ἀεροπορικῶν Ἀρχῶν τῶν συμβαλλομένων Μερῶν πρὸ τῆς ἐνάρξεως λειτουργίας τῶν γραμμῶν ἢ τῆς τροποποιήσεως τούτων.

(ι) Πρὸς τὸν σκοπὸν τῆς ἀντιμετωπίσεως ἀπροβλέπτων ἔμπορικῶν ἀναγκῶν προσωρινοῦ χαρακτήρος αἱ Ἀεροπορικαὶ Ἑταιρεῖαι, περὶ ὧν αἱ ἀνωτέρω παράγραφοι 1 καὶ 2, δύναται ἀσχέτως τῶν ἐδαφίων γ καὶ δ τῆς παραγράφου ταύτης νὰ συμφωνήσωσι μεταξὺ των διὰ τὴν ἀναγκαίαν πρὸς καλυψιν τῆς ἔμπορικῆς ζήτησεως προσωρινὴν ἐπαύξεισιν τῆς διαθέσιμου χωρητικότητος. Πᾶσα τοιαύτη ἐπαύξεισις δέον ἀμέσως ν' ἀναφέρηται πρὸς τὰς ἀρμοδίας ἀεροπορικὰς Ἀρχὰς αἰτίνες δύναται νὰ ἐγκρίνουν ἢ νὰ τροποποιήσουν αὐτήν.

6) 'Εφ' ὅσον ἐν συμβαλλόμενον Μέρος ἐπιθυμεί μονίμως ἢ προσκαιρῶς νὰ ἐκμεταλλεῖται, πλήρως ἢ μερικῶς, τὴν χωρητικότητα ἣν δικαιούται δυνάμει τῆς προηγουμένης παραγράφου, τὸ συμβαλλόμενον τοῦτο Μέρος θὰ δύναται νὰ καθορίσῃ μετὰ τοῦ ἑτέρου συμβαλλομένου Μέρους, ὑπὸ συμφωνηθησομένους ὅρους μεταξύ των, ὅπως ἢ ὀρισθεῖσα Ἀεροπορικὴ Ἑταιρεία ἢ Ἑταιρεῖαι τοῦ ἑτέρου συμβαλλομένου Μέρους ἀναλάβωσιν τὴν ἐπιπρόσθετον χωρητικότητα εἰς τρόπον ὥστε νὰ διατηρηθῇ πλήρως ἢ μεταξύ των, συμφώνως τῇ προηγουμένη παραγράφῳ συμφωνηθεῖσα ὀλικὴ χωρητικότης τῶν γραμμῶν. Πάντως θὰ ἀποτελέσῃ ὅρον πάσης τοιαύτης συμφωνίας ὅτι ἐφ' ὅσον τὸ πρῶτον ἀναφερόμενον συμβαλλόμενον Μέρος ἀποφασίσει καθ' οἷανδήποτε στιγμήν νὰ κάμῃ ἔναρξιν λειτουργίας ἢ νὰ αὐξήσῃ τὴν συχνότητα τῶν γραμμῶν του, ἐντὸς τῆς συνολικῆς ὠφελίμου χωρητικότητος ἣς δικαιούται δυνάμει τῆς προηγουμένης παραγράφου, ἢ Ἀεροπορικὴ Ἑταιρεία ἢ Ἑταιρεῖαι τοῦ ἑτέρου συμβαλλομένου Μέρους, θὰ ἐλαττώσωσιν ἀναλόγως τινὰς ἢ πάσας τὰς ἐπιπροσθέτους χωρητικότητας ἅς ἐξεμεταλλεῦντο.

7) 'Εφ' ὅσον Ἀεροπορικὴ Ἑταιρεία συμβαλλομένου Μέρους ἐπιθυμῇ νὰ ἀποβιβάσῃ καὶ ἐπιβιβάσῃ ἐμπορικὰ φορτία εἰς τὰ ἔδαφος τοῦ ἑτέρου συμβαλλομένου Μέρους, φορτωθέντα εἰς ἢ προοριζόμενα διὰ τὸ ἔδαφος τρίτων καὶ τὸ ἕτερον συμβαλλόμενον Μέρος στέρξῃ νὰ συζητήσῃ μίαν αἴτησιν περὶ μεταφορᾶς τοιούτου φορτίου, τὰ συμβαλλόμενα Μέρη θέλουσι ἔλθει εἰς ἐπαφὴν μετὰ τῶν ἑτέρων ἐνδιαφερομένων Κρατῶν ἵνα καθορισθῇ ποῖαι διευθετήσεις τῆς διαθεσίμου χωρητικότητος δέον νὰ ἐπενεχθῶσι ἢ οὐ εἰς τοὺς καταλλήλους σταθμοὺς ἐπὶ τῆς ὁδοῦ. Ἡ παροχὴ προνομίων κατὰ τὰς διατάξεις τῆς παραγράφου ταύτης καὶ πᾶσα ἐπακολουθοῦσα τροποποίησις τῆς ὠφελίμου χωρητικότητος δέον νὰ διέπῃται ὑπὸ :

(α) Τῆς ὠφελίμου χωρητικότητος καθοριζομένης συμφώνως πρὸς τὴν παράγραφον 5 τοῦ παρόντος Παραρτήματος.

(β) Τῶν ἀναγκῶν εἰς ἀεροπορικὰς μεταφορὰς τῶν ἐνδιαφερομένων Χωρῶν κρινομένων ἀπὸ ἀπόψεως δημοσίας διευκολύνσεως καὶ ἀνάγκης.

(γ) Τῆς ἐπαρκείας ἑτέρων Ἀεροπορικῶν Ἑταιρειῶν ἐντὸς καὶ μεταξύ τῶν ἐν λόγῳ Χωρῶν καί,

(δ) Τῆς οἰκονομικῆς ἀποδόσεως τῶν διαβατικῶν ἀεροπορικῶν γραμμῶν.

Ἡ ἐφαρμογὴ τῆς διατάξεως ταύτης ἐπὶ τῶν Ἑταιρειῶν τοῦ Ἠνωμένου Βασιλείου καὶ τῆς Ἑλλάδος ἀντιστοίχως θὰ γίνῃ ὡς καθορίζεται εἰς τοὺς πίνακας I καὶ II.

8) (α) Τὰ τιμολόγια τὰ ἐφαρμοσθησόμενα ὑπὸ τῶν ἐπιχειρήσεων Ἀεροπορικῶν Μεταφορῶν τῶν ἀναφερομένων ἐν τῷ παρόντι Παραρτήματι δέον νὰ ἔχωσι συμφωνηθῇ κατὰ πρῶτον μεταξύ των καὶ ἐν συνεννοήσει μετὰ τῶν ἑτέρων Ἀεροπορικῶν Ἑταιρειῶν αἵτινες λειτουργοῦσιν ἐπὶ τῆς ὁδοῦ ἢ τμήματος ταύτης. Οἷονδήποτε τοιοῦτοτρόπως συμφωνηθὲν τιμολόγιον θὰ ὑπόκειται εἰς τὴν ἔγκρισιν τῶν συμβαλλομένων Μερῶν. Εἰς περίπτωσιν διαφωνίας μεταξύ τῶν Ἀεροπορικῶν Ἑταιρειῶν αὐτὰ ταῦτα τὰ συμβαλλόμενα Μέρη θέλουσι προσπαθῆσαι νὰ ἐπιτύχωσι συμφωνίαν: Ἐὰν τὰ συμβαλλόμενα Μέρη δὲν συμφωνήσωσι, τὸ ὑπὸ ἀμφισβήτησιν ζήτημα θέλει ὑποβληθῇ εἰς διαιτησίαν ὡς προβλέπει τὸ ἄρθρον 9 τῆς παρούσης Συμφωνίας.

(β) Τὰ συμφώνως τῇ ὡς ἄνω παραγράφῳ (α) συμφωνηθησόμενα τιμολόγια δέον νὰ καθορισθῶσιν εἰς λογικὰ ἐπίπεδα λαμβανομένων δεόντως ὑπ' ὄψιν πάντων τῶν σχετικῶν συντελεστῶν, συμπεριλαμβανομένων : τῆς οἰκονομικῆς ἐκμεταλλεύσεως, λογικοῦ κέρδους, διαφορῶν εἰς τὰ χαρακτηριστικά τῶν παρεχομένων ὑπηρεσιῶν (συμπεριλαμβανομένων τῆς στάθμης τῆς ταχύτητος καὶ τῶν ἀνέσεων) καὶ τῶν ὑπὸ ἐτέρων ἐπιχειρήσεων ἐπὶ τῆς ὅσου ἐφαρμοζομένων τιμολογίων. Τὰ ἐφαρμοζόμενα τιμολόγια διὰ τὴν ἐμπορικὴν παραλαβὴν καὶ ἀπόθεσιν εἰς σημεία μιᾶς γραμμῆς (ἐτέρων τῶν τῆς κινήσεως τῆς προοριζομένης διὰ τὴν ἐχούσης ὡς ἀφετηρίαν τὴν περιοχὴν τῆς Κυβέρνησις ὥρισεν τὴν Ἀεροπορικὴν Ἑταιρείαν) δύνανται νὰ ὦσι μεγαλύτερα τῶν ἀντιστοίχων τιμολογίων δι' ὅμοιαν κίνησιν διεξαγομένην ὑπὸ ἐσωτερικῶν ἢ τοπικῶν γραμμῶν εἰς τὸ ἀντίστοιχον τμῆμα τῆς ὁδοῦ.

9) Παντοῦ ὅπου ἐν τῇ συμφωνίᾳ ταύτῃ χρησιμοποιεῖται ὁ ὅρος «Ἀεροπορικὴ Ἑταιρεία» νοεῖται εἰς ὄργανισμὸς ὅστις ἐκμεταλλεύεται ἀεροπορικὰς γραμμάς, εἴτε πρόκειται περὶ ἰδιωτικῆς ἐπιχειρήσεως εἴτε περὶ Κρατικοῦ ὄργανισμοῦ.

ΠΙΝΑΞ I.

Βρεττανικαὶ Ὅδοι

Λονδῖνον—Βιέννη—Βελιγράδιον—Ἀθήναι.

Λονδῖνον—Λυώνη—Μασσαλία—Γένουα—Νεάπολις—Ἀθήναι.

Αἱ ἄνωτέρω καθοριζόμεναι ὁδοὶ δύνανται νὰ προποποιῶνται κατόπιν συμφωνίας μεταξὺ τῶν ἀρμοδίων ἀεροπορικῶν Ἀρχῶν τῶν συμβαλλομένων Μερῶν.

Ἡ ὀρισθεῖσα Ἀεροπορικὴ Ἑταιρεία τοῦ Ἠνωμένου Βασιλείου θὰ εἶναι ἐξουσιοδοτημένη κατὰ τὰς διατάξεις τῆς παραγράφου 8 (β) τοῦ Παραρτήματος νὰ ἀποβιβάζῃ ἢ ἐπιβιβάζῃ εἰς σταθμοὺς τῆς Ἑλλάδος ἐμπορικὸν φορτίον ἐπιβιβάσθην ἢ προοριζόμενον διὰ σταθμοὺς ἐκτὸς τῆς Ἑλλάδος ἐπὶ τῶν ὁδῶν τῶν καθοριζομένων διὰ τοῦ Πίνακος τούτου, ὑπὸ τὸν ὄρον ὅπως ἡ χωρητικότης μὴ ὑπερβῇ τὴν συμφωνηθεῖσαν διὰ τὰς ἐν λόγῳ ὁδοὺς.

Ἐὰν ἡ Ἑλληνικὴ Κυβέρνησις χορηγήσῃ εἰς οἰανδήποτε ἄλλην Ἀεροπορικὴν Ἑταιρείαν δικαιώματα εὐνοϊκώτερα τῶν διὰ τοῦ παρόντος Πίνακος χορηγουμένων εἰς τὴν ὀρισθεῖσαν Ἑταιρείαν τοῦ Ἠνωμένου Βασιλείου, ἡ Ἑλληνικὴ Κυβέρνησις θὰ χορηγήσῃ ἀμέσως πρὸς τὴν ὀρισθεῖσαν Ἀεροπορικὴν Ἑταιρείαν τοῦ Ἠνωμένου Βασιλείου δικαιώματα οὐχὶ ὀλιγώτερον εὐνοϊκὰ τῶν χορηγηθέντων εἰς τὴν ἢ τὰς Ἑταιρείας τοῦ μᾶλλον εὐνοουμένου Κράτους.

ΠΙΝΑΞ II.

Ἑλληνικαὶ Ὅδοι

Δύο ὁδοὶ μεταξὺ Ἀθηνῶν καὶ Λονδίνου αἵτινες θὰ γνωστοποιηθῶσιν ὑπὸ τῆς ἀρμοδίας Ἑλληνικῆς Ἀεροπορικῆς Ἀρχῆς.

Αἱ ἄνωτέρω καθοριζόμεναι ὁδοὶ δύνανται νὰ τροποποιῶνται κατόπιν συμφωνίας μεταξὺ τῶν ἀρμοδίων Ἀεροπορικῶν Ἀρχῶν τῶν συμβαλλομένων Μερῶν.

Ἡ ὀριθεύσα Ἀεροπορική Ἐταιρεία ἢ Ἐταιρεία τῆς Ἑλλάδος θὰ εἶναι ἐξουσιοδοτημένοι κατὰ τὰς διατάξεις τῆς παραγράφου 8 (β) τοῦ Παραρτήματος νὰ ἀποβιβάζωσι ἢ ἐπιβιβάζωσι εἰς σταθμούς τοῦ Ἠνωμένου Βασιλείου ἐμπορικὸν φορτίον, ἐπιβιβασθῆν εἰς ἢ προοριζόμενον διὰ σταθμούς ἐκτὸς τοῦ Ἠνωμένου Βασιλείου ἐπὶ τῆς ἢ τῶν ὁδῶν τῶν καθοριζόμενων διὰ τοῦ Πίνακος τούτου, ὑπὸ τὸν ὄρον ὅπως ἡ χωρητικότης μὴ ὑπερβῇ τὴν συμφωνηθεῖσαν διὰ τὰς ἐν λόγῳ ὁδοὺς.

Ἐὰν ἡ Κυβέρνησις τοῦ Ἠνωμένου Βασιλείου χορηγήσῃ εἰς οἰονδήποτε ἄλλην Ἀεροπορικὴν Ἐταιρείαν δικαιώματα εὐνοϊκώτερα τῶν διὰ τοῦ παρόντος Πίνακος χορηγουμένων εἰς τὴν ὀριθεύσαν Ἐταιρείαν τῆς Ἑλλάδος ἢ Κυβέρνησις τοῦ Ἠνωμένου Βασιλείου θὰ χορηγήσῃ ἀμέσως πρὸς τὴν ὀριθεύσαν Ἀεροπορικὴν Ἐταιρείαν τῆς Ἑλλάδος δικαιώματα οὐχὶ ὀλιγώτερον εὐνοϊκὰ τῶν χορηγηθέντων εἰς τὴν ἢ τὰς Ἐταιρείας τοῦ μᾶλλον εὐνοουμένου Κράτους.

ΒΡΕΤΑΝΝΙΚΗ ΠΡΕΣΒΕΙΑ

ΑΘΗΝΑΙ

26η Νοεμβρίου 1945

Ἐξοχότατε

Εἰς ὁλοκλήρωσιν τῆς σήμερον ὑπογραφείσης Συμβάσεως περὶ Ἐναερίων Ὑπηρεσιῶν ἐν Εὐρώπῃ, ἀντελήφθη ὅτι ἡ Ὑμετέρα Ἐξοχότης θὰ ἐπεθύμῃ ὅπως ὁσάκις ὑπηρεσία πολιτικῆς ἀεροπορίας λειτουργεῖ κατὰ τὰς διατάξεις διμεροῦς ἢ πολυμεροῦς συμφωνίας, οὐδεμία στρατιωτικὴ ἀεροπορικὴ ὑπηρεσία θὰ μεταφέρει φορτίον, ταχυδρομεῖον ἢ πολίτας ἐπιβάτας πλὴν ἐὰν τὰ πολιτικὰ ἀεροπλάνα εἶναι ἐν ἀδυναμίᾳ νὰ ἀνταποκριθοῦν εἰς τὰς μεταφορικὰς ἀνάγκας, Ἀντελήφθη, ἐπιπροσθέτως, ὅτι ἡ Ὑμετέρα Ἐξοχότης ἐπιθυμεῖ ὅπως, περὶ τῆς τοιαύτης ἀδυναμίας κρίνωσιν αἱ ἀρμοδίαι Ἑλληνικαὶ Ὑπηρεσίαι, τῶν ἐνδιαφερομένων ἀεροπορικῶν γραμμῶν δυναμένων νὰ ἐφεσιβάλουν τὴν ἀπόφασιν ταύτην ἐνώπιον τοῦ Συμβουλίου τῆς Προσωρινῆς Ὄργανώσεως Πολιτικῆς Ἀεροπορίας πρὸς ἔκδοσιν διαιτητικῆς ἀποφάσεως.

Ἐχω τὴν τιμὴν νὰ δηλώσω ὅτι ἡ Κυβέρνησις τῆς Αὐτοῦ Μεγαλειότητος ἐν τῷ Ἠνωμένῳ Βασιλείῳ ἀποδέχεται τὰς ἀπόψεις ταύτας.

Δράττομαι τῆς εὐκαιρίας ἵνα ἀνανεώσω πρὸς τὴν Ὑμετέραν Ἐξοχότητα τὰς διαβεβαιώσεις τῆς Ὑψίστης ὑπολήψεώς μου

(Ὑπ.) IVOR THOMAS

Αὐτοῦ Ἐξοχότητα

Κύριον Ἰ Σοφιανόπουλον

Ὑπουργεῖον Ἐξωτερικῶν

Ἀθήνας.

B. ΥΠΟΥΡΓΕΙΟΝ ΕΞΩΤΕΡΙΚΩΝ

ΑΘΗΝΑΙ

Ἀθῆναι τῆ 26η Νοεμβρίου 1945

Κύριε

Ἐχω τὴν τιμὴν νὰ γνωρίσω λῆψιν τῆς ὑπὸ σημερινὴν ἡμερομηνίαν Ὑμετέρας ἐπιστολῆς ἧς τὸ κείμενον ἀκολουθεῖ:

«Εἰς ὁλοκλήρωσιν τῆς σήμερον ὑπογραφείσης Συμβάσεως περὶ Ἐναερίων Ὑπηρεσιῶν ἐν Εὐρώπῃ, ἀντελήφθη ὅτι ἡ Ὑμετέρα Ἐξοχότης θὰ ἐπεθύμῃ ὅπως ὁσάκις ὑπηρεσία πολιτικῆς ἀεροπορίας λειτουργεῖ κατὰ τὰς διατάξεις διμεροῦς ἢ πολυμεροῦς συμφωνίας οὐδεμία στρατιωτικὴ ἀεροπορικὴ ὑπηρεσία θὰ

μεταφέρη φορτίον, ταχυδρομείον ἢ πολίτας ἐπιβάτας πλὴν ἐὰν τὰ πολιτικὰ ἀεροπλάνα εἶναι ἐν ἐδυναμίᾳ νὰ ἀνταποκριθῶν εἰς τὰς μεταφορικὰς ἀνάγκας. Ἐτελέσθη ἐπιπροσθέτως ὅτι ἡ Ἑμετέρα Ἐξοχότης ἐπιθυμεῖ ὅπως περὶ τῆς τοιαύτης ἀδυναμίας κρίνωσιν αἱ ἀρμόδια Ἑλληνικαὶ ὑπηρεσίαι, τῶν ἐνδιαφερομένων ἀεροπορικῶν γραμμῶν δυναμένων νὰ ἐφεισβάλουν τὴν ἀπόφασιν ταύτην ἐνώπιον τοῦ Συμβουλίου τῆς Προσωρινῆς Διεθοῦς Ὁργανώσεως πολιτικῆς ἀεροπορίας, πρὸς ἕκδοσιν διαιτητικῆς ἀποφάσεως.

Ἐχω τὴν τιμὴν νὰ δηλώσω ὅτι ἡ Κυβέρνησις τῆς Αὐτοῦ Μεγαλειότητος ἐν τῷ Ἡνωμένῳ Βασιλείῳ ἀποδέχεται τὰς ἀπόψεις ταύτας».

Εὐχαριστῶν ὑμᾶς διὰ τὴν ὡς ἄνω ἀνακοίνωσιν δράττομαι, Κύριε τῆς εὐκαιρίας ἵνα ἀνανεώσω ὑμῖν τὰς διαβεβαιώσεις τῆς ὑψίστης ὑπολήψεώς μου

(Ἑπ.) Ἰ. ΣΟΦΙΑΝΟΠΟΥΛΟΣ.

ΒΡΕΤΤΑΝΙΚΗ ΠΡΕΣΒΕΙΑ

ΑΘΗΝΑΙ

26η Νοεμβρίου 1945

Ἐξοχότατε

Ἀναφερόμενος εἰς τὴν σήμερον ὑπογραφείσαν Σύμβασιν περὶ Ἐναερίων Ὑπηρεσιῶν ἐν Εὐρώπῃ, ἣτις ὑποκαθίσταται εἰς τὴν Σύμβασιν περὶ Ὑπηρεσιῶν Ἐναερίων Μεταφορῶν τὴν ὑπογραφείσαν ἐν Ἀθήναις τὴν 30 Μαΐου 1939, ἔχω τὴν τιμὴν νὰ πληροφορήσω τὴν Ἑμετέραν Ἐξοχότητα ὅτι ἡ Κυβέρνησις τῆς Αὐτοῦ Μεγαλειότητος ἐν τῷ Ἡνωμένῳ Βασιλείῳ ἐπιθυμεῖ νὰ καταγγείλῃ τὴν ὡς ἄνω ἀναφερομένην Σύμβασιν τῆς 30 Μαΐου 1939, συμφώνως τῷ ἄρθρῳ αὐτῆς ὑπ' ἀριθ. 23.

Δράττομαι τῆς εὐκαιρίας ἵνα ἀνανεώσω πρὸς τὴν Ἑμετέραν Ἐξοχότητα τὰς διαβεβαιώσεις τῆς ὑψίστης ὑπολήψεώς μου

(Ἑπ.) IVOR THOMAS.

Αὐτοῦ Ἐξοχότητα Κύριον Ι. Σοφιανόπουλον

Ἑπουργεῖον Ἐξωτερικῶν Ἀθήνας.

Β. ΥΠΟΥΡΓΕΙΟΝ ΕΞΩΤΕΡΙΚΩΝ

Ἀθήναι τῆ 26η Νοεμβρίου 1945

Κύριε

Ἐχω τὴν τιμὴν νὰ γνωρίσω λήψιν τῆς ὑπὸ σημερινὴν ἡμερομηνίαν ἐπιστολῆς ὑμῶν, δι' ἧς με ἐπληροφορήσατε ὅτι, ἐν σχέσει πρὸς τὴν σήμερον ὑπογραφείσαν Σύμβασιν περὶ Ἐναερίων Ὑπηρεσιῶν ἐν Εὐρώπῃ ἣτις ὑποκαθίσταται εἰς τὴν Σύμβασιν περὶ Ὑπηρεσιῶν Ἐναερίων Μεταφορῶν τὴν ὑπογραφείσαν ἐν Ἀθήναις τὴν 30 Μαΐου 1939, ἡ Κυβέρνησις τῆς Αὐτοῦ Μεγαλειότητος ἐν τῷ Ἡνωμένῳ Βασιλείῳ, ἐπιθυμεῖ νὰ καταγγείλῃ τὴν ἀνωτέρω μνημονευομένην Σύμβασιν τῆς 30 Μαΐου 1939, συμφώνως τῷ ἄρθρῳ αὐτῆς ὑπ' ἀριθ. 23.

Λαμβάνων ὑπὸ σημείωσιν τὴν ἀνωτέρω ἀνακοίνωσιν δράττομαι τῆς εὐκαιρίας ἵνα ἀνανεώσω ὑμῖν τὰς βεβαιώσεις τῆς ὑψίστης ὑπολήψεώς μου

(Ἑπ.) Ἰ. ΣΟΦΙΑΝΟΠΟΥΛΟΣ.

Κύριον IVOR THOMAS

Κοινοβουλευτικὸν Γραμματέα τοῦ Ἑπουργείου

Πολιτικῆς Ἀεροπορίας Ἀθήνας.

EXCHANGE OF NOTES MODIFYING AGREEMENT OF
26TH NOVEMBER, 1945

No. 1

His Majesty's Ambassador at Athens to Greek Minister for Foreign Affairs

Monsieur le Ministre,

21st February, 1947

I HAVE the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to state that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland have proposed, in accordance with Article 8 of the Air Navigation Agreement, signed at Athens on 26th November, 1945, that Schedule I, British Routes, annexed to that Agreement, shall be modified so that instead of the Routes at present set out therein the Routes should henceforth be the following:—

- “ (1) London—intermediate countries—Athens.
“ (2) London—intermediate countries—Athens—points beyond towards and including Tehran.
“ (3) London—intermediate countries—Athens—Istanbul—Angora.”

2. I shall be grateful if your Excellency will inform me whether the Royal Hellenic Government accept the foregoing amendments. In that event the present Note and your Excellency's reply to that effect will be regarded as constituting an agreement supplementary to the Agreement mentioned above.

I avail, &c.

(Signed) CLIFFORD NORTON.

No. 2

Greek Minister for Foreign Affairs to His Majesty's Ambassador at Athens

Your Excellency,

21st February, 1947

I HAVE the honour to acknowledge the receipt of your Note of 21st February, 1947, regarding the proposal of His Majesty's Government in the United Kingdom to modify Schedule I annexed to the Air Navigation Agreement, signed at Athens on 26th November, 1945, which reads as follows:—

[As in No. 1]

2. In reply I have the honour to inform your Excellency that the Royal Hellenic Government accept the provisions contained in your Note and will regard that Note and the present reply as constituting an agreement between them and His Majesty's Government in the United Kingdom in this matter.

I avail, &c.

.(Signed) C. TSALDARIS.

LONDON
PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE
To be purchased directly from H.M. Stationery Office at the following addresses:
York House, Kingsway, London, W.C.2; 13a Castle Street, Edinburgh, 2;
39-41 King Street, Manchester, 2; 1 St. Andrew's Crescent, Cardiff;
Tower Lane, Bristol, 1; 80 Chichester Street, Belfast
OR THROUGH ANY BOOKSELLER
1948

Price 6d. net