

No. 545

**NORWAY
and
IRELAND**

Agreement for air services between the two countries (with annex). Signed at London, on 21 June 1948

English official text communicated by the Secretary-General of the International Civil Aviation Organization. The registration took place on 7 September 1949.

**NORVEGE
et
IRLANDE**

Accord relatif aux services aériens entre les deux pays (avec annexe). Signé à Londres, le 21 juin 1948

Texte officiel anglais communiqué par le Secrétaire général de l'Organisation de l'aviation civile internationale. L'enregistrement a eu lieu le 7 septembre 1949

No. 545. AGREEMENT¹ BETWEEN THE KINGDOM OF NORWAY AND IRELAND FOR AIR SERVICES BETWEEN THE TWO COUNTRIES. SIGNED AT LONDON, ON 21 JUNE 1948

The Government of the Kingdom of Norway and the Government of Ireland,

Desiring to conclude an Agreement for the purpose of establishing air communications as soon as possible between the Kingdom of Norway and Ireland,

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 (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 whom the rights are granted.

Article 2

(1) Each of the agreed 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 the provisions of paragraph (2) of this Article and of Article 6, be bound to grant without delay the appropriate operating permission to the airline(s) concerned.

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

¹ Came into force on 21 June 1948, as from the date of signature, in accordance with article 12.

Article 3

(1) The charges which either of the contracting parties may impose, or permit to be imposed, on the designated airline(s) of the other contracting party for the use of the 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 the territory of one contracting party or placed on board aircraft in its territory by the other contracting party, either for its own account or for the airline(s) designated by it solely for use by the aircraft of the designated airline(s) of the other contracting party, 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 airline(s) engaged in international air transport or the airline(s) 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(s) 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 licenses 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 agreed services. Each contracting party reserves the right, however, to refuse to recognise, for the purpose of flight above its own territory, certificates of competency and licenses 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(s) 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(s) 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 the rights specified in the Annex to this Agreement in any case in which it is not satisfied that substantial ownership and effective control of the designated airline(s) of the other contracting party are vested in nationals of either contracting party, or in case of failure by the designated airline(s) 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 International Civil Aviation Organisation set up by the Convention on International Civil Aviation signed at Chicago on the 7th 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 aeronautical authorities of the contracting parties.

Article 9

Any disputes between the contracting parties relating to the interpretation or application of this Agreement or of the Annex thereto, shall be referred for decision to the Council or appropriate organ of the International Civil Aviation Organisation set up by the Convention on International Civil Aviation signed at Chicago on the 7th December, 1944, unless the contracting parties agree to settle the dispute by reference to an Arbitral Tribunal appointed by agree-

¹ United Nations, *Treaty Series*, Volume 15, page 295; Volume 26, page 420; Volume 32, page 402 and Volume 33, page 352.

ment 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 which is accepted by both contracting parties comes into force, 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. Such notice shall be simultaneously communicated to the International Civil Aviation Organisation. If such notice is given this Agreement shall terminate on the date specified in the notice but in any case not less than 12 months after the date of receipt of the notice by the other contracting party, unless the notice to terminate is withdrawn by agreement before the expiry of this period. In the absence of acknowledgment of receipt by the other contracting party notice shall be deemed to have been received fourteen days after the receipt of the notice by the International Civil Aviation Organisation.

Article 12

This Agreement shall enter into force on the date of signature.

IN WITNESS WHEREOF the plenipotentiaries have signed the present Agreement and have affixed thereto their seals.

DONE at London this 21st day of June, nineteen hundred and forty-eight, in duplicate.

For the Government
of the Kingdom of Norway:
(Signed) P. PREBENSEN

For the Government
of Ireland:
(Signed) Sean MACBRIDE

ANNEX

A. Airlines of Norway authorised under the present agreement are accorded in the territory of Ireland rights of transit and non-traffic stop, as well as the right to pick up and discharge international traffic in passengers, cargo and mail:

- (1) At Shannon Airport on the following route: Norway to Ireland and countries beyond, via intermediate points, in both directions;
- (2) At Dublin Airport on the following route: Norway to Ireland via intermediate points, in both directions.

In view of the long transoceanic flight necessary on the first above-mentioned route and considering the still limited development of aeronautical science, it is agreed that all Norwegian aircraft on this route shall stop at Shannon Airport.

B. Airlines of Ireland authorised under the present agreement are accorded in the territory of Norway rights of transit and non-traffic stop, as well as the right to pick up and discharge international traffic in passengers, cargo and mail, at Stavanger or Oslo Airport on the following route:

Ireland to Norway and countries beyond, via intermediate points, in both directions.

C. Aircraft of either contracting party availing itself of the non-traffic stops granted by this agreement may be required by the other contracting party to offer reasonable commercial services in passengers, cargo and mail both outward and inward.
