

No. 2930

**UNION OF SOUTH AFRICA
and
FRANCE**

Agreement in regard to air services between their respective territories. Signed at Paris, on 17 September 1954

Official texts: English and French.

Registered by the International Civil Aviation Organization on 13 September 1955.

**UNION SUD-AFRICAINE
et
FRANCE**

Accord concernant les lignes aériennes reliant leurs territoires respectifs. Signé à Paris, le 17 septembre 1954

Textes officiels anglais et français.

Enregistré par l'Organisation de l'aviation civile internationale le 13 septembre 1955.

No. 2930. AGREEMENT¹ BETWEEN THE GOVERNMENT OF FRANCE AND THE GOVERNMENT OF THE UNION OF SOUTH AFRICA IN REGARD TO AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES. SIGNED AT PARIS, ON 17 SEPTEMBER 1954

Article 1

For the purpose of the present Agreement —

- (a) the term “territory” in relation to a party to this agreement means the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection, mandate, administration or trusteeship of that party;
- (b) the term “air service” means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo;
- (c) the term “stop for non-traffic purposes” means a landing for any purpose other than picking up or setting down passengers, mail or cargo.

Article 2

(1) The Government of the Union of South Africa agree to an air service between the respective territories of the Union of South Africa and France being operated on behalf of, and by an airline designated by the Government of France.

(2) Substantial ownership and effective control of the airline designated by the Government of France shall be and shall continue to be vested in nationals of France.

Article 3

(1) The Government of France agree to an air service between the respective territories of France and the Union of South Africa being operated on behalf of, and by an airline designated by the Government of the Union of South Africa.

(2) Substantial ownership and effective control of the airline designated by the Government of the Union of South Africa shall be and shall continue to be vested in nationals of the Union of South Africa.

¹ Came into force on 1 October 1954, in accordance with article 13.

Article 4

(1) The air service undertaken by the airline designated by the Government of France shall be operated on the following route in both directions—
Paris–Nice–Tripoli–Fort Lamy–Brazzaville–Livingstone–Johannesburg.

(2) Any or all of the intermediate points of the route specified in paragraph (1) may be omitted on any or all flights at the option of the airline designated by the Government of France.

Article 5

(1) The air service undertaken by the airline designated by the Government of the Union of South Africa shall be operated on the following route in both directions —

Johannesburg–Livingstone or Lusaka–Nairobi–Khartoum–Cairo–Athens–Rome–Paris.

(2) Any or all of the intermediate points on the route specified in paragraph (1) may be omitted on any or all flights at the option of the airline designated by the Government of the Union of South Africa.

Article 6

Points on the route specified in paragraph (1) of article 4 at which, subject to the concurrence of any third country that may be involved, traffic from or for territory of the Union of South Africa —

(a) may be set down or picked up, that is, are agreed traffic stops, and

(b) may not be set down or picked up, that is, are stops for non-traffic purposes,

by the airline designated by the Government of France are —

<i>Country</i>	<i>Traffic Stops</i>	<i>Stops for non-traffic purposes</i>
France	Paris Nice	— —
United Kingdom of Libya	Tripoli	—
French Equatorial Africa	Fort Lamy Brazzaville	— —
Federation of Rhodesia and Nyasaland	—	Livingstone
Union of South Africa	Johannesburg	—

Article 7

Points on the route specified in paragraph (1) of article 5 at which, subject to the concurrence of any third country that may be involved, traffic from or for French territory —

(a) may be set down or picked up, that is, are agreed traffic stops, and

(b) may not be set down or picked up, that is, are stops for non-traffic purposes,

by the airline designated by the Government of the Union of South Africa are —

<i>Country</i>	<i>Traffic Stops</i>	<i>Stops for non-traffic purposes</i>
Union of South Africa	Johannesburg	—
Federation of Rhodesia and Nyasaland	Lusaka	Livingstone
Kenya	—	Nairobi
Sudan	Khartoum	—
Egypt	Cairo	—
Greece	Athens	—
Italy	—	Rome
France	Paris	—

Article 8

(1) The frequency of the air service provided by the airline designated by the Government of France shall be once per week.

(2) The frequency of the air service provided by the airline designated by the Government of the Union of South Africa shall be once per week.

Article 9

(1) Notwithstanding the provisions of article 6 the airline designated by the Government of France shall not at Johannesburg set down or pick up more than fifty-eight passengers in any one flight.

(2) Notwithstanding the provisions of article 7 the airline designated by the Government of the Union of South Africa shall not at —

(a) Paris set down or pick up more than fifty-eight passengers, or

(b) at Cairo set down or pick up more than three passengers from or for French territory,
in any one flight.

(3) There shall be no carry-over of unused capacity specified in paragraphs (1) or (2) from one flight to any other flight of the airline concerned.

Article 10

(1) The airlines designated by the parties to this Agreement shall agree on the conditions under which the air services provided for in this Agreement shall be operated, particularly as regards traffic coming from or destined for points not situated on the routes described in article 4 of this agreement.

(2) The Agreement pursuant to the provisions of paragraph (1) between the airlines concerned shall come into force simultaneously with this Agreement and remain in force while this Agreement is in force.

(3) The fares and rates to be charged by the airlines designated by the parties to this Agreement and the conditions of carriage applicable to carriage by each such airline shall be those agreed upon by the International Air Transport Association and approved by the Government of France and by the Government of the Union of South Africa.

Article 11

(1) The airline designated by the Government of France shall as soon as possible at the end of each quarter render monthly traffic statistics to the Secretary for Transport of the Union of South Africa in the form and manner required by him.

(2) The airline designated by the Government of the Union of South Africa shall as soon as possible at the end of each quarter render monthly traffic statistics to the Secretary-General for Civil Aviation of France in the form and manner required by him.

(3) Discussions between the parties to this Agreement for the purpose of reviewing the position in the light of traffic statistics shall take place at regular intervals.

Article 12

A party to this Agreement shall have the right to suspend the air services operated in terms of this Agreement by the airline designated by the other party to this Agreement if that airline fails to comply with any law or regulation of the firstmentioned party to this Agreement or fails to comply with any term or condition prescribed in this Agreement or any provision of the Agreement entered into pursuant to the provisions of paragraphs (1) and (2) of article 10 between the airlines concerned: Provided that unless immediate suspension is

essential to prevent further infringement of a law or regulation or term or condition abovementioned or of any provision of the agreement between the airlines concerned, this right shall be exercised only after consultation with the other party to this Agreement.

Article 13

This Agreement shall come into force on the first day of October 1954 and shall remain in force indefinitely unless six months' notice in writing of termination is given by either the Government of France or the Government of the Union of South Africa.

DONE at Paris in duplicate this 17th September, 1954 in the English and French languages, both texts being equally authentic.

For the Government of the Union of South Africa :

P. O. SAUER

Minister of Transport

For the Government of France :

A. PARODI
