

**No. 13924**

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**NETHERLANDS**

**and**

**EUROPEAN ORGANISATION FOR THE SAFETY  
OF AIR NAVIGATION (EUROCONTROL)**

**Bilateral Agreement relating to the collection of route  
charges (with an exchange of letters dated 23 June and  
12 July 1971 modifying article 2 of the Agreement).  
Signed at Brussels on 8 September 1970**

*Authentic text: Dutch.*

*Registered by the Netherlands on 29 April 1975.*

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**PAYS-BAS**

**et**

**ORGANISATION EUROPÉENNE POUR LA SÉCURITÉ  
DE LA NAVIGATION AÉRIENNE (EUROCONTROL)**

**Accord bilatéral relatif à la perception des redevances de  
route (avec échange de lettres, en date des 23 juin et  
12 juillet 1971, amendant l'article 2 de l'Accord). Signé  
à Bruxelles le 8 septembre 1970**

*Texte authentique : néerlandais.*

*Enregistré par les Pays-Bas le 29 avril 1975.*

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

## BILATERAL AGREEMENT<sup>3</sup> RELATING TO THE COLLECTION OF ROUTE CHARGES

The Government of the Kingdom of the Netherlands, hereinafter called “the Government”, and

The European Organisation for the safety of air navigation (EUROCONTROL), represented by the President of the Permanent Commission, hereinafter called “the Organisation”;

Having regard to the “EUROCONTROL” International Convention relating to co-operation for the safety of air navigation concluded at Brussels on the 13th day of December 1960,<sup>4</sup> particularly to the provisions of article 6, par. 2 e) and articles 12 and 20 thereof, hereinafter called “the Convention”;

Having regard to Decision No. 10 taken by the Commission at its XXVIIIth Session on the 25th of June, 1970;

Having regard to the Multilateral Agreement relating to the collection of route charges made between the Governments of the States party to the Convention, signed in Brussels on the eighth day of September, 1970,<sup>5</sup> hereinafter called “the Multilateral Agreement”;

Have agreed as follows:

*Article 1.* The Government shall entrust the Organisation with the collection, on its behalf, from users, of the route charges established pursuant to article 1 of the Multilateral Agreement. It shall provide the Organisation with the data required for calculating these charges.

*Article 2.* For the application of article 1, the Government undertakes to adopt the measures necessary to make it obligatory for users of route air navigation facilities and services in the airspace falling within its competence to pay these charges to the Organisation.

The relevant measures shall, in particular, ensure:

- a) that the amount of the charge shall be established on the basis of the French franc containing 200 milligrams of gold of millesimal fineness 900, as declared to the International Monetary Fund authorities on 29th December, 1959;
- b) that the sums invoiced shall be payable at the Headquarters of the Organisation in accordance with the instructions given by the Representatives of the Member States in their dual capacities as national authorities and Members of the Permanent Commission.

*Article 3.* The amount of the charges that have actually been collected by the Organisation in respect of the airspace of the Kingdom of the Netherlands and the airspace for which it has been entrusted with the provision of air traffic services by

<sup>1</sup> Translation supplied by the European Organisation for the Safety of Air Navigation.

<sup>2</sup> Traduction fournie par l'Organisation européenne pour la sécurité de la navigation aérienne.

<sup>3</sup> Came into force on 15 December 1971, the date of entry into force of the Multilateral Agreement relating to the collection of route charges of 8 September 1970 (see foot-note 5 below), in accordance with article 6.

<sup>4</sup> United Nations, *Treaty Series*, vol. 523, p. 117.

<sup>5</sup> *Ibid.*, vol. 830, p. 25.

international agreement shall be paid to the Government as soon as possible and not later than six months after collection. This refund shall be subject to deduction of the costs of collection as approved by the Commission.

*Article 4.* The measures of financial control applicable to the task entrusted to the Organisation pursuant to this Agreement shall be those determined unanimously by the Representatives of the Governments acting in their dual capacities as national authorities and as Members of the Commission.

*Article 5.* 1. Subject to paragraph 2 of this article, this Agreement shall remain in force for the duration of the Multilateral Agreement.

2. This Agreement may be revised or terminated at any time by agreement between the Contracting Parties.

*Article 6.* This Agreement shall enter into force on the same date as the Multilateral Agreement.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Agreement.

DONE in duplicate at Brussels, this eighth day of September, 1970, in the Dutch language.

For the Government  
of the Kingdom of the Netherlands:

C. J. VAN SCHELLE

For the Organisation:

H. BÖRNER

## EXCHANGE OF LETTERS

### I

EUROPEAN ORGANIZATION FOR THE SAFETY OF AIR NAVIGATION

Permanent Commission

Bonn, 23 June 1971

No. 007/CN

Sir,

With reference to the Bilateral Agreement between the Government of the Kingdom of the Netherlands and the Eurocontrol Organization relating to the collection of route charges, which was signed at Brussels on 8 September 1970 and is to enter into force at the same time as the Multilateral Agreement between the States party to the Eurocontrol Convention, signed at Brussels on the same date, I have the honour to inform you that there is an error in the text of article 2 (a) of the said Bilateral Agreement. The text gives 28 December 1958 as the date on which a declaration was made to the International Monetary Fund authorities concerning the French franc referred to in the paragraph in question, whereas in fact the declaration was made on 29 December 1959.

Furthermore, it was thought desirable, following an exchange of views between the competent Netherlands authorities and Eurocontrol, to delete subparagraph (c) of article 2 of the above-mentioned Bilateral Agreement.

An exchange of letters signifying that the Parties are in agreement on the matter would seem to be the appropriate method of incorporating the above-mentioned amendments into the text of the Agreement.

If your Government shares my view of this matter, I propose to you that this letter and your confirmation thereof on behalf of the Netherlands Government should constitute an agreement to the effect that, in the text of article 2 (a) of the Bilateral Agreement, the date 28 December 1958 is to be replaced by 29 December 1959 and that subparagraph (c) of the said article is to be deleted.

Article 2 would then read as follows:

„*Article 2.* For the application of article 1, the Government undertakes to adopt the measures necessary to make it obligatory for users of route air navigation facilities and services in the airspace falling within its competence to pay these charges to the Organisation.

The relevant measures shall, in particular, ensure:

- (a) That the amount of the charge shall be established on the basis of the French franc containing 200 milligrammes of gold of millesimal fineness 900, as declared to the International Monetary Fund authorities on 29 December 1959;
- b) That the sums invoiced shall be payable at the Headquarters of the Organisation in accordance with the instructions given by the representatives of the member States in their dual capacities as national authorities and members of the Permanent Commission.”

I should be grateful if you would confirm to me in writing that the Netherlands Government accepts this proposal.

Accept, Sir, etc.

[Signed]  
H. BÖRNER  
Chairman

To His Excellency the Ambassador  
of the Kingdom of the Netherlands  
Brussels

II

Brussels, 12 July 1971

No. 7756

Sir,

With reference to your letter of 23 June 1971, No. 007/CN, I have the honour to inform you that the Netherlands Government agrees that, in article 2 (a) of the Bilateral Agreement between the Kingdom of the Netherlands and the European Organisation for the Safety of Air Navigation (EUROCONTROL) relating to the collection of route charges, concluded at Brussels on 8 September 1970, the date 28

December 1958 should be corrected to 29 December 1959 and subparagraph (c) of the said article should be deleted.

I am in a position to confirm to you on behalf of the Netherlands Government that the correct text of article 2 of the above-mentioned Agreement is the following:

[*See letter I*]

Accept, Sir, etc.

C. J. VAN SCHELLE  
Ambassador of the Netherlands

Chairman of the Permanent Commission  
of the European Organisation  
for the Safety of Air Navigation  
Brussels

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