

ARTICLE 1

Definitions

For the purposes of this Agreement, unless otherwise stated, the term:

"Aeronautical Authorities" means, in the case of the United States, the Department of Transportation, and in the case of Canada, the Minister of Transport and the Canadian Transportation Agency, or in both cases, any person or agency authorized to perform the functions exercised at present by those authorities;

"Agreement" means this Agreement, its Annexes, and any amendments thereto;

"Air transportation" means any operation performed by aircraft for the public carriage of passengers, baggage, cargo, and mail, separately or in combination, for remuneration or hire;

"Airline" means any air transport enterprise offering or operating air transportation;

"Convention" means the Convention on International Civil Aviation, done at Chicago on 7 December 1944, and includes:

- (a) any amendment that has entered into force under Article 94(a) of the Convention and has been ratified by both Parties; and
- (b) any Annex or any amendment thereto adopted under Article 90 of the Convention, insofar as such Annex or amendment is at any given time effective for both Parties;

"Designated airline" means an airline designated and authorized in accordance with the terms of this Agreement;

"International air transportation" means air transportation that passes through the airspace over the territory of more than one State;

"Price" means any fare, rate or charge (including discounts, frequent flyer plans or other benefits affecting the cost of air transportation) for the carriage of passengers (and their baggage) and/or cargo (excluding mail), or the charter of aircraft charged by airlines, including their agents, and the conditions governing the availability of such fare, rate or charge but excluding general terms and conditions of carriage which are broadly applicable to all air transportation and are not directly related to the fare, rate or charge;

"Territory" means the land areas under the sovereignty, jurisdiction, protection, or trusteeship of a Party, and the territorial waters adjacent thereto; and

"User charge" means a charge imposed on airlines for the provision of airport, air navigation, or aviation security facilities or services including related services and facilities.