

## ARTICLE 12

### Availability of Airports and Aviation Facilities and Services

Each Contracting Party shall ensure that airports, airways, air traffic control and air navigation services, aviation security, and other related facilities and services that are provided in the territory of one Contracting Party are available for use by the airlines of the other Contracting Party on a non-discriminatory basis in like circumstances at the time arrangements for use are made.

## ARTICLE 13

### Charges for Airports and Aviation Facilities and Services

1. For the purposes of this Article, "user charges" means charges made to airlines by the competent charging authorities or bodies, or permitted by them to be made, for the provision of airport property or facilities or of air navigation facilities, or aviation security facilities or services, including related services and facilities, for aircraft, their crews, passengers and cargo.
2. Each Contracting Party shall ensure that user charges that may be imposed by its competent charging authorities or bodies on the airlines of the other Contracting Party for the use of air navigation and air traffic control services shall be cost-related and not unjustly discriminatory. In any event, any such user charges shall be assessed on the airlines of the other Contracting Party on terms not less favourable than the most favourable terms available to any other airline.
3. Each Contracting Party shall ensure that user charges that may be imposed by its competent charging authorities or bodies on the airlines of the other Contracting Party for the use of airport, aviation security and related facilities and services shall be not unjustly discriminatory, and equitably apportioned among categories of users. These charges may reflect, but shall not exceed, the full cost to the competent charging authorities or bodies of providing the appropriate airport and aviation security facilities and services at that airport or within that airport's system. These charges may include a reasonable return on assets, after depreciation. Facilities and services for which user charges are made shall be provided on an efficient and economic basis. In any event, these charges shall be assessed on the airlines of the other Contracting Party on terms not less favourable than the most favourable terms available to any other airline at the time the charges are assessed.