

ANNEX D IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT

I. Flight Authorizations and Notifications

A. The aeronautical authorities of one Contracting Party may require that a carrier of the other Contracting Party apply for approval of each flight or series of flights and await receipt of such approval prior to the operation of any flight involving enplanements, in the territory of the first Contracting Party, which utilize aircraft having a maximum authorized take-off weight on wheels greater than 18,000 pounds. Such approval may be withheld only in accordance with paragraph A of Section IV of Annex A, Section IV of Annex B, or Section II of Annex C. Applications for approval in emergency situations may be made by telegram or telephone giving essential details with normal documentation being provided as soon as possible.

B. It is the intention of the Contracting Parties to cooperate to the maximum extent possible on matters covered by paragraph A above in an attempt to avoid the necessity of the aeronautical authorities of one Contracting Party acting directly against a carrier or carriers of the other Contracting Party. In particular, withholding of approval pursuant to paragraph A of Section IV of Annex A will normally be taken only after consultation with the other Contracting Party for the purpose of resolving the matter. In addition, if a carrier substantially exceeds the requirements of paragraph A of Section IV of Annex A during any period of time, or if, with respect to traffic not subject to paragraph C of Section IV of Annex A, the relationship of the carrier's volume of traffic, enplaned in the territory of the Contracting Party of which it is not a national, to the volume of traffic such carrier enplaned in the territory of the Contracting Party of which it is a national, substantially exceeds the relationship set forth in paragraph A of Section IV of Annex A, the Contracting Parties shall consult promptly at the request of either, in order to decide what corrective action should be taken to avoid the continuation of the imbalance.

C. The aeronautical authorities of one Contracting Party may, with respect to nonscheduled air service traffic enplaned in the territory of the other Contracting Party and deplaned in the territory of the first Contracting Party, require that carriers of both Contracting Parties transmit a notification in advance of all flights utilizing aircraft having a maximum authorized take-off weight on wheels greater than 18,000 pounds, to the aeronautical authorities of the first Contracting Party, provided, however, that such transmittal shall not be required more than 48 hours in advance of the flight, except that in cases where contracting takes place less than 48 hours in advance of the flight, transmittal shall be as soon as possible, if necessary by telegram or telephone. The information required to be provided in any such notification shall be limited to the type of charter, routing, date or dates of operation, aircraft type, and number of seats or volume of space contracted for.