

II

AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY

Canada and the Federal Republic of Germany, hereinafter referred to as the Contracting Parties, both being Parties to the Convention on International Civil Aviation opened for signature at Chicago, on the 7th day of December, 1944, and desiring to conclude an Agreement on air transport between and beyond their respective territories have agreed on the following:

ARTICLE 1

For the purpose of this Agreement, unless otherwise stated:

- (a) "Aeronautical Authorities" means, in the case of Canada, the Minister of Transport and the Canadian Transport Commission and, in the case of the Federal Republic of Germany, the Federal Minister of Transport, or, in both cases, any other authority or person empowered to perform the functions now exercised by the said authorities;
- (b) "Agreed services" means scheduled air services for the transport of passengers, mail and cargo on the specified routes;
- (c) "Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the 7th day of December, 1944;
- (d) "Designated airline" means an airline which has been designated and authorized in accordance with Article 4 of this Agreement;
- (e) "Territory", "Air Service", "International Air Service", "Airline" and "Stop for non-traffic purposes" have the meanings respectively assigned to them in Articles 2 and 96 of the Convention.

ARTICLE 2

1. Each Contracting Party grants to the other Contracting Party the following rights for the conduct of international air services by the designated airline or airlines:

- (a) to fly without landing across the territory of the other Contracting Party;
- (b) to make stops in the said territory for non-traffic purposes; and
- (c) to make stops in the said territory at the points named on the routes specified in accordance with paragraph 2 of this Article for the purpose of taking up and discharging international traffic in passengers, mail and cargo.

2. The routes over which the designated airlines of the Contracting Parties will be authorized to operate international air services referred to in paragraph 1(c) of this Article shall be specified in an Exchange of Notes between the Governments of the Contracting Parties.

ARTICLE 3

Each Contracting Party shall have the right to designate, by diplomatic note, an airline or airlines to operate the agreed services on any route specified in the