

...with the preceding paragraph. It shall however be a condition of any arrangement that if the first contracting party should at any time be unable to operate or to increase the capacity of its services within the capacity for which it is entered under paragraph 5 of this Annex, the second contracting party shall within a reasonable time be notified of the additional capacity which it had been operating.

...shall be entered by the designated airlines referred to in this Annex shall be agreed in the first instance between them, having due regard to the rates fixed by any Tariff Conference of airlines operating in the area. Any tariff so agreed will be subject to the control of the competent air authorities of the contracting parties. In the event of disagreement between the airlines, the competent air authorities of the contracting parties shall endeavor to reach an agreement. Should the competent air authorities of the contracting parties be unable to reach an agreement, the matter in dispute will be referred to arbitration as provided for in Article 9 of this Agreement.

(8) The tariffs to be agreed as above shall be fixed at reasonable levels, due regard being paid to all relevant factors including seasonal variations, reasonable profit, differences of characteristics of services (including standards of speed and communication) and the traffic carried by the airlines operating in the area. The tariffs to be agreed shall be in accordance with Article 14, Section 11, of the Convention on International Air Services.

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