

Filing of Prices for Carriage Between the Contracting Parties

4. Each Contracting Party may require the filing with its aeronautical authorities by the designated airline or airlines of their prices for carriage between the territories of the Contracting Parties. Such filing, if required, shall be received by the aeronautical authorities at least one (1) day before the proposed effective date. A designated airline which has established a price individually shall, at the time of filing, ensure that the filed price is accessible to other designated airlines.

Government Intervention, Criteria and Procedures

5. Neither Contracting Party nor its aeronautical authorities shall take unilateral action to prevent the inauguration or continuation of an existing or proposed price for carriage between the territories of the Contracting Parties.

Intervention shall have as its primary objective:

- (a) Prevention of unreasonably discriminatory prices or practices;
- (b) Protection of consumers from prices that are unreasonably high or restrictive due to abuse of a dominant position;
- (c) Protection of airlines from prices to the extent that they are artificially low due to direct or indirect subsidy or support; or
- (d) Protection of airlines from prices that are artificially low, where evidence exists as to an intent to eliminate competition.

6. If the aeronautical authorities of one Contracting Party are dissatisfied with an existing or proposed price for carriage between the territories of the Contracting Parties, they shall so notify the aeronautical authorities of the other Contracting Party and the designated airline(s) concerned. The aeronautical authorities receiving the notice of dissatisfaction shall advise the other aeronautical authorities within ten (10) days of receipt of the notice, as to whether they also are dissatisfied with the price, in which case the price shall not come into effect or remain in effect.

Filing of Prices for Carriage Between Other Contracting Party and Third Countries

7. A designated airline of one Contracting Party may be required by the other Contracting Party to file prices for carriage between the territory of the other Contracting Party and third countries. Such filing, if required, shall be received at least thirty (30) days before the proposed effective date unless a longer period of notice is required for the airlines operating third and fourth freedom services in that specific market, in which case the latter shall apply.