

be made in accordance with the general principle that capacity shall be related to:

(a) traffic requirements to and from the territory of the Contracting Party which has designated the airline;

(b) traffic requirements of the area through which the airline passes after taking account of other transport services established by airlines of the States comprising the area; and

(c) the requirements of through airline operation.

5. Each designated airline of a Contracting Party shall be free to use its commercial judgment with respect to the capacity to be provided consistent with the principles set out in this Article. Neither Contracting Party or its aeronautical authorities may unilaterally impose any restrictions on the designated airline or airlines of the other Contracting Party with respect to capacity, frequency or type of aircraft employed in connection with services over any of the routes specified in the Annex to this Agreement.

Article XI is amended as follows:

**STATUTORY NOTICE PERIOD FOR FILING TARIFFS:**

With reference to paragraph 2 of Article XI of the Agreement, proposed tariffs shall, if required, be filed at least fifteen (15) days before the proposed date of introduction in lieu of forty-five days. Similarly, with respect to paragraph 4 of the said Article, the period for notice of dissatisfaction for filed tariffs shall be at least ten (10) days in lieu of thirty (30) days.

The following provisions are added to the Agreement relative to the operation of passenger charter flights: