

ATTACHMENT 4

ARTICLE XIV

1. The tariffs to be applied by the airlines of one of the Contracting Parties for carriage on agreed services to and from the territory of the other Contracting Party shall be established at reasonable levels, due regard being paid to all relevant factors including cost of operation, the interests of users, reasonable profit, characteristics of service (such as standards of speed and accommodation) and, where it is deemed suitable, the tariffs of other airlines for any part of the specified route.
2. (a) The tariffs referred to in paragraph 1 of this Article shall be agreed upon, if possible, between the designated airlines of the Contracting Parties; such agreement shall be reached, whenever possible, through the international tariff co-ordination mechanism of the International Air Transport Association. However, a designated airline shall not be precluded from filing any proposed tariff unilaterally, if circumstances so warrant.

(b) Unless otherwise determined in the application of paragraph 5 of this Article, each designated airline shall be responsible only to its aeronautical authorities for the justification and reasonableness of the tariffs so proposed.
3. (a) The tariffs referred to in paragraph 2 of this Article shall be filed with the aeronautical authorities of both Contracting Parties at least thirty (30) days prior to the proposed effective date unless, in special cases, the aeronautical authorities of both Contracting Parties permit the filing to be made on shorter notice.

(b) Any proposed tariff shall be filed by a designated airline with the aeronautical authorities of both Contracting Parties in such form as the aeronautical authorities of each Contracting Party may separately require.
4. If the aeronautical authorities of one Contracting Party, on receipt of any filing referred to in paragraph 3 of this Article, are dissatisfied with the tariff proposed, they shall so notify the aeronautical authorities of the other Contracting Party within fifteen (15) days from the date of receipt of such tariff. In the event that a shorter period for the submission of a tariff is permitted by the aeronautical authorities of both Contracting Parties, they may also decide that the period of notice for notifying dissatisfaction be less than fifteen (15) days. If notification of dissatisfaction is not given as provided in this paragraph, the tariff shall be deemed to be approved by the aeronautical authorities of the Contracting Party receiving the filing and shall become effective on the proposed date.
5. If a tariff cannot be established in accordance with the provisions of paragraph 2 of this Article or if during the period applicable in accordance with paragraph 4 of this Article a notice of dissatisfaction has been given, the aeronautical authorities of the Contracting Parties shall endeavour to determine the tariff by agreement between themselves.