

4. Each Party shall ensure that user charges imposed under paragraph 3 of this Article on the airlines of the other Party reflect, but not exceed, the full cost to the competent charging authorities or bodies of providing the appropriate airport, aviation security and related facilities and services at the airport or within the airport system. Those charges may include a reasonable return on assets, after depreciation. Facilities and services for which charges are made shall be provided on an efficient and economic basis.

5. Each Party shall encourage consultations between the competent charging authorities or bodies in its territory and the airlines or their representative bodies using the services and facilities, and shall encourage the competent charging authorities or bodies and the airlines or their representative bodies to exchange such information as may be necessary to permit an accurate review of the reasonableness of the charges in accordance with the principles of paragraphs 2, 3 and 4 of this Article. Each Party shall encourage the competent charging authorities to provide users with reasonable notice of any proposal for changes in user charges to enable users to express their views before changes are made.

6. A Party shall not be held, in dispute resolution procedures pursuant to Article 22 of this Agreement, to be in breach of a provision of this Article, unless: (a) it fails to undertake a review of the charge or practice that is the subject of complaint by the other Party within a reasonable amount of time; or (b) following that review it fails to take all steps within its power to remedy any charge or practice that is inconsistent with this Article.

ARTICLE 14

Capacity

1. Each Party shall allow a fair and equal opportunity for the designated airlines of both Parties to provide the agreed services on the routes specified in this Agreement.

2. Each Party shall allow any designated airline of the other Party to determine the frequency and capacity of the agreed services it offers based on the airline's commercial considerations in the marketplace. Therefore, a Party shall not unilaterally impose any restrictions with respect to capacity, frequency, or type of aircraft on a designated airline selling transportation under its own code on flights operated by another airline. A Party shall not unilaterally limit the volume of traffic, frequency or regularity of service, or of the aircraft type operated by the designated airline of the other Party, except as may be required for customs and other government inspection services, technical, or operational reasons under uniform conditions consistent with Article 15 of the Convention.