

9. When tariffs have been established in accordance with the provisions of this Article, those tariffs shall remain in force until new tariffs have been established in accordance with the provisions of this Article. Nevertheless, a tariff shall not be prolonged by virtue of this paragraph for more than twelve (12) months after the date on which it would otherwise have expired.

10. The aeronautical authorities of both Contracting Parties shall endeavour to ensure that the tariffs charged and collected conform to the tariffs accepted or approved by them and are not subject to rebates.

ARTICLE XV

Sales and Transfer of Funds

1. The designated airline of one Contracting Party, in the case of operation of direct scheduled flights to/from the territory of the other Contracting Party, shall have the right to engage in the sale of air transportation in the territory of the other Contracting Party only in the points located on the specified routes, acting through permanent representation. Each designated airline shall have the right to sell transportation in the directly in the currency of that territory or, at its discretion, in freely convertible currencies of other countries, and any person shall be free to purchase such transportation in currencies accepted for sale by that airline. In any case each designated airline shall have the right to engage in the sale of air transportation in the territory of the other Contracting Party on a basis no less favourable than the most favourable terms available to any airline engaged in similar international air transportation.

2. Each designated airline shall have the right of free transfer of funds obtained in the normal course of its operations at the prevailing market rate of exchange at the time of submission of the request for transfer, and shall not be subject to any charges except normal service charges collected by banks for such transactions. Whenever the payments system between the Contracting Parties is governed by a special agreement, that agreement shall apply.

ARTICLE XVI

Taxation

1. The Contracting Parties shall act in accordance with the relevant provisions of the Convention between Canada and Ukraine on the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to taxes on Income and Capital signed at Kiev on March 4, 1996, and any amendments thereto, in respect of the operation of aircraft in international traffic.

2. Should the Convention referred to in paragraph 1 above be terminated or cease to apply to air transportation covered by this Agreement, either Contracting Party may request consultations pursuant to Article XXII (Modification to Agreement) for the purpose of modifying this Agreement to incorporate mutually acceptable provisions.