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NONSCHEDULED AIR SERVICE AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

The Government of Canada and the Government of the United States of America,

Being Parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December 1944,

Desiring to conclude an Agreement for the purpose of promoting non-scheduled air services,

Recognizing that the geographic situation of the two countries, including the location of their main centers of population, and the close relationship between their two peoples create a situation unique in international civil aviation,

Desiring to ensure the continued development of a system of air transport free from discriminatory practices, based on an equitable exchange of economic benefits to the two countries, and able to accommodate the needs of the people of the two countries with a minimum of artificial restraint arising from the existence of their common border,

Desiring to ensure equitable opportunity for the air carriers of the two countries to participate in the development of this system and to make optimum use of modern equipment,

Recognizing the existence, continuing importance, and contribution to international aviation of the Air Transport Agreement⁽¹⁾ for vital scheduled services, and of the Agreement on Air Transport Preclearance of air travellers,⁽²⁾

Believing furthermore that the Air Transport Agreement for scheduled air services between their territories and the Agreement on Air Transport Preclearance of air travellers should be complemented by an agreement covering nonscheduled air services between their territories, and

Desiring to ensure the orderly development of such nonscheduled air services consistent with their interests in maintaining a sound system of scheduled air services between their respective territories,

Have agreed as follows:

ARTICLE I

For the purpose of this Agreement:

- (a) "Agreement" shall mean this Agreement, the Annexes attached thereto, and any amendments thereto.
- (b) "Aeronautical authorities" shall mean, in the case of the United States of America, the Federal Aviation Administration with respect to the

⁽¹⁾ Treaty Series 1966 No. 2 and 1974 No. 18

⁽²⁾ Treaty Series 1974 No. 17