

(4) Passenger tariffs which do not qualify under paragraph (2) above shall be considered on their merits in accordance with Article 13 of the Agreement. A tariff for a short-term promotion, which would require the approval of both aeronautical authorities and which is designed to stimulate the market, to increase public awareness of a carrier and/or to promote a new product or service shall normally be approved provided it meets the following conditions:

- (a) each designated airline may initiate, under the terms of this paragraph, four (4) such promotions commencing in any calendar year in respect of any city-pair;
- (b) travel under such a promotion shall occur wholly within a six (6) week period which shall not include the months of June, July and August; and
- (c) no two consecutive promotions shall be offered at substantially similar price levels, conditions of travel and benefits.

Nothing in this paragraph shall be construed as meaning that short-term promotion tariffs not complying with the conditions set out above shall receive unfavourable consideration.

(5) Each tariff for the carriage of cargo between Canada and the United Kingdom (excluding its dependent territories) filed in accordance with paragraph (4) of Article 13 shall be permitted to come into effect on the date proposed, unless the aeronautical authorities of both Contracting Parties indicate to each other in writing within 15 days of receipt of the filing that they do not approve the proposed tariff.

(6) If the event that a tariff which has come into effect in accordance with any part of this Annex is considered by the aeronautical authorities of a Contracting Party to be causing or threatening damage to the interests of one or more of their own designated airlines operating over whole or part of the same route those aeronautical authorities may request in writing consultations. Such consultations shall be held within 30 days from receipt of the request, or such longer period as both aeronautical authorities may agree.

(7) Nothing in paragraph (2) above shall prevent the aeronautical authorities of either Contracting Party from refusing to allow the charging of any tariff filed by one of its own designated airlines for carriage (including round trip carriage) originating in its own country. However such unilateral action shall only be taken if it appears to those authorities that a proposed tariff is either predatory or excessive. If the aeronautical authorities of the other Contracting Party consider that the consequences of such action will cause or threaten damage to one or more of their own designated airlines, they may call for consultations and such consultations shall be held within 30 days from receipt of the request, or such longer period as both aeronautical authorities may agree.