

N° 1725.

**AUTRICHE
ET TCHÉCOSLOVAQUIE**

Arrangement relatif à l'établissement
et l'exploitation des lignes régulières
de transport aérien. Signé à
Vienne, le 15 février 1927.

**AUSTRIA
AND CZECHOSLOVAKIA**

Agreement regarding the Establishment
and Operation of Regular
Air Ways. Signed at Vienna,
February 15, 1927.

TEXTE TCHÉCOSLOVAQUE. — CZECHOSLOVAK TEXT.

N^o 1725. — UJEDNÁNÍ¹ MEZI REPUBLIKOU ČESKOSLOVENSKOU A REPUBLIKOU RAKOUSKOU O ZŘÍZENÍ A PROVOZU PRAVIDELNÝCH LETECKÝCH LINIÍ, PODEPSANÁ VE WIEN, DNE 15. ÚNORA 1927.

German and Czechoslovak official texts communicated by the Chancellor of the Austrian Federal Government and the Permanent Delegate of the Czechoslovak Republic accredited to the League of Nations. The registration of this Agreement took place May 26, 1928.

Podepsaní, řádně zplnomocnění, sjednati leteckou smlouvu mezi REPUBLIKOU ČESKOSLOVENSKOU a REPUBLIKOU RAKOUSKOU, dohodli se po podpisu této smlouvy na základě ustanovení jejího článku 19 odstavec 1 a bodu 1 dodatkového protokolu o zřízení a provozu pravidelných leteckých linií takto :

1. REPUBLIKA ČESKOSLOVENSKÁ udělí rakouskému leteckému podniku, který označí Republika Rakouská, pokud se to týče československé výstavní oblasti, potřebná povolení ku provozu těchto leteckých linií :

- a) Berlín — Praha — Wien ;
- b) Kraków — Brno — Wien nebo Lwów — Košice — Wien.

2. REPUBLIKA RAKOUSKÁ udělí československému leteckému podniku, který označí Republika Československá, pokud se to týče rakouské výstavní oblasti, potřebná povolení ku provozu těchto leteckých linií :

- a) Trieste — Graz — Wien — Praha — Dresden — Berlín ;
- b) Zagreb — Graz — Bratislava.

3. Pro letecké linie svrchu uvedené, nebo které ještě v budoucnosti se zřídí, platí toto :

Hustotu provozu, jízdní řády, možno ti připojení na jiné linie sdělí každý podnik příslušnému úřadu druhého státu čtyři týdny před vstoupením v platnost, druh používaných strojů čtyři týdny před uvedením do provozu.

4. Poštovní správy obou států dohodnou se vzájemně o využití linií pro dopravu poštovních zásilek a udělí leteckým podnikům potřebná povolení.

5. Povolení, zmíněná v bodech 1 a 2, se udělí až do třicátého prosince roku tisícího devítistého třicátého. Přestane-li platnost smlouvy o letectví mezi Republikou Československou a Republikou Rakouskou ze dne patnáctého února roku tisícího devítistého dvacátého sedmého výpovědí před tímto okamžikem, zaniknou tato povolení dnem, kdy smlouva přestane platiti.

¹ The exchange of ratifications took place at Prague, February 21, 1928.

¹ TRANSLATION.

No. 1725. — AGREEMENT BETWEEN THE REPUBLIC OF AUSTRIA AND THE REPUBLIC OF CZECHOSLOVAKIA REGARDING THE ESTABLISHMENT AND OPERATION OF REGULAR AIR WAYS. SIGNED AT VIENNA, FEBRUARY 15, 1927.

The undersigned, duly invested with full powers to conclude a treaty on air navigation between THE REPUBLIC OF AUSTRIA and THE REPUBLIC OF CZECHOSLOVAKIA, have, after signing the said Treaty, agreed on the following provisions in pursuance of Article 19, paragraph 1 thereof, and of paragraph 1 of the Additional Protocol regarding the establishment and operation of regular air ways :

1. THE REPUBLIC OF AUSTRIA shall grant to a Czechoslovakian air transport undertaking to be nominated by the Czechoslovak Republic, the necessary authorisation to operate the following air ways, so far as the section within Austrian territories are concerned :

- (a) Trieste — Graz — Vienna — Prague — Dresden — Berlin ;
- (b) Zagreb — Graz — Bratislava.

2. THE CZECHOSLOVAK REPUBLIC shall grant to an Austrian air transport undertaking to be nominated by the Republic of Austria, the necessary authorisation to operate the following air ways, so far as the section within Czechoslovak territories concerned :

- (a) Berlin — Prague — Vienna ;
- (b) Cracow — Brno — Vienna or Lemberg — Košice — Vienna.

3. The following provisions shall apply to the air ways mentioned above and to any which may be established hereafter :

Each air transport undertaking shall notify the competent authorities of the other country of its plans in regard to the frequency of traffic, the time-table and the connections with other airways, four weeks before they are put in force, and of the type of equipment to be employed, four weeks before it is taken into use.

4. The Postal Administrations of the two countries shall come to an agreement regarding the utilisation of these lines for the conveyance of postal matter, and shall issue the necessary authorisations to the air transport undertakings.

5. The authorisations referred to under paragraphs 1 and 2 above shall be granted for a period terminating on December the thirty-first, nineteen hundred and thirty-one. If the Treaty on Air Navigation, concluded on February the fifteenth, nineteen hundred and twenty-seven, between the Republic of Austria and the Republic of Czechoslovakia should lapse, through denunciation, before that date, the validity of the said authorisations shall terminate on the date on which the said Treaty ceases to have effect.

The authorisations for the air ways shall be renewed for successive periods of five years, unless one of the Parties shall have denounced a part or the whole of the agreement on air ways not less than one year before the expiry of such a period.

6. Either Contracting Party shall be entitled at any time to nominate another air transport undertaking in lieu of the one previously appointed to operate one of the above-mentioned airways.

¹ Translated by the Secretariat of the League of Nations, for information.

7. In case, in the operation of the air ways governed by this Agreement, an air transport undertaking should be guilty of repeated offences against public order and safety in the other country, and especially, of offences against the Customs regulations, the Government of the said country shall be entitled to demand the removal of the guilty employees, or, in case of aggravated offences of this kind, the withdrawal of the air transport undertaking itself.

8. The Contracting Parties agree to grant the authorisations referred to in paragraphs 1 and 2 to their national air transport undertakings, on the understanding that the latter shall have no claim against the other Party for compensation in respect of any losses sustained in consequence of a lapse of the authorisation as in paragraph 5, or of its withdrawal, either in the contingency covered by paragraph 6, or as in paragraph 7.

9. The Republic of Austria shall not apply Article 19, paragraph 2, of the Treaty on Air Navigation concluded on February the fifteenth, nineteen hundred and twenty-seven, between the Republic of Austria and the Republic of Czechoslovakia, to the Vienna-Graz section of the air way mentioned in paragraph 1 (a) above.

10. The Central Air Navigation authorities of the two countries shall make direct arrangements with each other with a view to giving effect to the present Agreement and to the Treaty on Air Navigation concluded on the same date. This procedure shall also be followed in case of any modification of the airways already agreed upon, or in the event of new airways being established by subsequent agreements.

11. The Contracting Parties shall, in their respective spheres, take steps to ensure that the air transport undertakings operating regular air ways, established at any time by agreement, shall be able to avail themselves of all air traffic equipment in the aerodromes used for such flights, in the same way and on the same terms as the air transport undertakings of the country itself.

12. The present Agreement shall remain in force until Decembre the thirty-first, nineteen hundred and thirty-one, and shall thereafter be deemed to be renewed by tacit agreement for successive periods of five years, unless it is denounced by either of the Contracting Parties, notification of such denunciation being given one year at least before the expiration of one of these periods.

The Agreement shall enter into force at the same time as the Treaty of February the fifteenth, nineteen hundred and twenty-seven, between the Austrian and the Czechoslovak Republics regarding air navigation, and no sooner. It shall cease to have effect at the same time as the said Treaty, apart from the denunciation provided for in the first sub-paragraph of this paragraph.

13. This Agreement shall be ratified. The instruments of ratification shall be exchanged at Prague.

In faith whereof the undersigned have signed the present Agreement and have thereto affixed their seals.

Done at Vienna on February the fifteenth, nineteen hundred and twenty-seven, in two original texts in the German and Czechoslovak languages, both texts being authentic.

(L. S.) (Signed) SCHÜRFF.

(L. S.) (Signed) VAVREČKA.

(L. S.) (Signed) Ing. Václav ROUBÍK.