

N° 2110.

ALLEMAGNE ET NORVÈGE

Convention concernant la navigation
aérienne. Signée à Berlin, le
23 janvier 1929.

GERMANY AND NORWAY

Convention regarding Aerial Navi-
gation. Signed at Berlin, Janu-
ary 23, 1929.

present Convention, they shall, furthermore, be subject to such other obligations as may arise out of the existing national legislation.

Each of the Contracting Parties may reserve for its own aircraft the commercial transport of passengers and goods between two points in its own territory.

The fuel and lubricating oil on board an aircraft of either High Contracting Party, shall be exempt from Customs duty on entry into the territory of the other Party, with the exception of such fuel and lubricating oil as the aircraft may sell or part with in the territory of the other High Contracting Party or use therein for purely inland flights.

Article 3.

Each of the two Contracting Parties may prohibit air navigation over certain areas in its territory, provided that no distinction is made in this respect between national aircraft and those of the other State. This reservation does not apply to national aircraft which are used for special purposes in the services of the Government administration.

The areas over which air traffic is prohibited shall be notified to the other Contracting State.

Furthermore, each of the Contracting Parties reserves the right, in exceptional circumstance, temporarily to restrict or prohibit, wholly or partially, with immediate effect, air navigation over its territory in time of peace.

Article 4.

Every aircraft which finds itself above a prohibited area must immediately give the signal of distress provided by the air navigation regulations of the State flown over and land as soon as possible at one of the nearest aerodromes of that State situated outside the prohibited area.

The same obligation is incumbent upon every aircraft flying over a prohibited area whenever its attention is drawn by special signals to this fact.

Article 5.

Aircraft must be provided with distinctive and clearly visible marks enabling them to be identified in flight (nationality and registration marks). They must also be marked with the name and residence of the owner.

Aircraft must carry certificates of registration and airworthiness, and in addition any other documents required for air navigation in the country to which they belong.

Aircraft must further carry a certificate showing that, with a view to guaranteeing payment of any claims for injury caused to persons or property outside the aircraft in connection with the operation of the aircraft in the territory of the Contracting State to which it does not belong, a liability insurance policy has been taken out or that the risk has been covered by a deposit of money or securities.

Article 6.

The members of the crew who perform duties in an aircraft for the exercise of which a special permit is required in their country of origin must carry the certificates laid down for air navigation in the said country, and in particular the prescribed certificates of competency and licences.

Article 11.

Each of the Contracting States may, in its own territory, order the aircraft of the other Contracting State to be inspected on departure or landing by its competent authorities and the prescribed certificates and other documents to be examined.

Article 12.

Every aerodrome which is open to public use in the territory of either Contracting State shall be open to the aircraft of the other State. The meteorological, wireless and air safety services may also be used by the aircraft of both Contracting States. Any charges (landing charge, charge for stay, etc.) shall be the same for national aircraft and the aircraft of the other State.

Article 13.

Aircraft entering or leaving the territory of either Contracting State may only land at or depart from an aerodrome open to public use and provided with a Customs office and facilities for the inspection of passports; no intermediate landing may take place between the frontier and the aerodrome. The competent authorities may, in particular cases, authorise an aircraft to land at or depart from other aerodromes, at which the Customs and passport formalities must be carried out. The prohibition against landing between the frontier and the aerodrome shall also apply in such cases.

In the event of a forced landing or of a landing such as is provided for in Article 4 in the country of departure after the Customs examination and passport inspection, or in the country of destination before the Customs examination and passport inspection — the pilot, crew and passengers of the aircraft must observe the regulations in force in the country in question in regard to Customs examination and passport inspection.

The two High Contracting Parties shall communicate to each other the list of aerodromes in their territories which are open to public use. This list shall specify in particular the aerodromes at which there are Customs offices and arrangements for passport inspection. Any modification of this list and any restriction, even temporary, of the right to utilise any of these aerodromes must be notified without delay to the other Contracting Party.

Article 14.

The frontiers of the two High Contracting Parties may only be crossed by aircraft at the points specified by the State concerned. It is understood that if either Contracting Party authorises its own or foreign aircraft to cross a particular frontier area, the right to fly over the said area shall be accorded *ipso facto* to the aircraft of the other Contracting Party.

Article 15.

No ballast other than fine sand or water may be dropped.

Article 16.

No articles or substances other than ballast may be thrown or dropped from an aircraft in flight unless special permission has been given for this purpose by the State flown over.

tution of an arbitral tribunal, appoint an assessor-arbitrator of its own choosing. Should either Party fail to appoint in due time the arbitrator to be nominated by it, the other Party may request the President of the Administrative Council of the Permanent Court of Arbitration at The Hague to appoint this arbitrator. The umpire shall be appointed by the Parties by common agreement during the same month. He shall be a national of a third State and experienced in air navigation matters, but may not have his domicile in the territory, nor be in the service, of either Party. If the umpire to be nominated by common agreement should not have been appointed within the period of one month, either Party may request the President of the Administrative Council of the Permanent Court of Arbitration at The Hague to appoint the umpire.

The umpire shall fix the seat of the arbitral tribunal.

The decisions of the arbitral tribunal shall be taken by a majority of votes. The proceedings may be in writing if neither Party raise objections thereto. In other respects, the procedure shall be fixed by the arbitral tribunal itself.

Each Party shall pay the allowances of the arbitrator appointed by it and in addition half the allowances of the umpire. Each Party shall pay half the costs of the proceedings.

Article 23.

Either High Contracting Party may denounce the present Convention at any time by giving twelve months' notice.

Furthermore, each of the Contracting States reserves the right to denounce the present Convention with immediate effect as from the date of denunciation when both have ratified the International Convention relating to the Regulation of Aerial Navigation signed at Paris on October 13, 1919.

Article 24.

The present Convention shall be ratified; the instruments of ratification shall be exchanged at Oslo as soon as possible. It shall come into force on the date of the exchange of the instruments of ratification.

In faith whereof the Plenipotentiaries have signed the present Convention.

Done in duplicata in Norwegian and German at Berlin on January 23, 1929.

(L. S.) A. SCHEEL.

(L. S.) Dr. Carl VON SCHUBERT.