

N° 2307.

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## AUTRICHE ET ITALIE

Accord concernant la création et  
l'exploitation de lignes aériennes  
régulières. Signé à Rome, le 11  
mai 1928.

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## AUSTRIA AND ITALY

Agreement regarding the Establish-  
ment and Operation of regular  
Air Lines. Signed at Rome, May  
11, 1928.

<sup>1</sup> TRANSLATION.

## No. 2307. — AGREEMENT BETWEEN AUSTRIA AND ITALY REGARDING THE ESTABLISHMENT AND OPERATION OF REGULAR AIR LINES. SIGNED AT ROME, MAY 11, 1928.

THE ROYAL ITALIAN AIR MINISTRY and THE AUSTRIAN FEDERAL MINISTRY OF COMMERCE AND COMMUNICATIONS, in pursuance of Article 1, paragraph 2, of the General Treaty between Italy and Austria relating to Air Navigation signed to-day, agree on the following provisions regarding the establishment and operation of regular air lines :

*Article 1.*

1. The Federal Ministry of Commerce and Communications shall grant to an Italian air navigation undertaking to be designated by the Royal Air Ministry the necessary authorisation, as far as Austrian territory is concerned to operate the air line between Vienna and Venice with the following services :

(a) A continuous service throughout the year three times per week in each direction with a compulsory landing at Graz on each flight and with the obligation to use only one aeroplane for each flight ;

(b) In addition to the above-mentioned service, for the period of the summer timetable, a non-stop service of three flights per week in each direction, also with the obligation to use only one aeroplane for each flight.

2. The Royal Air Ministry shall grant to an Austrian air navigation undertaking to be designated by the Federal Ministry of Commerce and Communications the necessary authorisation as far as Italian territory is concerned, to operate the following air line between Venice and Vienna with the services set out below :

(a) A continuous service throughout the year three times per week in each direction, with a compulsory landing at Klagenfurt on each flight and with the obligation to use only one aeroplane for each flight ;

(b) In addition to the above-mentioned service, for the period of the summer timetable a non-stop service of three flights per week in each direction, also with the obligation to use only one aeroplane for each flight.

3. The authorisation of the Federal Ministry of Commerce and Communications mentioned in 1 (b) shall be granted on condition that the Royal Air Ministry guarantees that the time-table of air communications between Venice and Rome shall be established in such a manner as to permit of the flights mentioned in 1 (b) and 2 (b) being effected by machines of the Italian and Austrian undertakings respectively in the same day, before nightfall, between Vienna and Rome via Venice.

The authorisation of the Royal Air Ministry mentioned in 2 (b) shall be granted on condition that the Federal Ministry of Commerce and Communications shall endeavour, in respect of the flights mentioned in 1 (b) and 2 (b), to render possible communication in the same day between Berlin and Rome via Vienna and Venice. For this purpose, the Federal Ministry of Commerce

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

and Communications undertakes to render possible the above-mentioned communication in the same day between Berlin and Rome by obliging the Austrian undertaking to establish its time-table in such a manner as to guarantee the necessary international connections with Berlin, unless the Federal Ministry of Commerce and Communications is prevented from so doing by serious and obvious difficulties of an international nature.

The Federal Ministry of Commerce and Communications similarly undertakes to oblige the Austrian company operating the Graz-Budapest route to adopt a time-table in which regard is had to the landings of the Italian company at Graz.

It is agreed that each of the two undertakings operating the services mentioned in 1) may employ for these services aeroplanes of the type which it considers most suitable.

Unless otherwise agreed by the air authorities of the two States, the summer time-table is understood to mean the summer time-table fixed from time to time by the International Air Traffic Association (I. A. T. A.).

#### Article 2.

1. The Federal Ministry of Commerce and Communications shall grant to an Italian air navigation undertaking to be designated by the Royal Air Ministry the necessary authorisation, as far as Austrian territory is concerned, to operate an air service between Munich and Milan.

2. The Royal Air Ministry shall grant to an Austrian air navigation undertaking to be designated by the Federal Ministry of Commerce and Communications the necessary authorisation, as far as Italian territory is concerned, to operate an air service between Innsbruck and Lienz via the Brenner and the Val Pusteria, as soon as the prohibition to fly over the territory, which also affects Italian commercial aeroplanes and renders the grant of such a concession impossible at present, is removed by the Royal Italian Government in respect of Italian commercial aircraft.

#### Article 3.

The Royal Air Ministry notes the desire of the Federal Ministry of Commerce and Communications to conclude agreements, as soon as circumstances permit, regarding the establishment and operation of an air line between Innsbruck and Trento which will be undertaken jointly by an Italian undertaking to be designated by the Royal Air Ministry and an Austrian undertaking to be designated by the Federal Ministry of Commerce and Communications.

#### Article 4.

It is agreed that at present the *Transadriatica Società Anonima Italiana di Navigazione Aerea* of Venice shall be considered as the Italian undertaking to be designated by the Royal Air Ministry under Article 1, paragraph 1 and the *Oesterreichische Luftverkehrs-Aktiengesellschaft* of Tegetthoffstrasse 7, Vienna 1, shall be considered as the Austrian undertaking to be designated by the Federal Ministry of Commerce and Communications under Article 1, paragraph 2.

#### Article 5.

The two air navigation undertakings mentioned in Article 1, paragraphs 1 and 2, shall come to an agreement as to the method of operating the air line of common interest referred to in Article 1, paragraphs 1 and 2. The agreements thus concluded must be approved both by the Royal Air Ministry and the Federal Ministry of Commerce and Communications.

#### Article 6.

The following provisions shall apply to the lines mentioned in Article 1, paragraphs 1 and 2, and in Article 2, and also to any air lines which may be hereafter established :

Each undertaking shall communicate to the competent authority of the other State the timetables and possibilities of connection with other lines at least four weeks before they come into force ; in respect of the air lines mentioned in Article 2 they shall also communicate the frequency of the service and, in all cases, the nature of the material to be employed, four weeks before it is actually used.

*Article 7.*

The postal administrations of the two countries shall come to an agreement regarding the utilisation of the lines for the conveyance of postal matter.

*Article 8.*

The concessions mentioned in Articles 1 and 2 of the present Agreement shall remain in force until April 23, 1938.

Should the General Treaty relating to Air Navigation be terminated (by denunciation in accordance with Article 21 of the said Treaty) before April 23, 1938, the concessions contained in Articles 1 and 2 of the present Agreement shall lapse on the day on which the Treaty expires.

On the expiry of this period of ten years, the concessions in question shall be renewed for successive periods of five years, provided the present Agreement is not entirely or partly denounced by either of the Contracting Parties not later than one year before its expiry.

*Article 9.*

Either Contracting Party may at any time substitute some other undertaking for that designated by it to operate one of the lines mentioned.

The air undertaking which has thus lost the right to operate may not claim any compensation from the other Contracting Party.

*Article 10.*

The concessionary companies shall be obliged to observe, and to ensure that their staffs and passengers observe, the provisions of the laws and regulations of the two States.

If in the operation of the air lines the above-mentioned provisions are repeatedly infringed, the highest air authority of the State concerned shall be entitled to require the air navigation undertaking to recall the guilty employee.

Should the infringement of the above-mentioned provisions be of a more serious nature, the highest air authority shall be entitled to obtain the withdrawal of the concessions granted to the responsible company.

*Article 11.*

The highest air navigation authorities of the two States shall come to a direct understanding for the purpose of applying the present Agreement and the General Treaty relating to Air Navigation concluded between Italy and Austria.

Done in duplicate in the Italian and German languages, both texts being authentic.

ROME, *May 11, 1928.*

(L. S.) (*Signed*) Italo BALBO.

(L. S.) (*Signed*) POESCHMANN.