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**United Kingdom of Great Britain and Northern Ireland
and
Ecuador**

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ecuador concerning air services (with annexes). Quito, 4 January 2007

Entry into force: *6 March 2008, in accordance with article 23*

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**Royaume-Uni de Grande-Bretagne et d'Irlande du Nord
et
Équateur**

Accord entre le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et le Gouvernement de la République de l'Équateur relatif aux services aériens (avec annexes). Quito, 4 janvier 2007

Entrée en vigueur : *6 mars 2008, conformément à l'article 23*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE REPUBLIC OF ECUADOR CONCERNING AIR
SERVICES**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ecuador hereinafter referred to as the “Contracting Parties”;

Being parties to the Convention on International Civil Aviation opened for signature at Chicago on 7 December 1944 ;

Desiring to conclude an Agreement supplementary to the said Convention for the purpose of establishing air services between their respective territories;

Have agreed as follows:

ARTICLE 1

Definitions

For the purpose of this Agreement, unless the context otherwise requires:

- (a) the term “the Chicago Convention” means the Convention on International Civil Aviation, opened for signature at Chicago on 7 December 1944 and includes:
 - (i) any amendment thereof which has been ratified by both Contracting Parties; and
 - (ii) any Annex or any amendment thereto adopted under Article 90 of that Convention, insofar as such amendment or annex is at any given time effective for both Contracting Parties;
- (b) the term “aeronautical authority” means in the case of the United Kingdom, the Secretary of State for Transport and, for the purpose of Article 7, the Civil Aviation Authority and in the case of the Republic of Ecuador, el Consejo Nacional de Aviación Civil (the National Civil Aviation Council) and/or la Dirección General de Aviación Civil (Directorate General for Civil Aviation), or, in both cases, any person or body who may be authorised to perform any functions at present exercisable by the above-mentioned authority or similar functions;

- (c) the term “designated airline” means an airline which has been designated and authorised in accordance with Article 4 of this Agreement;
- (d) the term “territory” in relation to a State has the meaning assigned to it in Article 2 of the Chicago Convention;
- (e) the terms “air service”, “international air service”, “airline” and “stop for non-traffic purposes” have the meanings respectively assigned to them in Article 96 of the Chicago Convention;
- (f) the term “this Agreement” includes the Annexes hereto and any amendments to them or to this Agreement;
- (g) the term “user charges” means a charge made to airlines by the competent authority or permitted by that authority to be made for the provision of airport property or facilities or of air navigation facilities (including facilities for overflights), or related services and facilities, for aircraft, their crews, passengers and cargo;
- (h) the term “Air Operator’s Certificate” means a document issued to an airline which affirms that the airline in question has the professional ability and organisation to secure the safe operation of aircraft for the aviation activities specified in the certificate;
- (i) the term “EC Member State” means a State that is now or in the future a contracting party to the Treaty establishing the European Community;
- (j) references to airlines of the United Kingdom of Great Britain and Northern Ireland shall be understood as referring to airlines designated by the United Kingdom of Great Britain and Northern Ireland; references to nationals of the United Kingdom of Great Britain and Northern Ireland shall be understood as referring to nationals of European Community Member States.

ARTICLE 2

Applicability of the Chicago Convention

The provisions of this Agreement shall be subject to the provisions of the Chicago Convention insofar as those provisions are applicable to international air services.

ARTICLE 3

Grant of Rights

(1) Each Contracting Party grants to the other Contracting Party the following rights for the conduct of international air services by the airline(s) designated by the other Contracting Party:

- (a) To fly landing across the territory on the other Contracting Party
- (b) to make stops in the said territory for non-traffic purposes
- (c) to make stops in the said territory for the purpose of taking up and discharging, while operating the specified routed in Annex 1, international traffic in passengers, cargo, mail, separately or in combination.

(2) Nothing stipulated in paragraph (1) of this article shall be interpreted as to granting any of cabotage to the airlines of the Contracting Party.

(3) If because of armed conflict, political disturbances or developments, or special and unusual circumstances, a designated airline of one Contracting Party is unable to operate a service on its normal routeing, the other Contracting Party shall use its best efforts to facilitate the continued operation of such service through appropriate temporary rearrangements of routes.

ARTICLE 4

Designation and Authorisation

1. Each Contracting Party shall have the right to designate airlines for the purpose of operating the agreed services on each of the specified routes and to withdraw or alter such designations. Such designations shall be made in writing and shall be transmitted to the other Contracting Party through diplomatic channels.

2. On receipt of such a designation, and of applications from the designated airline, in the form and manner prescribed for operating authorisations and technical permissions, the other Contracting Party shall grant the appropriate authorisations and permissions with minimum procedural delay, provided:

- a) in the case of an airline designated by the United Kingdom of Great Britain and Northern Ireland:
 - (i) it is established in the territory of the United Kingdom under the Treaty establishing the European Community and has a valid

operating licence in accordance with European Community law; effective regulatory control of the airline is exercised and maintained by the EC Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and the airline is owned, directly or through majority ownership, and it is effectively controlled by Member States of the European Community or the European Free Trade Association and/or by nationals of such states.

- b) in the case of an airline designated by the Republic of Ecuador:
 - (i) it is established in the territory of the Republic of Ecuador and has a valid operating license issued in accordance Ecuadorian law; and
 - (ii) effective regulatory control of the airline is exercised or maintained by the aeronautical authorities of the Republic of Ecuador; and
 - (iii) the airline is owned directly, or through majority ownership, and is effectively controlled by the Republic of Ecuador and/or nationals of the Republic of Ecuador.
- c) the designated airline is qualified to meet the conditions prescribed under the laws and regulations normally applied to the operation of international air services by the Contracting Party considering the application or applications.

3. When an airline has been so designated and authorised it may begin to operate the agreed services, provided that the airline complies with the applicable provisions of this Agreement.

ARTICLE 5

Revocation or Suspension of Operating Authorisations

- (1) Either Contracting Party may revoke, suspend or limit the operating authorisation or technical permissions of an airline designated by the other Contracting Party:
 - (a) where, in the case of an airline designated by the United Kingdom of Great Britain and Northern Ireland:
 - (i) it is not established in the territory of the United Kingdom under the Treaty establishing the European Community or does not have