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**Mexico
and
Jamaica**

Air Transport Agreement between the Government of the United Mexican States and the Government of Jamaica (with annexes). Montego Bay, 5 November 2009

Entry into force: *21 September 2014, in accordance with article XXI*

Authentic texts: *English and Spanish*

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**Mexique
et
Jamaïque**

Accord relatif au transport aérien entre le Gouvernement des États-Unis du Mexique et le Gouvernement de la Jamaïque (avec annexes). Montego Bay, 5 novembre 2009

Entrée en vigueur : *21 septembre 2014, conformément à l'article XXI*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AIR TRANSPORTATION AGREEMENT BETWEEN THE GOVERNMENT OF THE
UNITED MEXICAN STATES AND THE GOVERNMENT OF JAMAICA**

The Government of the United Mexican States and the Government of Jamaica,
hereinafter referred to as the "Contracting Parties";

BEING Parties to the Convention on International Civil Aviation opened for signature in
Chicago on December 7, 1944;

WISHING to sign an Agreement supplementary to the Convention mentioned above in
order to establish mixed regular air services between their respective territories;

Have agreed the following:

**Article I
Definitions**

For the interpretation and the purposes of this Agreement and its Route Schedule, the
terms below shall have the following meaning:

- a) **"Aeronautical Authorities"** means in the case of the United Mexican States,
the Secretariat of Communications and Transports, through the General
Direction of Civil Aeronautics, and in the case of Jamaica, the Minister
responsible for Civil Aviation and the Jamaica Civil Aviation Authority, or in
both cases, any other individuals or institutions authorized to assume the
functions carried out by the authorities mentioned above;
- b) **"this Agreement"** includes the Route Schedule attached to it and all
amendments to the Agreement or to the Route Schedule;
- c) **"air service"** means the scheduled air service performed by aircrafts for the
public transport of passengers, mail or cargo;
- d) **"agreed services"** means international air services provided by designated
airlines on specified routes;
- e) **"all - cargo air service"** means the scheduled air service that carries freight
only;

- f) **"Convention"** means the Convention on International Civil Aviation opened for signature in Chicago on December 7, 1944 and all its annexes and amendments that have been ratified by both Contracting Parties;
- g) **"Code – Sharing"** means the use of the flight designator code of one air carrier on a service performed by a second air carrier, which service is usually also identified as a service of, and being performed by, the second air carrier;
- h) **"designated airline"** means the airline that has been designated and authorized by each Contracting Party, pursuant to Article III of this Agreement;
- i) **"frequency"** means the number of round trip flights that an airline operates on a specified route in a given period of time and the term "specified routes" means the routes established in the Route Schedule attached to this Agreement;
- j) **"international air service"** means an air service which passes through the air space of the territory of more than one State;
- k) **"mixed air service"** means the scheduled air service that carries passengers, cargo and mail on board of the same aircraft;
- l) **"stop for non-traffic purposes"** means a landing for any purpose other than the taking on or discharging of passengers, cargo and mail;
- m) **"tariff"** means the price charged for the transportation of passengers, baggage and cargo, as well as the conditions and rules that regulate the application of the transportation cost depending on the characteristics of the service rendered, under which that amount shall be applied, excluding the remuneration and other conditions relative to the carriage of mail;
- n) **"territory"** in referring to a State, means the land areas and the territorial water adjacent thereto under the sovereignty, suzerainty, protection or mandate of that State;
- o) **"user charges"** means a tax or 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 overflight), or related services and facilities, for aircrafts, their crews, passengers and cargo.

Article II
Grant of Rights

1. Each Contracting Party grants to the other Contracting Party the rights established in this Agreement, in order to establish scheduled international air services on the routes included in the Route Schedule attached to this Agreement.

2. Pursuant to this Agreement, the designated airlines of each Contracting Party shall enjoy the following rights while operating air services on the specified routes:

- a) to fly across the territory of the other Contracting Party without landing in it;
- b) to make stops for non-traffic purposes in the territory of the other Contracting Party; and
- c) to take on and discharge passengers, cargo and mail on international air services, within the territory of the other Contracting State, at the points specified in the attached Route Schedule.

3. The fact that the rights described in this Article are not exercised immediately, shall not hinder the designated airlines of the Contracting Party to which they are granted, to inaugurate the services agreed upon in the routes specified in the Route Schedule.

4. Nothing included in this Agreement shall be considered a grant, to the designated airlines of one of the Contracting Parties, of the right to bring on board, in the territory of the other Contracting Party, passengers and cargo, including mail, transported for remuneration or hire and destined for another point in the territory of the other Contracting Party.

5. 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 an agreed service on its specified route, the other Contracting Party shall use its best efforts to facilitate the continued operation of such service through appropriate temporary rearrangements of routes.

Article III
Designation and Authorization

1. Each Contracting Party shall have the right to designate in writing to the other Contracting Party, through the diplomatic channels, any number of airlines, subject to the provisions of this Agreement, for the purpose of operating the agreed services on the routes specified in the Route Schedule, as well as to withdraw or alter such designations.
2. On receipt of any such designation, the other Contracting Party shall grant without undue delay to the designated airline or airlines, and subject to provisions of paragraph 3 of this Article, the appropriate authorizations to operate the said services ("operating authorization").
3. The Aeronautical Authorities of one of the Contracting Parties may request the designated airline or airlines of the other Contracting Party, to satisfy those authorities that it is qualified to fulfill the conditions prescribed under the laws and regulations that are normally and reasonably applied by those Aeronautical Authorities to the operation of international air services, in conformity with the provisions of the Convention.
4. Either Contracting Party may refuse to grant the operating authorization, or impose such conditions as it may deem necessary on the exercise by a designated airline of the rights specified in Article II of this Agreement, in any case, where the Contracting Party is not satisfied that substantial ownership and effective control of the particular airline are vested in the Contracting Party designating the airline or in its nationals.

Article IV
Agreements on Commercial Cooperation

Subject to the provisions of Annex II, and the regulatory requirements normally applied by the Aeronautical Authorities of both Contracting Parties, the designated airline or airlines of each Contracting Party may enter into co-operative arrangements for the purpose of Code – sharing with each other and with other airlines of third countries. All airlines in such arrangements shall hold the corresponding traffic and route rights.