



PROYECTO GOBMEEX  
REV. SRE/CEJA  
TRADUCCION NO OFICIAL  
30 de octubre de 2002

14

**AGREEMENT AMENDING AND SUPPLEMENTING THE AIR SERVICES  
AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN  
STATES AND THE GOVERNMENT OF UNITED KINGDOM OF GREAT  
BRITAIN AND NORTHERN IRELAND SIGNED ON NOVEMBER 18<sup>TH</sup>, OF  
1988**

The Government of the United Mexican States and the Government of the United Kingdom of Great Britain and Northern Ireland;

**CONSIDERING** that it is desirable to amend and supplement the Air Services Agreement between the Government of the United Mexican States and the Government of the United Kingdom of Great Britain and Northern Ireland, signed at Mexico City, on November 18<sup>th</sup>, 1988, (hereinafter referred to as "the Agreement");

**TAKING INTO CONSIDERATION** the recommendations of the Delegations representing the Aeronautical Authorities of both countries, which met in Mexico City on May 14<sup>th</sup> and 15<sup>th</sup>, of 2001;

Have agreed as follows:

**ARTICLE I**

The Agreement shall be amended and supplemented as follows:

1. The Article 4, paragraph 1 of the Agreement shall be replaced by the following text:

1) Each Contracting Party shall have the right to designate in writing up to two airlines for each city pair with the purpose of operating the agreed services on the specified routes and to withdraw or alter such designations.

2. After Article 4 of the Agreement, a new article shall be inserted as follows:

**ARTICLE 3BIS**  
**Commercial Arrangements**

The designated airlines of each Contracting Party may enter into code sharing or other commercial arrangements, subject to such terms and conditions as may from time to time be agreed by the Contracting Parties.

3. The Article 10, paragraph 2) of the Agreement shall be substituted by the following text:

2) The aeronautical authorities of both Contracting Parties shall not require their airlines to consult other airlines before filing for approval tariffs for services covered by the following provisions.

4. The Article 10, paragraph 3) of the Agreement shall be amended as follows:

3) The tariffs established under paragraph 1) of this Article must be submitted for approval of the Aeronautical authorities of both Contracting parties at least 30 days before the date planned for their introduction, in such form as the aeronautical authorities of each Contracting Party may require. This period may be reduced with the agreement of both aeronautical authorities. The application for approval of the proposed tariff shall be treated as having been filed with a Contracting party on the date on which it is received by the aeronautical authorities of that Contracting Party, provided that it has been filed in accordance with the requirements of the Contracting Party. No tariff shall enter into force without the written approval of the aeronautical authorities of both Contracting Parties.

5. After Article 4 of the Agreement, a new article shall be inserted as follows:

**ARTICLE 12 BIS**  
**Safety**

1) Each Contracting Party may request consultations at any time concerning safety standards in any area relating to aircrews, aircraft or their operation adopted by the other Contracting Party. Such consultations shall take place within 30 days of that request.

2) If, following such consultations, one Contracting Party finds that the other Contracting Party does not effectively maintain and administer safety standards in any such area that are at least equal to the minimum standards established at that time pursuant to the Chicago Convention, the first Contracting Party shall notify the other Contracting Party of those findings and the steps considered necessary to conform with those minimum standards, and the other Contracting Party shall take appropriate corrective action. Failure by the other Contracting Party to take appropriate action within 15 days or such longer period as may be agreed, shall be grounds for the application of Article 5(1) of this Agreement (revocation or suspension of operating authorisation).

3) Notwithstanding the obligations mentioned in Article 33 of the Chicago Convention it is agreed that any aircraft operated by or, under a lease arrangement, on behalf of the airline or airlines of one Contracting Party on services to or from the territory of the other Contracting Party may, while within the territory of the other Contracting Party, be made the subject of an examination by the authorised representatives of the other Contracting Party, on board and around the aircraft to check both the validity of the aircraft documents and those of its crew and the apparent condition of the aircraft and its equipment (in this Article called "ramp inspection"), provided this does not lead to unreasonable delay.

4) If any such ramp inspection or series of ramp inspections gives rise to:

- a) serious concerns that an aircraft or the operation of an aircraft does not comply with the minimum standards established at that time pursuant to the Chicago Convention; or
- b) serious concerns that there is a lack of effective maintenance and administration of safety standards established at that time pursuant to the Chicago Convention;

the Contracting Party carrying out the inspection shall, for the purposes of Article 33 of the Chicago Convention, be free to conclude that the requirements under which the certificate or licences in respect of that aircraft or in respect of the crew of that aircraft had been issued or rendered valid or that the requirements under which that aircraft is operated are not equal to or above the minimum standards established pursuant to the Chicago Convention.

5) In the event that access for the purpose of undertaking a ramp inspection of an aircraft operated by the airline or airlines of one Contracting Party in accordance with paragraph (3) of this Article is denied by a representative of that airline or airlines, the other Contracting Party shall be free to infer that serious concerns of the type referred to in paragraph (4) of this Article arise and draw the conclusions referred in that paragraph.

6) Each Contracting Party reserves the right to suspend or vary the operating authorisation of an airline or airlines of the other Contracting Party immediately in the event the first Contracting Party concludes, whether as a result of a ramp inspection, a series of ramp inspections, a denial of access for ramp inspection, consultation or otherwise, that immediate action is essential to the safety of an airline operation.

7) Any action by one Contracting Party in accordance with paragraphs (2) or (6) of this Article shall be discontinued once the basis for the taking of that action ceases to exist.

6. The Route Schedule annexed to the Agreement shall be replaced by the following text:

## **ROUTE SCHEDULE**

### **SECTION 1**

The airline or airlines designated by the Government of the United Mexican States shall be entitled to operate scheduled air services on the following routes:

<b>Points in the territory of the United Mexican States</b>	<b>Intermediate Points-</b>	<b>Points in the territory of the United Kingdom of Great Britain and Northern Ireland</b>	<b>Points beyond</b>
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Operational Conditions:

1. The route may be operated in either direction.
2. The airline or airlines designated by the Government of the United Mexican States may on any or all flights omit stops at any point or points provided that the flight begins or terminates in the territory of the United Mexican States.
3. The designated airline or airlines may combine on the same flight any point or points in the territory of the United Mexican States with any number of points in the territory of the United Kingdom of Great Britain and Northern Ireland.

**SECTION 2**

The airline or airlines designated by the Government of the United Kingdom of Great Britain and Northern Ireland shall be entitled to operate scheduled air services on the following routes:

<b>Points in the territory of the United Kingdom of Great Britain and Northern Ireland</b>	<b>Intermediate Points</b>	<b>Points in the territory of the United Mexican States</b>	<b>Points beyond</b>
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Operational Conditions:

1. The route may be operated in either direction.
2. The airline or airlines designated by the Government of the United Kingdom of Great Britain and Northern Ireland may on any or all flights omit stops at any point or points provided that the flight begins or terminates in the territory of the United Kingdom of Great Britain and Northern Ireland.
3. The designated airline or airlines may combine on the same flight any point or points in the territory of the United Kingdom of Great Britain and Northern Ireland with any number of points in the territory of the United Mexican States.

**ARTICLE II**

The Agreement and this Agreement shall be interpreted and applied as a single instrument.

**ARTICLE III**

This Agreement shall enter into force in accordance with the provisions of Article 17 of the Agreement.

Done in duplicate at London, on this \_\_\_\_\_ day of November of two thousand an two, in the Spanish and English languages, being all text equally authentic.

**FOR THE GOVERNMENT OF THE  
UNITED MEXICAN STATES**

**FOR THE GOVERNMENT OF THE  
GOVERNMENT OF UNITED KINGDOM OF  
GREAT BRITAIN AND NORTHERN IRELAND**

**Name  
Post**

**Name  
Post**