



Treaty Series No. 16 (2011)

Exchange of Notes

between the Government of the United Kingdom of Great Britain and
Northern Ireland and the Government of the Republic of Estonia
amending the Air Services Agreement done at London on 3 March 1993

Tallinn, 16 November 1999 and 25 July 2000

[The Agreement entered into force on 25 July 2000]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
May 2011*

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ISBN: 9780101809023

Printed in the UK by The Stationery Office Limited
on behalf of the Controller of Her Majesty's Stationery Office

ID: 2433499 05/11

Printed on paper containing 30% recycled fibre content minimum.

**EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF THE REPUBLIC OF ESTONIA AMENDING
THE AIR SERVICES AGREEMENT DONE AT LONDON ON 3 MARCH
1993¹**

No. 1

The British Charge d'Affaires at Tallinn to the Director General of the Estonian Civil Aviation Administration

*Tallinn
16 November 1999*

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Estonia Concerning Air Services signed at London on 3 March 1993 ("the Agreement") and to the discussions which took place in Tallinn on 9 September between representatives of the aeronautical authorities of both countries.

As a result of these discussions, I have the honour to propose that the Agreement be amended by the addition of a new Article 13A on Safety, the text of which is set out in the Annex to this Note. If this proposal is acceptable to the Government of the Republic of Estonia, I have the honour to propose that this Note, and Your Excellency's reply to that effect, shall constitute, in accordance with Article 16 of the Agreement, an Agreement between the Government of the United Kingdom and Northern Ireland and the Government of the Republic of Estonia, which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CEINWEN JONES

Charge d'Affaires

¹ Treaty Series No. 35 (1993) Cm 2252

ARTICLE 13A

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 to 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 above arise and draw the conclusions referred in that paragraph.

No. 2

The Ministry of Foreign Affairs of the Republic of Estonia to the British Embassy at Tallinn

*Tallinn
25 July 2000*

The Ministry of Foreign Affairs of the Republic of Estonia present their compliments to the British Embassy in Tallinn and have the honour to refer to the Embassy's Note dated 17 November 1999, addressed to Mr Toomas Peterson, Director General of the Estonian Civil Aviation Administration, which reads as follows:

[As in No. 1]

The Ministry have the honour to inform that the Government of the Republic of Estonia accepts the proposed amendment set forth in the Embassy's Note and agrees that the Embassy's Note and this reply shall constitute an agreement between our two Governments to amend the Air Services Agreement, which shall enter into force, in accordance with Article 16 of the said Agreement, on 25 July 2000.

Furthermore, the Ministry have the honour to propose that the Agreement be amended by the clauses concerning Codesharing, which were also agreed upon during the aforementioned discussions in Tallinn on 9 September 1999. Please find enclosed the text of these clauses in the Annex to this Note.²

If this proposal is acceptable to the Government of the United Kingdom and Northern Ireland, the Ministry have the honour to propose that this Note, and the Embassy's reply to that effect, shall constitute, in accordance with article 16 of the Agreement, an Agreement concerning the clauses of Codesharing between the Government of the United Kingdom and Northern Ireland and the Government of the Republic of Estonia, which shall enter into force on the date of the Embassy's reply.

The Ministry of Foreign Affairs of the Republic of Estonia avail themselves of this opportunity to renew to the British Embassy the assurances of their highest consideration.

² This Annex is omitted. The proposal was not proceeded with in the form of a treaty



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ISBN 978-0-10-180902-3

