



# URADNI LIST REPUBLIKE SLOVENIJE

## MEDNARODNE POGODBE

Številka 7 (Uradni list RS, št. 25)

9. maj 1997

ISSN 1318-0932

Leto VII

26.

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

### U K A Z

#### O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED REPUBLIKO SLOVENIJO IN REPUBLIKO PORTUGALSKO O ZRAČNEM PROMETU (BPOMZP)

Razlašam Zakon o ratifikaciji Sporazuma med Republiko Slovenijo in Republiko Portugalsko o zračnem prometu (BPOMZP), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 19. februarja 1997.

Št. 001-22-11/97  
Ljubljana, dne 27. februarja 1997

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

### Z A K O N

#### O RATIFIKACIJI SPORAZUMA MED REPUBLIKO SLOVENIJO IN REPUBLIKO PORTUGALSKO O ZRAČNEM PROMETU (BPOMZP)

1. člen

Ratificira se Sporazum med Republiko Slovenijo in Republiko Portugalsko o zračnem prometu, podpisan v Ljubljani 23. maja 1995.

2. člen

Sporazum se v izvirniku v slovenskem in angleškem jeziku glasi:\*

#### SPORAZUM MED REPUBLIKO SLOVENIJO IN REPUBLIKO PORTUGALSKO O ZRAČNEM PROMETU

REPUBLIKA SLOVENIJA in REPUBLIKA PORTUGALSKA, v nadaljevanju imenovani pogodbenici, kot pogodbenici Konvencije o mednarodnem civilnem letalstvu, odprte za podpis v Chicagu 7. decembra 1944,

sta se v želji, da bi razvili sodelovanje na področju zračnega prometa in da bi ustvarili potrebno podlago za opravljanje rednega zračnega prometa, dogovorili o:

##### 1. člen DEFINICIJE

1. Posamezni izrazi v tem sporazumu imajo, razen če kontekst zahteva drugače, tale pomen:

a) "pristojni organi" pomeni za Republiko Slovenijo Ministrstvo za promet in zveze, Upravo Republike Slovenije za zračno plovbo in za Republiko Portugalsko Generalno direkcijo za civilno letalstvo ali v obeh primerih katerokoli

#### AIR TRANSPORT AGREEMENT BETWEEN THE REPUBLIC OF SLOVENIA AND THE REPUBLIC OF PORTUGAL

The REPUBLIC OF SLOVENIA and the REPUBLIC OF PORTUGAL, hereinafter called "the Contracting Parties", being Parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944;

desiring to develop co-operation in the field of air transport, and desiring to establish the necessary basis for the operation of scheduled air services have agreed as follows:

##### Article 1 DEFINITIONS

1. For the purpose of the present Agreement, unless the context otherwise requires:

a) the term "aeronautical authorities" shall mean, in the case of the Republic of Slovenia, the Ministry of Transport and Communications, Civil Aviation Authority, and in the case of the Republic of Portugal, the Directorate General of

\* Besedilo sporazuma v portugalskem jeziku je na vpogled v Službi za mednarodnopravne zadeve Ministrstva za zunanje zadeve Republike Slovenije.

osebo ali organ, pooblaščen za opravljanje nalog, ki jih zdaj opravljata omenjena organa;

b) "konvencija" pomeni Konvencijo o mednarodnem civilnem letalstvu, ki je bila odprta za podpis v Chicagu 7. decembra 1944, ter vključuje vsako prilogo, sprejeto v skladu z 90. členom omenjene konvencije, in vsako spremembo priloge ali konvencije v skladu z njenim 90. in 94. členom v tisti meri, v kateri sta obe pogodbenici te priloge ali spremembe sprejeli;

c) "določeni prevoznik" pomeni vsakega zračnega prevoznika, ki je bil določen in je dobil dovoljenje v skladu s 3. členom tega sporazuma;

d) "ozemlje" v zvezi z državo ima pomen kopnega in pripadajočih teritorialnih voda, ki spadajo pod suverenost te države;

e) "zračni promet", "mednarodni zračni promet", "prevoznik" in "pristanek v nekomercialne namene" imajo pomen, določen v 96. členu konvencije;

f) "tarifa" pomeni cene, ki se bodo plačevale za prevoz potnikov, prtljage ter tovora, in pogoje, pod katerimi se bodo te cene uporabljale, vključno s cenami in pogoji za agencijo ter drugimi dodatnimi storitvami, vendar brez plačila ali pogojev za prevoz pošte; in

g) "priloga" pomeni seznam prog, ki je priložen temu sporazumu, in vsako določbo ali opombo v taki prilogi.

2. Priloga k temu sporazumu je njegov neločljivi del.

## 2. člen

### PROMETNE PRAVICE

1. Vsaka pogodbenica podeli določenim prevoznikom druge pogodbenice te pravice pri opravljanju rednega mednarodnega zračnega prometa in posebnega prometa:

a) pravico do preleta svojega ozemlja brez pristanka;

b) pravico do pristanka na tem ozemlju v nekomercialne namene.

2. Vsaka pogodbenica podeli določenim prevoznikom druge pogodbenice pri opravljanju rednega mednarodnega zračnega prometa na progah, določenih v zadevnem oddelku seznama prog v prilogi, pravice, določene v tem sporazumu. Ta promet in te proge so v nadaljevanju imenovani "dogovorjeni promet" in "določene proge". Pri opravljanju dogovorjenega prometa na določeni progi bodo prevozniki, ki jih je določila vsaka pogodbenica, imeli poleg pravic, naštetih v odstavku (1) tega člena in v skladu z določbami tega sporazuma, še pravico do pristanka na ozemlju druge pogodbenice na točkah, ki so za to progo določene v pregledu prog tega sporazuma, z namenom vkrcanja in izkrcanja potnikov, prtljage ter tovora, vključno s pošto.

3. Nobeno določilo 2. odstavka tega člena ne daje določenemu prevozniku ene pogodbenice pravice, da na ozemlju druge pogodbenice za plačilo ali najemnino vkrcata potnike, prtljago, tovor ali pošto, ki so namenjeni v kraj na ozemlju druge pogodbenice.

4. Če določeni prevoznik ene pogodbenice zaradi oboženih spopadov, političnih nemirov ali dogodkov ali posebnih ali neobičajnih okoliščin ne more opravljati prometa po običajni progi, si bo druga pogodbenica prizadevala omogočiti nadaljevanje prometa z ustreznimi spremembami proge, vključno s podelitvijo pravic za čas, potreben za normalno opravljanje prometa. Določila tega odstavka se bodo

Civil Aviation or, in both cases, any person or body authorized to perform any functions at present exercised by the said authorities or similar functions;

b) the term "the Convention" shall mean the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944, and include any Annex adopted under Article 90 of that Convention and any amendment of the Annexes or Convention under Articles 90 and 94 thereof, so far as those Annexes and amendments have been adopted by both Contracting Parties;

c) the term "designated airline" shall mean any airline which has been designated and authorized in accordance with Article 3 of the present Agreement;

d) the term "territory" in relation to a State shall mean the land areas and territorial waters adjacent thereto under the sovereignty of that State;

e) the terms "air service", "international air service", "airline" and "stop for non-traffic purposes" shall have the meanings assigned to them in Article 96 of the Convention;

f) the term "tariff" shall mean the prices to be paid for the carriage of passengers, baggage and freight and the conditions under which those prices apply, including prices and conditions for agency and other auxiliary services, but excluding remuneration or conditions for the carriage of mail; and

g) the term "Annex" shall mean the Route Schedules attached to the present Agreement and any Clauses or Notes appearing in such Annex.

2. The Annex to this Agreement is considered an integral part thereof.

## Article 2

### OPERATING RIGHTS

1. Each Contracting Party grant the designated airlines of the other Contracting Party the following rights in respect of its scheduled international air services and non-scheduled services;

a) the right to fly across its territory without landing;

b) the right to make stops in its territory for non-traffic purposes.

2. Each Contracting Parties grants to the designated airlines of the other Contracting Parties the rights hereinafter specified in this Agreement for the purpose of operating scheduled international air services on the routes specified in the appropriate Section of the Schedule annexed to this Agreement. Such services and routes are hereinafter called "the agreed services" and "the specified routes" respectively. While operating an agreed service on a specified route the airlines designated by each Contracting Parties shall enjoy in addition to the rights specified in paragraph (1) of this Article and subject to the provisions of this Agreement, the right to make stops in the territory of the other Contracting Parties at the points specified for that route in the Schedule to this Agreement for the purpose of taking on board and discharging passengers, baggage and cargo including mail.

3. Nothing in paragraph 2 of this Article shall be deemed to confer on a designated airline of one of the Contracting Parties the right to take up, passengers, baggage, cargo or mail carried for remuneration or hire and destined for another point in the territory of the other Contracting Parties in the territory of the other Contracting Parties.

4. If because of armed conflict, political disturbances or developments, or special and unusual circumstances, the designated airline of one Contracting Parties is unable to operate a service on its normal routing, the other Contracting Parties shall use its best efforts to facilitate the continued operation of such service through appropriate rearrangements of such routes, including the grant of rights for such time as may be

uporabljala brez razlikovanja med določenimi prevozniki pogodbenic.

### 3. člen

#### DOLOČITEV PREVOZNIKOV

1. Vsaka pogodbenica ima pravico, da za opravljanje dogovorjenega prometa na določenih progah določi enega ali več prevoznikov. Pristojni organ pogodbenice, ki bo določila prevoznika, bo to pisno sporočil pristojnemu organu druge pogodbenice.

2. Po prejemu takega sporočila bo pristojni organ pogodbenice določenim prevoznikom druge pogodbenice v skladu z določili 3. in 4. odstavka tega člena brez odlašanja izdal potrebno dovoljenje za opravljanje prometa.

3. Pristojni organ ene pogodbenice lahko od določenih prevoznikov druge pogodbenice zahteva, naj dokažejo, da izpolnjujejo pogoje, določene v zakonih in predpisih, ki jih pristojni organ v skladu s konvencijo normalno in razumno uporablja pri opravljanju mednarodnega zračnega prometa.

4. Vsaka pogodbenica ima pravico odkloniti izdajo dovoljenja za opravljanje prometa iz 2. odstavka tega člena ali naložiti pogoje, ki so po njenem mnenju potrebni, da jih določeni prevoznik izpolnjuje pri uresničevanju pravic iz 2. člena tega sporazuma, če nima zadostnih dokazov, da sta pretežno lastništvo in dejanski nadzor nad prevoznikom, ki ga je druga pogodbenica določila, dejansko v rokah te pogodbenice ali njenih državljanov.

5. Ko je prevoznik tako določen in dobi dovoljenje, sme kadarkoli začeti opravljati dogovorjeni promet pod pogojem, da so bili odobreni redi letenja in da v zvezi s tem prometom veljajo tarife, kot je določeno v 14. in 16. členu tega sporazuma.

6. Vsaka pogodbenica ima pravico, da s pisnim sporočilom umakne določitev kateregakoli od svojih prevoznikov in ga nadomesti z določitvijo drugega prevoznika.

### 4. člen

#### PREKLIC, ZAČASNA USTAVITEV IN OMEJITEV PRAVIC

1. Pristojni organ vsake pogodbenice bo imel pravico, da prekliče dovoljenje za opravljanje prometa ali da začasno ustavi uresničevanje pravic iz 2. člena tega sporazuma ali da prevozniku, ki ga je določila druga pogodbenica, določi take pogoje, kot se ji za uresničevanje teh pravic zdi potrebno, če:

a) nima zadostnih dokazov, da sta pretežno lastništvo in dejanski nadzor nad tem prevoznikom v rokah pogodbenice, ki je prevoznika določila, ali njenih državljanov ali

b) prevoznik ne spoštuje zakonov in predpisov pogodbenice, ki je te pravice dala, ali

c) prevoznik ne opravlja dogovorjenega prometa pod pogoji, določenimi v tem sporazumu.

2. Razen če so takojšen preklíc, začasna ustavitev pravic ali določitev pogojev iz 1. odstavka tega člena nujni za preprečitev nadaljnje kršitve zakonov ali predpisov, se bo ta pravica uporabila šele po posvetovanju z drugo pogodbenico. Posvetovanja se bodo začela v tridesetih (30) dneh od dneva predloga za njihov začetek, če ni dogovorjeno drugače.

necessary to facilitate viable operations. The provisions of this paragraph shall be applied without discrimination between the designated airlines of the Contracting Parties.

### Article 3

#### DESIGNATION OF AIRLINES

1. Each Contracting Parties shall have the right to designate one or more airlines for the purpose of operating the agreed services on the specified routes. The notification of such designations shall be made, in writing, by the aeronautical authorities of the Contracting Party that designated the airline to the aeronautical authorities of the other Contracting Party.

2. On receipt of such notification, the aeronautical authorities of the other Contracting Party, subject to the provisions of paragraphs 3 and 4 of this Article shall grant without delay the appropriate operating authorization to the designated airlines.

3. The aeronautical authorities of one Contracting Parties may require the airlines designated by the other Contracting Party to satisfy them that they are qualified to fulfil the conditions prescribed under the laws and regulations normally and reasonably applied to the operation of international air services by such authorities in conformity with the provisions of the Convention.

4. Each Contracting Party shall have the right to refuse to grant the operating authorization referred to in paragraph 2 of this Article, or to impose such conditions as it may deem necessary on the exercise by a designated airline of the rights specified in Article 2 of this Agreement in any case where the said Contracting Party is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or its nationals.

5. When an airline has been so designated and authorized, it may begin at any time to operate the agreed services, provided that flight-schedules have been approved and tariffs are in force in respect of those services, as required under Article 14 and Article 16 of this Agreement, respectively.

6. Each Contracting Party shall have the right to withdraw the designation of any of its airline and to substitute it by the designation of another airline, by written notification to the other Contracting Party.

### Article 4

#### REVOCATION, SUSPENSION AND LIMITATION OF RIGHTS

1. The aeronautical authorities of each Contracting Party shall have the right to revoke an operating authorization or to suspend the exercise of the rights specified in Article 2 of the present Agreement by an airline designated by the other Contracting Party, or to impose such conditions as it may deem necessary on the exercise of these rights:

a) in any case where it is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in nationals of such Contracting Party, or

b) in the case of failure by that airline to comply with the laws or regulations of the Contracting Party granting these rights, or

c) in case the airline fails to operate the agreed services in accordance with the conditions prescribed under the present Agreement.

2. Save when immediate revocation, suspension or imposition of the conditions mentioned in paragraph 1 of this Article is essential to prevent further infringements of laws or regulations, such right shall be exercised only after consultation with the other Contracting Party. Such consultation shall take place within a period of thirty (30) days from the date of the proposal to hold it if not otherwise agreed.

## 5. člen

## ZAKONI IN PREDPISI O VSTOPU IN CARINSKEM POSTOPKU

1. Zakone, predpise in postopke pogodbenice, ki se nanašajo na prihod zrakoplovov, ki opravljajo mednarodni zračni promet, na njeno ozemlje, zadrževanje na njem ali odhod z njenega ozemlja ali na uporabo in vodenje takih zrakoplovov, bodo določeni prevozniki obeh pogodbenic spoštovali pri vstopu na to ozemlje, med zadrževanjem na njem ali ob odhodu s tega ozemlja.

2. Zakoni, predpisi in postopki pogodbenice, ki se nanašajo na prihod potnikov, posadke, tovara in pošte v zrakoplovu na njeno ozemlje, zadrževanje na njem ali odhod z njega, kot so predpisi o vstopu, carinskem postopku, priseljivanju, potnih listinah, carinskem in sanitarnem nadzoru, bodo spoštovani s strani ali v imenu potnikov, posadk, tovara in pošte pri vstopu na ozemlje te pogodbenice, med zadrževanjem na tem ozemlju in ob odhodu s tega ozemlja.

3. Nobena pogodbenica ne bo dala svojim prevoznikom prednosti pred določenimi prevozniki druge pogodbenice pri uporabi zakonov in predpisov iz tega člena.

## 6. člen

## CARINSKE DAJATVE IN DRUGE TAKSE

1. Zrakoplovi, ki jih uporabljajo v mednarodnem zračnem prometu določeni prevozniki ene od pogodbenic, kakor tudi njihova običajna oprema, rezervni deli, zaloge goriva in maziv ter druge zaloge (vključno s hrano, pijačo in tobakom), ki so na njih, so po prihodu na ozemlje druge pogodbenice oproščeni vseh carinskih dajatev, inšpekcijskih taks in drugih dajatev ali taks, če taka oprema in zaloge ostanejo na zrakoplovu, dokler niso ponovno izvožene ali porabljene na delu potovanja čez to ozemlje.

2. Omenjenih davščin, dajatev in taks, razen stroškov za opravljanje storitev, so oproščeni tudi:

a) zaloge na zrakoplovu, vkrcane na ozemlju ene od pogodbenic, v količinah, ki jih določijo organi ene pogodbenice in so namenjene za uporabo v mednarodnem prometu v zrakoplovih določenih prevoznikov druge pogodbenice;

b) rezervni deli in redna oprema, pripeljeni na ozemlje ene od pogodbenic, za vzdrževanje ali popravilo zrakoplovov, ki jih v mednarodnem prometu uporabljajo določeni prevozniki druge pogodbenice;

c) gorivo in maziva, ki jih v mednarodnem prometu uporabljajo določeni prevozniki druge pogodbenice, tudi če bodo te zaloge uporabljene na delu poti nad ozemljem pogodbenice, kjer so bile vkrcane.

3. Za predmete, o katerih je govor v zgornjih točkah a, b in c, se lahko zahteva, da so pod carinskim varstvom ali nadzorom.

4. Običajna oprema v zrakoplovu kakor tudi predmeti in zaloge, ki so v zrakoplovu določenega prevoznika ene od pogodbenic, so lahko izkrcani na ozemlju druge pogodbenice le z odobritvijo carinskih organov na tem ozemlju. V takem primeru so lahko pod nadzorom teh organov, dokler niso ponovno izvoženi ali drugače porabljene v skladu s carinskimi predpisi.

5. Oprostitve iz tega člena se uporabljajo tudi, če določeni prevozniki ene od pogodbenic sklenejo dogovor z drugim prevoznikom ali prevozniki za najem ali prevoz predme-

## Article 5

## ENTRY AND CLEARANCE LAWS AND REGULATIONS

1. The laws, regulations and procedures of a Contracting Party relating to the admission to, remaining in, or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of both Contracting Parties upon entering into or departing from or while within the territory of that Parties.

2. The laws, regulations and procedures of a Contracting Party relating to the admission to, remaining in, or departure from its territory of passengers, crew, cargo and mail transported on board the aircraft, such as regulations relating to entry, clearance, immigration, passports, customs and sanitary control shall be complied with by or on behalf of such passengers, crew, cargo and mail upon entrance into or departure from or while within the territory of that Parties.

3. Neither Contracting Parties may grant any preference to its own airlines with regard to the designated airlines of the other Contracting Parties in the application of the laws and regulations provided for in this Article.

## Article 6

## CUSTOMS DUTIES AND OTHER CHARGES

1. Aircraft operated on international services by the designated airlines of either Contracting Party, as well as their normal equipment, spare parts, of fuels and lubricants, and aircraft stores (including food, beverages and tobacco) on board such aircraft shall be exempt from custom duties, inspection fees and other duties or taxes on arriving in the territory of the other Contracting Parties, provided that such equipment, supplies and aircraft stores remain on board the aircraft until they are re-exported, or are used on the part of the journey performed over that territory.

2. The following shall also be exempt from the same duties, fees and taxes, with the exception of charges corresponding to the service performed:

a) aircraft stores taken on board in the territory of either Contracting Party, within limits fixed by the authorities of one Contracting Party, and for use on board outbound aircraft engaged in an international service by the designated airlines of the other Contracting Party;

b) spare parts and regular equipment brought into the territory of either Contracting Party for the maintenance or repair of aircraft used on international services by the designated airlines of the other Contracting Party;

c) fuel and lubricants destined to supply outbound aircraft operated on international services by the designated airlines of the other Contracting Party, even when these supplies are to be used on the part of the journey performed over the territory of the Contracting Party in which they are taken aboard.

3. The materials referred to in sub-paragraphs a, b and c above may be required to be kept under customs supervision or control.

4. The normal airborne equipment, as well as the materials and supplies retained on board the aircraft of the designated airlines of either Contracting Party may be unloaded in the territory of the other Contracting Party only with the approval of the customs authorities of such territory. In such case, they may be placed under the supervision of said authorities until they are reexported or otherwise disposed of in accordance with customs regulations.

5. The exemptions provided for by this Article shall also be available in situations where the designated airlines of either Contracting Party have entered into arrangements

tov, naštetih v 1. in 2. odstavku tega člena, na ozemlju druge pogodbenice, če ta druga pogodbenice daje prevozniku ali prevoznikom podobne oprostitve.

#### 7. člen LETALIŠKE TAKSE

Takse za uporabo letališč in navigacijskih naprav ter storitev, ki jih opravlja ena pogodbenica za določene prevoznike druge pogodbenice, ne bodo višje kot tiste, ki jih plačujejo domači zrakoplovi, ko opravljajo podoben mednarodni redni zračni promet. Take takse morajo biti upravičene in razumne in morajo temeljiti na poštenih ekonomskih načelih.

#### 8. člen POTNIKI IN TOVOR V DIREKTNEM TRANZITU

Za potnike, prtljago in tovor v direktnem tranzitu čez ozemlje ene od pogodbenic, ki ne zapustijo območja letališča, določenega v ta namen, bo razen glede varnostnih ukrepov proti nasilju in zračnemu piratstvu veljal le enostaven nadzor. Prtljaga in tovor v direktnem tranzitu bosta oproščena carinskih in drugih podobnih dajatev.

#### 9. člen PRIZNAVANJE POTRDIL IN DOVOLJENJ

1. Spričevala o plovnosti, spričevala o sposobnosti in dovoljenja, ki jih izda ali potrdi ena pogodbenica, bo, dokler so veljavna, pri opravljanju dogovorjenega prometa na določenih progah priznavala tudi druga pogodbenica, če so bila ta potrdila in dovoljenja izdana ali potrjena v skladu s standardi, ki jih določa konvencija.

2. Vsaka pogodbenica pa si pridržuje pravico, da za preletanje nad svojim ozemljem ne prizna spričeval o sposobnosti in dovoljenj, ki jih je druga pogodbenica izdala njenim državljanom.

#### 10. člen VARNOST

1. V skladu s svojimi pravicami in obveznostmi po mednarodnem pravu pogodbenici ponovno potrjujeta, da je medsebojna obveznost varovanja civilnega zračnega prometa pred nezakonitimi dejanji sestavni del tega sporazuma. Brez omejevanja svojih pravic in obveznosti po mednarodnem pravu bosta pogodbenici še posebej ravnali v skladu z določili Konvencije o kaznivih dejanjih in določenih drugih dejanjih, storjenih na letalih, podpisane v Tokiu 14. septembra 1963, Konvencije o zatiranju nezakonite ugrabitve zrakoplovov, podpisane v Haagu 16. decembra 1970 in Konvencije o zatiranju nezakonitih dejanj zoper varnost civilnega letalstva, podpisane v Montrealu 23. septembra 1971, in njenega dopolnilnega Protokola o zatiranju nezakonitih nasilnih dejanj na letališčih za mednarodno civilno zrakoplovstvo, podpisanega v Montrealu 24. februarja 1988, ko bo postal obvezujoč za obe pogodbenici.

2. Pogodbenici si bosta na zahtevo medsebojno pomagali, da bi preprečili nezakonite ugrabitve civilnih zrakoplovov in druga nezakonita dejanja proti varnosti takih zrakoplovov, njihovih potnikov in posadk, letališč in navigacijskih naprav ter vsako drugo ogrožanje varnosti civilne zračne plovbe.

with another airline or airlines for the loan or transfer in the territory of the other Contracting Party of the items specified in paragraphs 1 and 2 of this Article, provided such other airline or airlines similarly enjoy such exemptions from such other Contracting Party.

#### Article 7 USER CHARGES

Charges for the use of airport and air navigation facilities and services offered by one Contracting Party to the designated airlines of the other Contracting Party shall not be higher than those which have to be paid by national of the Contracting Party aircraft operating on similar scheduled international services. Such charges shall be fair and reasonable and shall be based on sound economic principles.

#### Article 8 PASSENGERS AND CARGO IN DIRECT TRANSIT

Passengers, baggage and cargo in direct transit across the territory of either Contracting Party which do not leaving the area of the airport reserved for such purpose shall, except in respect of security measures against violence and air piracy, be subject to no more than a simplified control. Baggage and cargo in direct transit shall be exempt from customs duties and other similar taxes.

#### Article 9 RECOGNITION OF CERTIFICATES AND LICENCES

1. Certificates of airworthiness, certificates of competency and licences issued, or validated, by one Contracting Party and unexpired shall be recognized as valid by the other Contracting Party for the purpose of operating the agreed services on the specified routes, provided always that such certificates or licences were issued, or validated, in conformity with the standards established under the Convention.

2. Each Contracting Party, however, reserves the right to refuse to recognize certificates of competency and licences granted to its own nationals by the other Contracting Parties for flights above its own territory.

#### Article 10 SECURITY

1. Consistent with their rights and obligations under international law, the Contracting Parties reaffirm that their obligation to each other to protect the security of civil aviation against acts of unlawful interference is an integral part of this Agreement. Without limiting the generality of their rights and obligations under international law, the Contracting Parties shall in particular act in conformity with the provisions of the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970 and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971 and its Supplementary Protocol for the Suppression of Unlawful Acts of Violence at Airports serving International Civil Aviation, signed at Montreal on 24 February 1988, which shall be binding on both Contracting Parties.

2. The Contracting Parties shall provide all necessary assistance, upon request, to each other to prevent acts of unlawful seizure of civil aircraft and other unlawful acts against the safety of such aircraft, their passengers and crew, airports and air navigation facilities, and any other threat to the security of civil aviation.

3. Pogodbenici bosta v medsebojnih odnosih ravnali v skladu z določili Mednarodne organizacije civilnega letalstva o varnosti civilne zračne plovbe, ki so opredeljena v prilogah konvencije, v tisti meri, v kateri ta določila veljajo za pogodbenici. Pogodbenici bosta zahtevali od letalskih družb, ki so vpisane v njenem registru ali ki opravljajo pretežni del svojih dejavnosti ali imajo sedež na njenem ozemlju, ter od letaliških podjetij na svojem ozemlju, da delujejo v skladu s takimi letalskimi varnostnimi predpisi.

4. Pogodbenici se strinjata, da morajo navedene letalske družbe spoštovati letalske varnostne predpise, navedene v 3. odstavku tega člena, ki jih zahteva druga pogodbenica za vstop, odhod oziroma dokler so letala na ozemlju te druge pogodbenice. Vsaka pogodbenica zagotavlja, da se bodo na njenem ozemlju učinkovito izvajali primerni ukrepi za zavarovanje letal in za pregled potnikov, posadke, ročne prtljage, prtljage, tovora in zalog na letalu pred in med vkrcavanjem ali natovarjanjem. Pogodbenici bosta z naklonjenostjo obravnavali vsako zahtevo druge pogodbenice za uvedbo razumnih varnostnih ukrepov zaradi neposredne grožnje.

5. Ob nezakoniti ugrabitvi ali grožnji z ugrabitvijo civilnega zrakoplova oziroma drugih nezakonitih dejanjih proti varnosti takšnih zrakoplovov, njihovih potnikov in posadke, letališč ali navigacijskih naprav bosta pogodbenici pomagali druga drugi, s tem da bosta poskrbeli za komunikacije in druge ustrezne ukrepe, da bi se čim hitreje in varno končal tak incident ali grožnja.

#### 11. člen

##### PREDSTAVNIŠTVA IN KOMERCIALNE DEJAVNOSTI

1. Določeni prevozniki pogodbenic bodo imeli pravico, da:

a) na ozemlju druge pogodbenice ustanovijo urade za predstavitev zračnega prevoza in prodajo letalskih vozovnic kot tudi druge objekte, potrebne za zagotavljanje zračnega prevoza;

b) na ozemlje druge pogodbenice pripeljejo in imajo tam v skladu z njenimi zakoni in predpisi o vstopu, bivanju in zaposlovanju vodilno, prodajno, tehnično, operativno in drugo strokovno osebje, ki je potrebno v zvezi z zagotavljanjem zračnega prevoza, in

c) na ozemlju druge pogodbenice neposredno in če se prevozniki tako odločijo, po agentih prodajajo zračni prevoziroma

2. Vsak prevoznik bo imel pravico prodajati take prevozne zmogljivosti in vsak jih lahko prosto kupuje v lokalni valuti tega ozemlja ali v konvertibilni valuti drugih držav v skladu z veljavnimi deviznimi predpisi.

3. Za komercialne dejavnosti določenih prevoznikov obeh pogodbenic se bodo uporabljala ista načela. Pristojne oblasti obeh pogodbenic bodo storile vse potrebno, da bodo lahko predstavništva določenih prevoznikov druge pogodbenice redno opravljala svojo dejavnost.

#### 12. člen

##### KONVERZIJA IN TRANSFER DOHODKA

Vsaka pogodbenica bo priznala določenim prevoznikom druge pogodbenice pravico, da po uradnem menjalnem tečaju prosto transferirajo presežke prejemkov nad izdatki, ki jih dosežejo v zvezi s prevozom potnikov, tovora in pošte. Če ni posebnega plačilnega sporazuma, se bo omenjeni trans-

3. The Contracting Parties shall, in their mutual relations, act in conformity with the aviation security provisions established by the International Civil Aviation Organization and designated as Annexes to the Convention on International Civil Aviation to the extent that such security provisions are applicable to the Contracting Parties; they shall require that operators of aircraft on their register or operators of aircraft who have their main place of business or permanent residence in their territory and the operators of airports in their territory to act in conformity with such aviation security provisions.

4. Each Contracting Party agrees that such operators of aircraft may be required to observe the aviation security provisions referred to in paragraph 3 above required by the other Contracting Party for entry into, departure from, or while within, the territory of that other Contracting Party. Each Contracting Party shall ensure that adequate measures are effectively applied within its territory to protect aircraft and to inspect passengers, crew, carry-on items, baggage, cargo and aircraft stores prior to and during boarding or loading. Each Contracting Party shall also give sympathetic consideration to any request from the other Contracting Parties for reasonable special security measures to meet a particular threat.

5. When an incident or threat of an incident of unlawful seizure of civil aircraft or other unlawful acts against the safety of such aircraft, their passengers and crew, airports or air navigation facilities occurs, the Contracting Parties shall assist each other by facilitating communications and other appropriate measures intended to terminate rapidly and safely such incident or threat thereof.

#### Article 11

##### REPRESENTATION AND COMMERCIAL ACTIVITIES

1. The designated airlines of each Contracting Party shall be allowed:

a) to establish in the territory of the other Contracting Party offices for the promotion of air transportation and sale of air tickets as well as other facilities required for the provision of air transportation;

b) to bring in and maintain in the territory of the other Contracting Party – in accordance with the laws and regulations of that other Contracting Party relating to entry, residence and employment – managerial, sales, technical, operational and other specialist staff required for the provision of air transportation, and

c) in the territory of the other Contracting Party to engage directly and through its agents in the sale of air transportation at that airlines discretion.

2. Each airline shall have the right to sell such transportation, and any person shall be free to purchase such transportation, in the currency of that territory or in freely convertible currencies of other countries in accordance with the foreign exchange regulations in force.

3. For the commercial activities the same principles shall apply to the designated airlines of both Contracting Parties. The competent authorities of each Contracting Party shall take all necessary steps to ensure that the representatives of the airlines designated by the other Contracting Party may carry on their activities in an orderly manner.

#### Article 12

##### CONVERSION AND TRANSFER OF REVENUES

Each Contracting Parties grants to the designated airlines of the other Contracting Parties the right of free transfer at the official rate of exchange, of the excess of receipts over expenditures earned in connection with the carriage of passengers, cargo and mail. In the absence of the appropriate

fer opravljal v konvertibilnih valutah in v skladu z nacionalno zakonodajo ter veljavnimi deviznimi predpisi.

### 13. člen ZMOGLJIVOSTI

1. Določeni prevozniki obeh pogodbenic bodo imeli primerne in enake možnosti za opravljanje dogovorjenega prometa na določenih progah med njunima ozemljema.

2. Pri opravljanju dogovorjenega prometa bodo določeni prevozniki obeh pogodbenic upoštevali interese določenih prevoznikov druge pogodbenice, da ne bi neupravičeno ogrozili prometa, ki ga slednji opravljajo na celoti ali na delu istih prog.

3. Dogovorjeni promet, ki ga opravljajo določeni prevozniki pogodbenic, bo v tesni povezavi z javnimi potrebami po prevozu na določenih progah. Njegov glavni cilj bo ob primerni zasedenosti zagotavljati zmogljivosti, ki bodo ustrezale tekočim in razumno predvidljivim zahtevam po tem prometu, vključno s sezonskimi spremembami prevoza potnikov, prtljage, tovora in pošte, tako vkrcanih kot izkrcanih v krajih na dogovorjenih progah na ozemlju pogodbenice, ki je določila prevoznike.

4. Pogoji za prevoz potnikov, prtljage, tovora in pošte glede vkrcavanja kot izkrcavanja v krajih na določenih progah na ozemljih tretjih držav, ki niso določile prevoznikov, bodo določeni tako, da bo zmogljivost povezana s:

- a) potrebami po prometu z in na ozemlje pogodbenice, ki je določila prevoznike;
- b) potrebami po prometu na območju, čez katero poteka dogovorjeni promet, ob upoštevanju prometa, ki ga opravljajo prevozniki držav na tem območju; in
- c) potrebami celotne operacije prevoznika.

5. Določeni prevozniki si bodo prizadevali, da se dogovorijo o skupnih zmogljivostih, ki se bodo zagotavljale v takem prometu.

6. Vsak določen prevoznik bo pristojnim organom obeh pogodbenic predložil v odobritev zmogljivost, ki naj bi jo zagotavljal v dogovorjenem prometu.

7. Skupno zmogljivost, ki jo bodo v dogovorjenem prometu zagotavljali določeni prevozniki pogodbenic, bodo odobrili pristojni organi pogodbenic pred začetkom opravljanja prometa in potem v skladu s predvidenimi prometnimi zahtevami. Taka odobritev bo upoštevala pisni predlog določenih prevoznikov o zmogljivosti.

8. Če pristojni organ ene pogodbenice ne odobri predložene zmogljivosti, bo predlagal posvetovanja v skladu s 17. členom tega sporazuma.

9. Če se po ponovnem pregledu pogodbenicama ne uspe sporazumeti o zmogljivostih, ki naj se zagotavljajo v dogovorjenem prometu, zmogljivost, ki jo bodo smeli zagotavljati določeni prevozniki pogodbenic, ne bo presegala skupne predhodno dogovorjene zmogljivosti, vključno s sezonskimi odstopanji.

### 14. člen ODOBRITEV POGOJEV DELOVANJA

1. Rede letenja v dogovorjenem prometu kakor tudi splošne pogoje svojega delovanja bodo določeni prevozniki pogodbenice predložili v odobritev pristojnim organom

provisions of a payments agreement, the above mentioned transfer shall be made in convertible currencies and in accordance with the applicable national laws and foreign exchange regulations.

### Article 13 CAPACITY

1. There shall be fair and equal opportunity for the designated airlines of both Contracting Parties to operate the agreed services on the specified routes between their respective territories.

2. In operating the agreed services, the designated airlines of each Contracting Party shall take into account the interests of the designated airlines of the other Contracting Party so as not to unduly affect the services which the latter provide on the whole or part of the same routes.

3. The agreed services provided by the designated airlines of the Contracting Parties shall bear a close relationship to the requirements of the public for transportation on the specified routes and shall have as their primary objective the provision, at a reasonable load factor, of capacity adequate to carry the current and reasonably anticipated traffic requirements, including seasonal variations for the carriage of passengers, baggage, cargo and mail, both taken up and put down at points on the specified routes in the territory of the Contracting Parties which have designated the airlines.

4. Any provision for the carriage of passengers, baggage, cargo and mail both taken up and discharged at points on the specified routes in the territories of States other than that designating by the airlines shall be made in accordance with the general principles that capacity shall be related to: a) traffic requirements to and from the territory of the Contracting Parties which has designated the airlines; b) traffic requirements of the area through which the agreed services pass, after taking account of other air transport services established by airlines of the States comprising the area; and c) the requirements of through airline operation.

5. The designated airlines shall endeavour to agree on the total capacity to be provided on such services.

6. Each designated airline shall submit the capacity to be provided by its own on the agreed services for approval, to the aeronautical authorities for both Contracting Parties.

7. The total capacity to be provided on the agreed services by the designated airlines of the Contracting Parties shall be approved by the aeronautical authorities of the Contracting Parties before commencement of operations, and thereafter according to anticipated traffic requirements. Such approval shall take into consideration any written submissions as to capacity, made by the designated airlines.

8. In the event that the aeronautical authorities of one Contracting Party does not approve the capacity submitted, it shall request consultation in accordance with Article 17 of this Agreement.

9. If, on review, the Contracting Parties fail to agree on the capacity to be provided on the agreed services, the capacity that may be provided by the designated airlines of the Contracting Parties shall not exceed the total capacity, including seasonal variations, previously agreed to be provided.

### Article 14 APPROVAL OF OPERATING CONDITIONS

1. The flight schedules of the agreed services and in general operating conditions shall be submitted by the designated airlines of one Contracting Party for the approval of

druge pogodbenice vsaj trideset (30) dni pred predvidenim datumom njihove uveljavitve. Tudi vsaka bistvena sprememba reda letenja ali pogojev njihovega delovanja bo predložena v odobritev pristojnim organom. V posebnih primerih se lahko omenjeni rok skrajša v dogovoru s pristojnimi organi.

2. Za manjše ad hoc spremembe ali ob ad hoc dodatnih letih bodo določeni prevozniki pogodbenice zaprosili za predhodno dovoljenje pristojnih organov druge pogodbenice najmanj štiri delovne dneve pred njihovo nameravano uveljavitvijo. V posebnih primerih se lahko ta rok skrajša sporazumno z omenjenimi organi.

#### 15. člen STATISTIČNI PODATKI

Pristojni organi pogodbenice bodo pristojnim organom druge pogodbenice na njihovo zahtevo zagotavljali statistične podatke, ki so razumno potrebni za pregled zmogljivosti, ki se zagotavljajo v dogovorjenem prometu.

#### 16. člen TARIFE

1. Tarife, ki jih bodo zaračunavali določeni prevozniki ene pogodbenice za prevoz na ozemlje in z ozemlja druge pogodbenice, bodo določene na primernih ravneh, pri čemer bo primerna pozornost posvečena vsem pomembnim dejavnikom, vključno s poslovnimi stroški, primernemu dobičku in tarifam drugih prevoznikov na celoti ali na delu istih prog.

2. O tarifah iz 1. odstavka tega člena se bodo, če je mogoče, določeni prevozniki obeh pogodbenic dogovorili po posvetovanju, po potrebi z drugimi prevozniki, ki opravljajo promet na tej progi ali na njenem delu. Ta sporazum se bo, kadarkoli bo mogoče, dosegel po postopku za določanje tarif Mednarodnega združenja zračnih prevoznikov.

3. Tako dogovorjene tarife je treba predložiti v odobritev pristojnim organom obeh pogodbenic najmanj petinštirideset (45) dni pred predlaganim datumom njihove uveljavitve. V posebnih primerih se ta rok lahko skrajša v sporazumu s pristojnimi organi.

4. Odobritev tarif je lahko izrecna. Če nobeden od pristojnih organov ne izrazi svojega nestrinjanja v tridesetih (30) dneh od dneva, ko so bile tarife predložene v skladu z določili 3. odstavka tega člena, se bo štelo, da so tarife odobrene. Če bi bil rok za predložitev skrajšan, kot je predvideno v 3. odstavku tega člena, se lahko pristojna organa dogovorita, da je rok, v katerem je treba sporočiti nestrinjanje, krajši od trideset (30) dni.

5. Če se o tarifi ni mogoče dogovoriti v skladu z 2. odstavkom tega člena ali če je v roku iz 4. odstavka tega člena pristojni organ sporočil drugemu pristojnemu organu svoje nestrinjanje s katerokoli tarifo, o kateri je bilo dogovorjeno v skladu z 2. odstavkom tega člena, si bosta pristojna organa obeh pogodbenic prizadevala za sporazumno določitev tarife.

6. Če se pristojna organa ne moreta dogovoriti o tarifi, ki jima je bila predložena v skladu s 3. odstavkom tega člena, ali o določitvi tarife v skladu s 5. odstavkom tega člena, bo spor razrešen v skladu z določili o reševanju sporov iz 20. člena tega sporazuma.

7. Tarife, določene v skladu z določili tega člena, veljajo, dokler ne bodo določene nove tarife. V nobenem primeru

the aeronautical authorities of the other Contracting Party at least thirty (30) days before the intended date of their implementation. Any significant modification to such schedules or operating conditions shall also be submitted to the aeronautical authorities for approval. In special cases, the above set time limit may be reduced subject to the agreement of the said authorities.

2. For minor ad hoc modifications or in the case of ad hoc supplementary flights, the designated airlines of one Contracting Party shall request prior permission from the aeronautical authorities of the other Contracting Party, at least four-working days before their intended operation. In special cases, this time limit may be reduced subject to agreement of the said authorities.

#### Article 15 PROVISION OF STATISTICS

The aeronautical authorities of one Contracting Party shall supply the aeronautical authorities of the other Contracting Party, at their request, with such statistics as may be reasonably required for the purpose of reviewing the capacity provided on the agreed services.

#### Article 16 TARIFFS

1. The tariffs to be charged by the designated airlines of one Contracting Party for carriage to or from the territory of the other Contracting Party shall be established at reasonable levels, with due regard being paid to all relevant factors, including cost of operation, reasonable profit and the tariffs of other airlines operating the whole or part of the same route.

2. The tariffs referred to in paragraph 1 of this Article shall, if possible, be agreed by the designated airlines of both Contracting Parties, after consultation, if necessary, with other airlines operating over the whole or part of the route, and such agreement shall, wherever possible, be reached using the International Air Transport Association tariff procedures.

3. The tariffs so agreed shall be submitted for the approval of the aeronautical authorities of both Contracting Parties at least forty five (45) days before the proposed date of their introduction. In special cases, this period may be reduced, subject to the agreement of the said authorities.

4. This approval may be given expressly. If neither of the aeronautical authorities has expressed disapproval within thirty (30) days from the date of submission, in accordance with paragraph 3 of this Article, these tariffs shall be considered to be approved. In the event of the period for submission being reduced, as provided for in paragraph 3 of this Article, the aeronautical authorities may agree that the period within which any disapproval must be notified shall be less than thirty (30) days.

5. If a tariff cannot be agreed in accordance with paragraph 2 of this Article, or if, during the applicable period in accordance with paragraph 4 of this Article, one aeronautical authority gives the other aeronautical authority notice of its disapproval or any tariff agreed in accordance with the provisions of paragraph 2, the aeronautical authorities of the two Contracting Parties shall endeavour to determine the tariff by mutual agreement.

6. If the aeronautical authorities cannot agree on any tariff submitted to them under paragraph 3 of this Article, or on the determination of any tariff under paragraph 5 of this Article, the dispute shall be settled in accordance with the provisions of Article 20 of this Agreement for the settlement of disputes.

7. A tariff established in accordance with the provisions of this Article shall remain in force until a new tariff



pa tarifa ne bo podaljšana na temelju tega odstavka za dlje kot dvanajst (12) mesecev po datumu, ko bi sicer morala prenehati veljati.

8. Pristojna organa obeh pogodbenic si bosta po najboljših močeh prizadevala, da bi zagotovila, da bodo določeni prevozniki spoštovali dogovorjene tarife, registrirane pri pristojnih organih obeh pogodbenic, in da noben prevoznik ne bo na noben način neposredno ali posredno nezakonito zmanjševal nobenega deleža teh tarif.

#### 17. člen

##### POSVETOVANJA

1. Da bi zagotovila tesno sodelovanje pri vseh vprašanjih o uresničevanju in uporabi tega sporazuma, se bosta pristojna organa na željo katerekoli od obeh pogodbenic medsebojno posvetovala, kadarkoli bo to potrebno.

2. Taka posvetovanja se bodo začela v šestdesetih (60) dneh po pisni zahtevi pogodbenice, če se pogodbenici ne bosta drugače sporazumeli.

#### 18. člen

##### SPREMEMBE SPORAZUMA

1. Če katerakoli pogodbenica želi spremeniti kakršnokoli določilo tega sporazuma, lahko ob vsakem času drugi pogodbenici predlaga posvetovanja. Taka posvetovanja se bodo pričela v šestdesetih (60) dneh od predloga, če ni drugače dogovorjeno.

2. Vsako spremembo ali dopolnitev tega sporazuma bosta pogodbenici uredili v skladu s svojima ustavnima postopkoma; veljati bo začela, ko bo potrjena z izmenjavo diplomatskih not.

3. O spremembi priloge se bosta pristojna organa pogodbenic lahko dogovorila neposredno, veljati pa bo začela, ko bo potrjena z izmenjavo diplomatskih not.

#### 19. člen

##### SKLADNOST Z VEČSTRANSKO KONVENCIJO

Ta sporazum in njegova priloga bosta brez posebnega dogovora veljala za spremenjena, kot bo potrebno, da bi bila skladna z večstransko konvencijo ali sporazumom, ki bi bil obvezujoč za obe pogodbenici.

#### 20. člen

##### REŠEVANJE SPOROV

1. Če pride med pogodbenicama do spora pri razlagi ali uresničevanju tega sporazuma, si bosta pogodbenici zlasti prizadevali, da bi ga rešili z neposrednimi medsebojnimi pogajanjmi.

2. Če pogodbenici ne moreta doseči sporazuma s pogajanjmi, se lahko dogovorita, da spor predložita v odločitev kakšni osebi, organu ali na zahtevo katerekoli pogodbenice arbitražnemu sodišču treh razsodnikov, od katerih vsaka pogodbenica imenuje enega, tretjega pa tako imenovana. Vsaka pogodbenica bo svojega razsodnika imenovala v šestdesetih (60) dneh po prejemu diplomatske note z zahtevo po arbitražnem reševanju spora, tretji razsodnik pa bo imenovan v naslednjih šestdesetih (60) dneh. Če katerakoli pogodbenica ne imenuje svojega razsodnika v tako določenem roku ali če tretji razsodnik ni imenovan, lahko katerakoli pogodbenica zahteva od predsednika Sveta Mednarod-

has been established. Nevertheless, a tariff shall not be extended by virtue of this paragraph for more than twelve (12) months after the date on which it otherwise would have expired.

8. The aeronautical authorities of each Contracting Party shall use their best efforts to ensure that the designated airlines conform with the agreed tariffs filed with the aeronautical authorities of the Contracting Parties, and that no airline illegally rebates any portion of such tariffs by any means directly or indirectly.

#### Article 17

##### CONSULTATIONS

1. In order to ensure close cooperation concerning all the issues related to the implementation and application of this Agreement, the aeronautical authorities of each Contracting Party shall consult each other whenever it becomes necessary, on request of either Contracting Party.

2. Such consultations shall begin within a period of sixty (60) days from the date of written request by one Contracting Parties, unless otherwise agreed by both Contracting Parties.

#### Article 18

##### MODIFICATION OF AGREEMENT

1. If either of the Contracting Parties considers it desirable to modify any provision of this Agreement, it may at any time request consultation with the other Contracting Parties. Such consultation shall begin within a period of sixty (60) days from the date of the request, unless otherwise agreed.

2. Any amendment or modification of this Agreement shall be settled between the Contracting Parties according to their own constitutional procedures and shall come into effect when it has been confirmed by an Exchange of Notes through diplomatic channels.

3. Modification of the Annex may be effected by direct agreement between the aeronautical authorities of the Contracting Parties and shall come into force by an Exchange of Notes through diplomatic channels.

#### Article 19

##### CONFORMITY WITH MULTILATERAL CONVENTION

The present Agreement and its Annex shall be deemed to be amended without further agreement as may be necessary to conform with any multilateral Convention or Agreement which may become binding on both Contracting Parties.

#### Article 20

##### SETTLEMENT OF DISPUTES

1. If any dispute arises between the Contracting Parties relating to the interpretation or application of this Agreement, the Contracting Parties shall in the first place endeavour to settle it by direct negotiations.

2. If the Contracting Parties fail to reach a settlement by negotiation, they may agree to refer the dispute for decision to some person or body, or the dispute may at the request of either Contracting Parties be submitted for decision to an arbitral tribunal of three arbitrators, one to be nominated by each Contracting Parties and the third to be appointed by the two so nominated. Each of the Contracting Parties shall nominate an arbitrator within a period of sixty (60) days from the date of receipt by either Contracting Parties from the other of a notice through diplomatic channels requesting arbitration of the dispute, and the third arbitrator shall be appointed within a further period of sixty (60) days. If either of the Contracting

ne organizacije civilnega letalstva, da določi razsodnika ali razsodnike, ki so potrebni. V tem primeru je tretji razsodnik državlján tretje države in deluje kot predsednik arbitraže.

3. Pogodbenici se obvezujeta, da bosta spoštovali vsako odločitev, sprejeto na podlagi 2. odstavka tega člena.

4. Vsaka pogodbenica bo nosila stroške svojega razsodnika. Preostale stroške arbitražnega sodišča krijeta pogodbenici v enakih deležih.

#### 21. člen ODPOVED

1. Vsaka pogodbenica lahko kadarkoli sporoči drugi pogodbenici svojo odločitev, da odpoveduje sporazum. To sporočilo bo hkrati poslano Mednarodni organizaciji civilnega letalstva. V takem primeru bo sporazum prenehal veljati dvanajst (12) mesecev po dnevu, ko druga pogodbenica prejme sporočilo o odpovedi, razen če je sporočilo sporazumno umaknjeno pred iztekom tega roka. Če druga pogodbenica ne potrdi prejema sporočila o odpovedi, se šteje, da ga je prejela štirinajst (14) dni po dnevu, ko ga je prejela Mednarodna organizacija civilnega letalstva.

2. Če katerikoli določeni prevoznik opravlja dogovorjeni promet, se veljavnost sporazuma podaljša do konca veljavnega reda letenja.

#### 22. člen REGISTRACIJA

Ta sporazum in kakršnakoli njegova sprememba bosta registrirana pri Mednarodni organizaciji civilnega letalstva.

#### 23. člen UVELJAVITEV

Ta sporazum bo začel veljati, ko bosta pogodbenici z izmenjavo diplomatskih not druga drugo obvestili, da so izpolnjene njune ustavne zahteve za njegovo uveljavitev.

V potrditev dogovorjenega sta podpisana, ki sta imela za to ustrezno pooblastilo svojih vlad, podpisala ta sporazum.

Sestavljeno dne 23. maja 1995 v Ljubljani v dveh izvirnikih, v slovenskem, portugalskem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. Ob morebitnem neskladju pri uresničevanju, razlagi ali uporabi je odločilno besedilo v angleškem jeziku.

za Republiko  
Slovenijo  
**Zoran Thaler** l. r.

za Republiko  
Portugalsko  
**Vitor Martins** l. r.

#### PRILOGA Oddelek I

1. Proge, ki jih bodo v obe smeri opravljali prevozniki, ki jih bo določila Vlada Republike Slovenije:

Kraji v Sloveniji – kraj vmesnega pristajanja – Lizbona – naslednji kraj

2. Proge, ki jih bodo v obe smeri opravljali prevozniki, ki jih bo določila Vlada Republike Portugalske:

Parties fails to nominate an arbitrator within the period specified or the third arbitrator is not appointed, the President of the Council of the International Civil Aviation Organization may be requested by either Contracting Parties to appoint an arbitrator or arbitrators as the case requires. In such case, the third arbitrator shall be a national of a third State and shall act as president of the arbitral body.

3. The Contracting Parties undertake to comply with any decision given under paragraph 2 of this Article.

4. Each Contracting Party shall pay the expenses of the arbitrator it has nominated. The remaining expenses of the arbitral tribunal shall be shared equally by the Contracting Parties.

#### Article 21 TERMINATION

1. Either Contracting Party may at any time give notice to the other Contracting Party of its decision to terminate the present Agreement; such notice shall be simultaneously communicated to the International Civil Aviation Organization. In such case the Agreement shall terminate twelve (12) months after the date of receipt of the notice by the other Contracting Parties, unless the notice to terminate is withdrawn by agreement before the expiry of the period. In the absence of acknowledgment of receipt by the other Contracting Parties, notice shall be deemed to have been received fourteen (14) days after the receipt of the notice by the International Civil Aviation Organization.

2. If any of the designated airlines is operating the agreed services, the validity of the Agreement shall continue until the end of the period of the approved time-table.

#### Article 22 REGISTRATION

This Agreement and any amendment thereto shall be registered with the International Civil Aviation Organization.

#### Article 23 ENTRY INTO FORCE

This Agreement shall come into force when, the Contracting Parties notify each other of the completion of their constitutional requirements, by an exchange of Diplomatic Notes.

In witness whereof the undersigned, duly authorized thereto by the respective Governments, have signed this Agreement.

Done at this day of 23 May 1995 in Ljubljana in two originals in the Slovenian, the Portuguese and English languages, all texts being equally authentic. In case of any divergence of implementation, interpretation or application, the English text shall prevail.

For the Republic of  
Slovenia  
**Zoran Thaler**, (s)

For the Republic of  
Portugal  
**Vitor Martins**, (s)

#### ANNEX Section I

1. Route to be operated in both directions by the airlines designated by the Government of the Republic of Slovenia:

Points in Slovenia – intermediate point – Lisbon – point beyond.

2. Route to be operated in both directions by the airlines designated by the Government of the Republic of Portugal:

Kraji na Portugalskem – kraj vmesnega pristajanja – Ljubljana – naslednji kraj

3. Pri opravljanju prometa na progah iz 1. odstavka tega oddelka bodo določeni prevozniki, ki jih bo določila Vlada Republike Slovenije, imeli pravico, da:

a) v Lizboni izkrcajo potnike, tovor in pošto, vkrcane v Sloveniji, v mednarodnem prometu;

b) v Lizboni vkrcajo potnike, tovor in pošto, namenjene v Slovenijo, v mednarodnem prometu.

4. Pri opravljanju prometa na progah iz 2. odstavka tega oddelka bodo določeni prevozniki, ki jih bo določila Vlada Republike Portugalske, imeli pravico, da:

a) v Ljubljani izkrcajo potnike, tovor in pošto, vkrcane na Portugalskem, v mednarodnem prometu;

b) v Ljubljani vkrcajo potnike, tovor in pošto, namenjene na Portugalsko, v mednarodnem prometu.

5. Določeni prevozniki obeh pogodbenic lahko izpustijo pristaneke v kateremkoli od omenjenih krajev, če Ljubljana in Lizbona nista izpuščeni. Vključitev ali izpustitev pristajanja v teh krajih mora biti pravočasno sporočena javnosti.

#### *Oddelek II*

Določeni prevozniki katerekoli pogodbenice lahko pristanejo v enem kraju vmesnega pristanka in/ali v enem naslednjem kraju na gornjih progah – te kraje določita pristojna organa pogodbenic. Imeli bodo tudi pravico, da opravljajo promet potnikov, tovora in pošte med ozemljem pogodbenice in temi kraji.

#### *Oddelek III*

Določeni prevozniki katerekoli pogodbenice lahko imajo pravico, da na ozemlju druge pogodbenice vkrcajo ali izkrcajo potnike, tovor in pošto v mednarodnem prometu, namenjene v ali vkrcane v krajih vmesnega pristajanja in/ali v naslednjih krajih, o katerih je govor v Oddelku II, na progah, ki so določene v Oddelku I, v skladu z dogovorom med pristojnima organoma pogodbenic.

Points in Portugal – intermediate point – Ljubljana – point beyond.

3. To operate services on the route referred to in paragraph 2 of this Section the airlines designated by the Government of the Republic of Slovenia shall have the right:

a) To put down in Lisbon international traffic in passengers, cargo and mail taken on in Slovenia;

b) To take on in Lisbon international traffic in passengers, cargo and mail destined for Slovenia.

4. To operate services on the route referred to in paragraph 1 of this Section, the airlines designated by the Government of the Republic of Portugal shall have the right:

a) To put down in Ljubljana international traffic in passengers, cargo and mail taken on in Portugal;

b) To take on in Ljubljana international traffic in passengers, cargo and mail destined for Portugal.

5. The designated airlines of both Contracting Parties may omit calling at any of the above-mentioned points provided that Ljubljana and Lisbon are not so omitted. Inclusion or omission of such points shall be announced to the public in due time.

#### *Section II*

The designated airlines of either Contracting Party may use one intermediate point and/or one point beyond on the above specified routes – such points to be established between the aeronautical authorities of the Contracting Parties – and shall have the right to carry traffic in passengers, cargo and mail between that Contracting Party's own territory and such points.

#### *Section III*

The designated airlines of either Contracting Party may have the right to take on or put down in the territory of the other Contracting Party international traffic in passengers, cargo and mail destined for or originated at the intermediate point and/or the point beyond referred to in Section II on the routes specified in Section I, subject to an agreement to be established between the aeronautical authorities of the two Contracting Parties.

#### 3. člen

Za izvajanje sporazuma skrbi Ministrstvo za promet in zveze.

#### 4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 326-06/95-18/1

Ljubljana, dne 19. februarja 1997

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik, dr. med. l. r.**

## 27.

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena ustave Republike Slovenije izdajam

**U K A Z**  
**O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA O SODELOVANJU V IZOBRAŽEVANJU,**  
**KULTURI IN ZNANOSTI MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE MAKEDONIJE**  
**(BMKIKZ)**

Razlašam Zakon o ratifikaciji Sporazuma o sodelovanju v izobraževanju, kulturi in znanosti med Vlado Republike Slovenije in Vlado Republike Makedonije (BMKIKZ), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 24. aprila 1997.

Št. 001-22-35/97  
 Ljubljana, 5. maja 1997

Predsednik  
 Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N**  
**O RATIFIKACIJI SPORAZUMA O SODELOVANJU V IZOBRAŽEVANJU, KULTURI IN ZNANOSTI**  
**MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE MAKEDONIJE (BMKIKZ)**

## 1. člen

Ratificira se Sporazum o sodelovanju v izobraževanju, kulturi in znanosti med Vlado Republike Slovenije in Vlado Republike Makedonije, podpisan 8. julija 1993 v Ljubljani.

## 2. člen

Sporazum se v izvirniku v slovenskem jeziku glasi:\*

**S P O R A Z U M**  
**O SODELOVANJU V IZOBRAŽEVANJU, KULTURI**  
**IN ZNANOSTI MED VLADO REPUBLIKE**  
**SLOVENIJE IN VLADO REPUBLIKE MAKEDONIJE**

Vlada Republike Slovenije in Vlada Republike Makedonije (v nadaljnjem besedilu: podpisnici) sta se v želji, da bi uspešno medsebojno sodelovali v izobraževanju, kulturi in znanosti, in v prepričanju, da bo tako sodelovanje prispevalo k boljšemu razumevanju in krepitvi vsestranskih odnosov med državama, ter ob upoštevanju načela helsinške Sklepne listine Konference o varnosti in sodelovanju v Evropi dogovorili o naslednjem:

## 1. člen

Podpisnici bosta razvijali medsebojno sodelovanje v kulturi, izobraževanju in znanosti in v ta namen podpirali neposredno sodelovanje in stike med univerzami, drugimi vzgojno-izobraževalnimi ter znanstvenoraziskovalnimi in kulturnimi ustanovami in organizacijami. Podpirali bosta tudi izmenjavo univerzitetnih profesorjev, študentov, znanstvenikov, strokovnjakov in umetnikov.

## 2. člen

Podpisnici bosta v skladu z možnostmi dodeljevali štipendije za študij in specializacije in spodbujali izmenjavo študentov obeh strani.

## 3. člen

Podpisnici bosta v težnji omogočiti poučevanje in učenje jezika in književnosti druge strani izmenjevali lektorje slovenskega oziroma makedonskega jezika ter strokovna gradiva, potrebna za študij. Podpirali bosta udeležbo profesorjev in študentov na poletnih jezikovnih tečajih.

## 4. člen

Podpisnici bosta posebej podpirali in spodbujali:

- sodelovanje med izobraževalnimi, kulturnimi in znanstveno-raziskovalnimi ustanovami ter strokovnimi združenji,
- izmenjavo strokovnjakov oziroma predavanj,
- izmenjavo umetniških, književnih in znanstvenih del in prevajanje oziroma izdajanje teh del,
- organiziranje in izmenjavo koncertov, gledaliških predstav, umetniških in drugih razstav ter drugih prireditiv,
- izmenjavo filmov, radijskih in televizijskih programov in njihovih ustvarjalcev.

## 5. člen

Podpisnici bosta preučili možnosti za medsebojno priznavanje spričeval, visokošolskih diplom in akademskih naslovov, o čemer bosta sklenili poseben sporazum.

## 6. člen

Podpisnici si bosta prizadevali za boljše poznavanje kulture druge strani in podpirali kulturne stike in prireditve vseh oblik.

\* Besedilo sporazuma v makedonskem jeziku je na vpogled v Službi za mednarodnopravne zadeve Ministrstva za zunanje zadeve Republike Slovenije.

## 7. člen

Podpisnici bosta v skladu s svojo zakonodajo omogočili znanstvenikom druge pogodbenice opravljanje raziskav in proučevanje gradiv v inštitutih, arhivih, knjižnicah in muzejih ter prepisovanje, tehnično snemanje in mikrofilmanje dokumentov in kulturne dediščine.

## 8. člen

Podpisnici bosta še posebej podpirali sodelovanje v izobraževanju, kulturi in znanosti v evropskih večstranskih povezavah.

## 9. člen

Podpisnici bosta podpirali sodelovanje med športnimi organizacijami, prav tako bosta podpirali udeležbo v športnih prireditvah držav podpisnic. Pogodbenici bosta spodbujali stike med mladimi in njihovimi organizacijami v obeh državah podpisnicah.

## 10. člen

Sodelovanje na znanstvenoraziskovalnem in tehnološkem področju bo urejeno s posebnim sporazumom, če bosta podpisnici tako sklenili.

## 11. člen

Podpisnici bosta v okviru zakonov v in predpisov, ki veljajo na ozemlju vsake od podpisnic, omogočili nasprotni

strani vse možne olajšave za vstop, bivanje in odhod oseb in za uvoz materiala in opreme, ki je potrebna za izvajanje programov ali izmenjav, dogovorjenih v skladu s tem sporazumom.

## 12. člen

Predstavniki podpisnic se bodo, kadar bo to potrebno ali na željo druge strani, sestali kot mešana komisija, ki bo ocenila dogajanja, povezana s tem sporazumom.

## 13. člen

Ta sporazum prične veljati z dnem, ko pristojna organa obeh držav izmenjata obvestili o njegovi potrditvi.

Po začetnem petletnem obdobju veljavnosti lahko ena ali druga podpisnica s predhodnim obvestilom v šestih mesecih pred prenehanjem veljavnosti prekliče sporazum.

Sestavljeno v Ljubljani, dne 8. julija 1993, v dveh izvornikih v slovenskem in makedonskem jeziku, pri čemer sta besedili verodostojni.

Za Vlado Republike  
Slovenije  
**Lojze Peterle** l. r.

Za Vlado Republike  
Makedonije  
**Stevo Crvenkovski** l. r.

## 3. člen

Za izvajanje sporazuma skrbijo Ministrstvo za zunanje zadeve, Ministrstvo za kulturo, Ministrstvo za šolstvo in šport in Ministrstvo za znanost in tehnologijo.

## 4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 610-02/95-14/1

Ljubljana, dne 24. aprila 1997

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik, dr. med.** l. r.

## 28.

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

**U K A Z**  
**O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE**  
**IN VLADO SLOVAŠKE REPUBLIKE O SODELOVANJU V ZNANOSTI, IZOBRAŽEVANJU**  
**IN KULTURI (BSKIKZ)**

Razlašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Slovaške republike o sodelovanju v znanosti, izobraževanju in kulturi (BSKIKZ), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 24. aprila 1997.

Št. 001-22-36/97  
Ljubljana, 5. maja 1997

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N**  
**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO SLOVAŠKE REPUBLIKE**  
**O SODELOVANJU V ZNANOSTI, IZOBRAŽEVANJU IN KULTURI (BSKIKZ)**

## 1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Slovaške republike o sodelovanju v znanosti, izobraževanju in kulturi, podpisan v Bratislavi 14. decembra 1994.

## 2. člen

Sporazum se v izvorniku v slovenskem in angleškem jeziku glasi:\*

**S P O R A Z U M**  
**MED VLADO REPUBLIKE SLOVENIJE**  
**IN VLADO SLOVAŠKE REPUBLIKE**  
**O SODELOVANJU V ZNANOSTI,**  
**IZOBRAŽEVANJU IN KULTURI**

Vlada Republike Slovenije in Vlada Slovaške republike (v nadaljnjem besedilu: "pogodbenici") sta se

v želji, da spodbujata sodelovanje v znanosti, izobraževanju in kulturi;

v prepričanju, da bo tako sodelovanje prispevalo k boljšemu razumevanju in krepitvi odnosov med obema državama na različnih ravneh;

odločeni, da spoštujeta načela Helsinške sklepne listine Konference o varnosti in sodelovanju v Evropi, Pariške listine za novo Evropo in Dunajske deklaracije Sveta Evrope;

odločili, da podpišeta ta Sporazum o sodelovanju v znanosti, izobraževanju in kulturi (v nadaljnjem besedilu: "sporazum") in se dogovorili o naslednjem:

## 1. člen

Pogodbenici bosta razvijali in krepili sodelovanje in izmenjavo izkušenj v znanosti, izobraževanju, kulturi, umetnosti, na področju telesne vzgoje, športa in mladine kot tudi na drugih področjih dvostranskega interesa.

**A G R E E M E N T**  
**BETWEEN THE GOVERNMENT**  
**OF THE REPUBLIC OF SLOVENIA AND THE**  
**GOVERNMENT OF THE SLOVAK REPUBLIC**  
**ON COOPERATION IN THE FIELDS OF SCIENCE,**  
**EDUCATION AND CULTURE**

The Government of the Republic of Slovenia and the Government of the Slovak Republic (hereinafter referred to as "the Contracting Parties");

Desiring to promote cooperation in the fields of science, education and culture;

Being convinced that such cooperation will contribute to a better understanding and enhancement of relations between the two countries at different levels;

Resolved to respect the principles of the Helsinki Final Act of the Conference on Security and Cooperation in Europe, Paris Charter for a New Europe and the Vienna Declaration of the Council of Europe;

Have decided to sign this Agreement on Cooperation in the fields of Science, Education and Culture (hereinafter referred to as "the Agreement"), and agreed as follows:

## Article 1

The Contracting Parties shall develop and strengthen the cooperation and exchange of experiences in the fields of science, education, culture, arts, physical education, sports and youth, as well as in other fields of bilateral interest.

\* Besedilo sporazuma v slovaškem jeziku je na vpogled v Službi za mednarodnopravne zadeve Ministrstva za zunanje zadeve Republike Slovenije.

V ta namen bosta spodbujali neposredno sodelovanje in stike med univerzami in drugimi visokoškolskimi izobraževalnimi, znanstvenimi in raziskovalnimi ustanovami ter kulturnimi ustanovami in organizacijami.

#### 2. člen

Pogodbenici bosta podpirali sodelovanje na vseh področjih znanosti. To sodelovanje bo podrobno določeno v posebnem sporazumu, ki ga bodo sklenili pristojni organi pogodbenic.

#### 3. člen

Pogodbenici bosta podpirali sodelovanje in izmenjavo izkušenj v izobraževanju s pomočjo:

- medsebojne izmenjave učencev, dijakov, študentov ter diplomskih študentov za študij v drugi državi,
- medsebojne izmenjave učiteljev, univerzitetnih profesorjev in strokovnjakov s sodelavci za predavanja in obiske v šolah in visokoškolskih ustanovah druge pogodbenice,

- učenja jezika in književnosti v šolah in visokoškolskih ustanovah ene ali druge pogodbenice v obliki medsebojne izmenjave učiteljev in predavateljev slovenskega oziroma slovaškega jezika, udeležbe študentov in učiteljev na poletnih jezikovnih tečajih v drugi državi in medsebojne izmenjave publikacij in literature.

#### 4. člen

Pogodbenici bosta podpirali medsebojno priznavanje kulturnih in umetniških vrednot njunih narodov s pomočjo:

- izmenjave pisateljev, umetnikov, amaterskih in poklicnih skupin kot tudi strokovnjakov in posameznikov, dejavnih na področjih, ki jih obsega ta sporazum,
- organizacije kulturnih in umetniških programov, umetniških razstav, filmskih predstav, radijskih in televizijskih programov, iger, plesnih in glasbenih festivalov ene udeleženke na ozemlju druge na komercialni podlagi,
- izmenjave in daril umetniških publikacij, filmov, knjig, revij, glasbenih plošč in kaset med knjižnicami, muzeji in drugimi kulturnimi ustanovami,
- sodelovanja med založniškimi hišami, vključno z izdajanjem in prodajo knjig,
- vzajemne organizacije kulturnih programov (razstav, simpozijev itd.) na vnaprej dogovorjene teme,
- uvrščanja dramskih in glasbenih del avtorjev druge države v program priznanih ustanov v svoji državi,

- prevodov in izdajanja del najbolj cenjenih avtorjev druge države s področja književnosti, umetnosti, zgodovine in znanosti.

#### 5. člen

Pogodbenici bosta sodelovali pri medsebojnem priznavanju enakovrednosti listin o izobrazbi in listin o akademskih stopnjah in naslovih in bosta proučili podpis ustreznega sporazuma.

#### 6. člen

Pogodbenici se zavezujeta, da bosta sprejeli potrebne ukrepe za zagotovitev plačila avtorskih pravic in tantiem umetnikom kot tudi finančni prenos dogovorjenih zneskov v skladu s pogoji iz ustreznih sporazumov in v skladu z veljavnimi mednarodnimi pravili.

#### 7. člen

Pogodbenici bosta v zvezi z zaščito avtorskih pravic in popularizacijo kulturnih vrednot druge pogodbenice podpi-

To this end, they shall encourage direct cooperation and contacts between universities and other institutions of higher education, educational, scientific and research institutions as well as cultural institutions and organisations.

#### Article 2

The Contracting Parties shall support cooperation in all fields of science. This cooperation shall be defined in detail by a separate agreement to be concluded between the respective authorities of the Contracting Parties.

#### Article 3

The Contracting Parties shall support cooperation and exchange of experience in the field of education by means of:

- mutual exchange of pupils, students and postgraduate students for studies in the other country,
- mutual exchange of teachers, university professors and experts with associates for the purpose of delivering lectures in and paying the visits to the schools and institutions of higher education of the other Party,

- teaching of language and literature in the schools and institutions of higher education of either Party in the form of mutual exchange of teachers and lecturers of the Slovene and Slovak language, respectively, participation of students and teachers in summer language courses in the other country, and reciprocal exchange of publications and literature.

#### Article 4

The Contracting Parties shall support mutual recognition of cultural and artistic values of their nations by means of:

- the exchange of writers, artists, amateur and professional groups, as well as experts and individuals active in the fields which are within the content of this Agreement,
- organisation of cultural and artistic programs, art exhibitions, film performances, radio and television programs, plays, dance and music festivals of one participating Party on the territory of the other Party on a commercial basis,
- the exchange and gifts of artistic publications, films, books, periodicals, music records and cassette tapes between libraries, museums and other cultural institutions,
- cooperation between publishing houses, including the publication and sale of books,
- mutual organisation of cultural programs (exhibitions, symposiums, etc.) to the topics agreed upon in advance,
- enlisting of dramas and music works of authors of the other country into the repertoire of profile institutions in its own country,
- translation and publications of the most distinguished authors of the other country in the fields of literature, arts, history and science.

#### Article 5

The Contracting Parties shall cooperate on the mutual recognition of equality of the documents on education and documents on academic degrees and titles and shall consider the signing of the respective agreement.

#### Article 6

The Contracting Parties pledge to accept necessary measures for ensuring the payment of copyrights and royalties of artists as well as financial transfers of the agreed sums in accordance with the conditions in relevant agreements and according to applied international rules.

#### Article 7

The Contracting Parties shall support further compliance with valid international agreements concerning the pro-

rali nadaljnje usklajevanje z veljavnimi mednarodnimi sporazumi.

#### 8. člen

Pogodbenici bosta podpirali sodelovanje med institucijami, ki si prizadevajo ohraniti kulturno dediščino obeh držav, kot tudi kulturne stike in prireditve vseh vrst.

#### 9. člen

Pogodbenici bosta podpirali sodelovanje v znanosti, izobraževanju in kulturi v okviru evropskih večstranskih in regionalnih stikov.

#### 10. člen

Pogodbenici bosta podpirali sodelovanje med njunimi arhivi, muzeji in knjižnicami in bosta strokovnjakom in raziskovalcem druge pogodbenice omogočili dostop do gradiva in zbirk.

To sodelovanje bo potekalo na vzajemni podlagi v skladu z zakoni in predpisi sprejemne strani.

#### 11. člen

Pogodbenici bosta podpirali sodelovanje na področju avdiovizualnih prenosov radijskih in televizijskih programov o gospodarskem, družbenem in kulturnem razvoju v njunih državah s pomočjo izmenjav in akreditiranja radijskih in televizijskih dopisnikov in poročevalcev, da bi s pomočjo rezultatov na gornjih področjih dosegli medsebojno poznavanje obeh narodov.

#### 12. člen

Pogodbenici bosta podpirali sodelovanje med tiskovnimi agencijami in novinarskimi združenji iz obeh držav, izmenjavo med njimi kot tudi akreditacijo stalnih ali posebnih dopisnikov.

#### 13. člen

Pogodbenici bosta podpirali splošni razvoj sodelovanja na področju telesne vzgoje in športa ter turizma kot tudi neposredno sodelovanje med mladimi obeh držav in njihovimi pooblaščenimi institucijami.

#### 14. člen

Za izpolnjevanje določil tega sporazuma bosta pogodbenici sestavili medresorske programe sodelovanja, v katerih se bosta sporazumeli o oblikah sodelovanja ter načinih njihovega uresničevanja in financiranja.

#### 15. člen

Ta sporazum mora biti odobren v skladu z notranjimi predpisi pogodbenic in začne veljati z dnem izmenjave not o taki odobritvi.

#### 16. člen

Ta sporazum je sklenjen za obdobje petih let. Po njegovem izteku se sporazum avtomatično podaljša za nadaljnje petletno obdobje, če nobena od pogodbenic tega sporazuma pisno ne odpove po diplomatski poti vsaj šest mesecev pred datumom izteka ustreznega obdobja veljavnosti.

V primeru odpovedi tega sporazuma ostane vsak program izmenjave, prireditve ali projekt, ki se izvaja na njegovo

tection of copyrights and the popularisation of cultural values of the other Party.

#### Article 8

The Contracting Parties shall support cooperation between institutions which endeavour to preserve the cultural heritage of both countries as well as cultural contacts and any kind of events.

#### Article 9

The Contracting Parties will support the cooperation in the fields of science, education and culture within the scope of European multilateral and regional contacts.

#### Article 10

The Contracting Parties shall support the cooperation between the archives, museums and libraries and shall make the funds and collections available to the experts and researchers of the other country.

This cooperation will be carried out on the reciprocal basis in accordance with the laws and regulations of the receiving Party.

#### Article 11

The Contracting Parties shall support cooperation in the field of audiovisual broadcasting of radio and television programs about economic, social and cultural development in their countries by means of exchanges and accreditation of radio and television correspondents and reporters in order to attain mutual acquaintance of both nations through the results achieved in the above-mentioned fields.

#### Article 12

The Contracting Parties shall support cooperation between press agencies and associations of journalists from both countries, the exchange between them as well as the accreditation of permanent or special correspondents.

#### Article 13

The Contracting Parties shall support general development of cooperation in the fields of physical education and sports, tourism, as well as direct cooperation between young people from both countries and their authorised institutions.

#### Article 14

For the fulfilments of the provisions of this Agreement, the Contracting Parties shall draw up interdepartmental Programs of Cooperation in which they agree on the forms of cooperation, methods of their implementation and financing

#### Article 15

This Agreement is subject to authorisation according to domestic regulations of the Contracting parties and it shall enter into force on the date of the exchange of notes about this authorisations.

#### Article 16

This Agreement is concluded for the period of five years. After its expiration the Agreement will be automatically extended for another five-year period as long as neither of the Contracting Parties to this Agreement gives notice of termination in writing through diplomatic channels at least six months before the expiration date of the relevant period of validity.

In case of denouncement of this Agreement, any kind of exchange program, event or project accomplished on its



vi podlagi in ki še ni zaključen, v veljavi za toliko časa kot je bilo dogovorjeno.

Sestavljeno v Bratislavi dne 14. 12. 1994 v dveh izvodih v slovenskem, slovaškem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. V primeru različne razlage je odločilno angleško besedilo.

Za Vlado  
Republike Slovenije  
**Ignac Golob** l. r.

Za Vlado  
Slovaške republike  
**Dušan Rozbora** l. r.

basis which has not been completed preserves its validity for the period for which it was agreed upon.

Done at Bratislava this 14<sup>th</sup> day of December 1994, in duplicate in the Slovene, Slovak and English languages, all texts being equally authentic. In case of different interpretation the English text shall prevail.

For the Government  
of the Republic of Slovenia  
**Ignac Golob**, (s)

For the Government  
of the Slovak Republic  
**Dušan Rozbora**, (s)

### 3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za zunanje zadeve, ministrstvo, pristojno za kulturo, ministrstvo, pristojno za šolstvo in šport in ministrstvo, pristojno za znanost in tehnologijo.

### 4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 610-02/95-13/1  
Ljubljana, dne 24. aprila 1997

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik, dr. med.** l. r.

## 29.

Na podlagi tretjega odstavka 63. člena Zakona o zunanjih zadevah (Uradni list RS, št. 1/91-I) izdaja Vlada Republike Slovenije

### **U R E D B O**

#### **O RATIFIKACIJI PROTOKOLA, KI DOPOLNJUJE ČLEN 1(a), ČLEN 14(1) IN ČLEN 14(3)(b) EVROPSKEGA SPORAZUMA O MEDNARODNEM CESTNEM PREVOZU NEVARNEGA BLAGA (ADR) Z DNE 30. SEPTEMBRA 1957**

### 1. člen

Ratificira se Protokol, ki dopolnjuje člen 1(a), člen 14(1) in člen 14(3)(b) Evropskega sporazuma o mednarodnem cestnem prevozu nevarnega blaga (ADR) z dne 30. septembra 1957, sprejet v Ženevi 28. oktobra 1993.

### 2. člen

Besedilo protokola se v angleškem izvorniku in slovenskem prevodu glasi:

#### **P R O T O C O L**

#### **AMENDING ARTICLE 1 (a), ARTICLE 14 (1) AND ARTICLE 14 (3) (b) OF THE EUROPEAN AGREEMENT OF 30 SEPTEMBER 1957 CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR)**

THE PARTIES TO THE PRESENT PROTOCOL, HAVING CONSIDERED the provisions of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), done at Geneva on 30 September 1957 (hereafter referred to as "the Agreement"), relating to the definition of the term "vehicle" in Article 1 (a) and the procedure for the amendment of the annexes to the Agreement, notably the provision of Article 14 (1) of the Agreement;

#### **P R O T O K O L,**

#### **KI DOPOLNJUJE ČLEN 1 (a), ČLEN 14 (1) IN 14 (3) (b) EVROPSKEGA SPORAZUMA O MEDNARODNEM CESTNEM PREVOZU NEVARNEGA BLAGA (ADR) Z DNE 30. SEPTEMBRA 1957**

POGODBENICE TEGA PROTOKOLA, – so proučile določbe Evropskega sporazuma o mednarodnem cestnem prevozu nevarnega blaga (ADR), sklenjenega v Ženevi dne 30. septembra 1957 (v nadaljevanju sporazum), ki se nanaša na definicijo izraza "vozilo" v 1. členu ter postopek dopolnitve priloge, še posebno določila 1. točke 14. člena sporazuma;

NOTING in respect of the procedure for amendment of the Annexes that the Contracting Parties to the Agreement have been experiencing difficulties in implementing, within the time limits provided for by Article 14 (3) of the Agreement, those internal measures that are required for the purpose of putting the amendments into effect;

NOTING FURTHER the views of the Working Party on the Transport of Dangerous Goods of the Inland Transport Committee of the United Nations Economic Commission for Europe and the proposals from the Governments of Austria and France to amend the Agreement;

AGREE as follows:

#### Article 1

##### **Amendment to Article 1 (a) of the Agreement**

Article 1 (a) of the Agreement shall be amended to read as follows:

“(a) The term “vehicle” shall mean any motor vehicle, other than a vehicle belonging to or under the orders of the armed forces of a Contracting Party, intended for use on the road, being complete or incomplete, having at least four wheels and a maximum design speed exceeding 25 km/h, and its trailers, with the exception of vehicles which run on rails and of agricultural and forestry tractors and all mobile machinery”.

#### Article 2

##### **Amendment to Article 14 (1) of the Agreement**

Article 14, paragraph (1) of the Agreement shall be amended to read as follows:

“1. Independently of the revision procedure provided for in Article 13, any Contracting Party may propose one or more amendments to the Annexes to this Agreement. To that end it shall transmit the text thereof to the Secretary-General of the United Nations. The Secretary-General may also propose amendments to the Annexes to this Agreement for the purpose of ensuring concordance between those Annexes and other international agreements concerning the carriage of dangerous goods.

In addition, he may propose amendments to the Annexes to this Agreement which have been adopted by the Working Party on the Transport of Dangerous Goods of the Inland Transport Committee of the United Nations Economic Commission for Europe, at the request of the Working Party”.

#### Article 3

##### **Amendment to Article 14 (3) of the Agreement**

Article 14, paragraph (3) (b) of the Agreement shall be amended to read as follows:

“b The Contracting Party or, as may be the case, the Secretary-General, submitting the proposed amendment in accordance with paragraph 1 of this article may specify in the proposal, for the purpose of entry into force of the amendment, should it be accepted, a period of more than three months' duration”.

#### Article 4

##### **Signature, ratification, acceptance, approval or accession**

1. The Contracting Parties to the Agreement may become Contracting Parties to this Protocol:

- (a) By signing it;
- (b) By depositing an instrument of ratification, acceptance or approval following signature subject to ratification, acceptance or approval;

– so seznanjene, v zvezi s postopkom za dopolnitev prilog, da so imele države pogodbenice sporazuma težave pri izvajanju tistih notranjih ukrepov, v časovnih terminih navedenih v 3. točki 14. člena, ki so potrebni, da dopolnila začnejo veljati;

– so nadalje seznanjene s stališči delovne skupine za prevoz nevarnih snovi Odbora za kopenski transport v okviru ekonomske komisije za Evropo pri Organizaciji združenih narodov in s predlogi vlad Avstrije in Francije za dopolnitev tega sporazuma; in

so se dogovorile, kot sledi:

#### 1. člen

##### **Dopolnilo k 1. (a) členu sporazuma**

1. (a) člen sporazuma se spremeni in se glasi:

“(a) Izraz “vozilo” pomeni katero koli motorno vozilo, razen vozil, ki pripadajo oboroženim silam posamezne države pogodbenice ali so podvržena njihovim ukazom, ki je namenjeno uporabi na cesti, ki je popolno ali nepopolno, ki ima najmanj štiri kolesa in katerega največja načrtovana hitrost presega 25 km/h, in vozilu pripadajoče prikolice, z izjemo vozil, ki vozijo po tirih, kmetijskih in gozdnih traktorjev ter vseh mobilnih strojev.”

#### 2. člen

##### **Dopolnilo k 1. točki 14. člena sporazuma**

1. točka 14. člena sporazuma se spremeni in se glasi:

“1. Neodvisno od revizijskega postopka, določenega v 13. členu, lahko katera koli država pogodbenica predlaga eno ali več dopolnil k prilogam tega sporazuma. V ta namen prenese tekst le-teh generalnemu sekretarju Organizacije združenih narodov. Tudi generalni sekretar lahko predlaga dopolnila k prilogam tega sporazuma z namenom, da se zagotovi usklajenost med prilogami in drugimi mednarodnimi sporazumi, ki zadevajo prevoz nevarnega blaga.

Poleg tega lahko generalni sekretar predlaga dopolnila k prilogam tega sporazuma, ki jih je sprejela delovna skupina za prevoz nevarnega blaga pri Odboru za kopenski transport ekonomske komisije za Evropo pri Organizaciji združenih narodov, in sicer na prošnjo te delovne skupine.”

#### 3. člen

##### **Dopolnilo k 3. točki 14. člena sporazuma**

3. (b) točka 14. člena sporazuma se spremeni in se glasi:

“(b) Država pogodbenica oziroma generalni sekretar, ki predloži predlagano dopolnilo v skladu s 1. točko tega člena, lahko v predlogu določi obdobje v trajanju več kot tri mesece za začetek veljavnosti dopolnila, če bo le-to sprejeto.”

#### 4. člen

##### **Podpis, ratifikacija, sprejem, potrditev in pristop**

1. Države pogodbenice sporazuma lahko postanejo države pogodbenice tega protokola

- (a) s podpisom,
- (b) z deponiranjem listine o ratifikaciji, sprejemu ali potrditvi po podpisu, ki je predmet ratifikacije, sprejema ali potrditve,

(c) By depositing an instrument of accession.

2. This Protocol shall be open for signature at the Office of the Executive Secretary of the Economic Commission for Europe, Geneva, from 28 October 1993 to 31 January 1994.

Article 5

**Depositary**

Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations.

Article 6

**Entry into Force**

This Protocol shall enter into force one month after the date on which all the Contracting Parties to the Agreement have signed it without reservation of ratification, acceptance or approval or have deposited their instruments of ratification, acceptance, approval or accession as the case may be.

Article 7

Any State which becomes a Party to the Agreement after the conditions of the entry into force of this Protocol according to Article 6 have been met shall be considered as a Contracting Party to the Agreement as amended by the Protocol.

Article 8

The original of this Protocol of which the English and French texts are equally authentic shall be deposited with the Secretary-General of the United Nations.

(c) z deponiranjem listine o pristopu.

2. Protokol bo na razpolago za podpis v Uradu izvršnega sekretarja ekonomske komisije za Evropo v Ženevi od 28. oktobra 1993 do 31. januarja 1994.

5. člen

**Depozitar**

Listine o ratifikaciji, sprejemu, potrditvi ali pristopu se deponirajo pri generalnem sekretarju Organizacije združenih narodov.

6. člen

**Začetek veljavnosti**

Protokol začne veljati en mesec po dnevu, do katerega so protokol podpisale vse države pogodbenice sporazuma, brez pridržka ratifikacije, sprejema ali potrditve ali so deponirale svoje listine o ratifikaciji, sprejemu, potrditvi ali pristopu, odvisno od primera.

7. člen

Vsaka država, ki postane pogodbenica tega sporazuma po izpolnitvi pogojev o začetku veljavnosti protokola v skladu s 6. členom, se obravnava kot pogodbenica sporazuma, dopoljenega s protokolom.

8. člen

Izvirnik tega protokola, katerega angleško in francosko besedilo sta enako verodostojna, se deponiran pri generalnem sekretarju Organizacije združenih narodov.

3. člen

Za izvajanje protokola skrbi Ministrstvo za notranje zadeve.

4. člen

Ta uredba začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 340-06/97-6(T1)

Ljubljana, dne 27. marca 1997

**Vlada Republike Slovenije**

**dr. Janez Drnovšek** l. r.  
Predsednik

**VSEBINA**

Stran

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## ZBIRKA MEDNARODNIH DOKUMENTOV

### v dveh delih

Ljudje morajo svoje pravice poznati, da bi lahko poskrbeli za njihovo uresničevanje, je v uvodu Zbirke mednarodnih dokumentov o človekovih pravicah zapisal prof. dr. Danilo Türk, stalni predstavnik Republike Slovenije pri Združenih narodih. Poznavanju dokumentov o človekovih pravicah je namenjena zbirka, ki jo je ob 50-letnici OZN izdalo Društvo za Združene narode za Republiko Slovenijo.

V prvem delu Zbirke, ki jo je skrbno uredila posebna delovna skupina pod vodstvom predsednice društva prof. dr. Mirjam Škrk, so objavljeni Mednarodna listina človekovih pravic, Teheranska izjava in dokumenti o: pravici do samoodločbe, boju proti diskriminaciji, pravicah žensk in otrok, suženjstvu, tlaki, prisilnem delu, svobodi informiranja in združevanja, zaposlovanju, zakonski zvezi, družini in mladini, družbeni blaginji, napredku in razvoju, pravicah na področju kulture, državljanstvu, azilu in beguncih.

Drugi del zbirke vsebuje dokumente o človekovih pravicah na področju pravosodja, o vojnih zločinih in zločinih proti človeštvu in humanitarnem pravu.

Cena I. in II. dela: 5250 SIT

(10408)

Naročila sprejema **ČZ URADNI LIST REPUBLIKE SLOVENIJE**, 1000 LJUBLJANA, SLOVENSKA 9, p.p. 379/VII. Pošljete jih lahko po telefaksu 125 14 18.

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