

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM (78) 646 final

Brussels, 20 December 1978

Recommendation for a COUNCIL DECISION authorizing the Commission to negotiate in respect of the customs provisions contained in Annex 9 to the Convention on International Civil Aviation

(Submitted to the Council by the Commission)

COM (78) 646 final



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Explanatory memorandum

Introduction

Annex 9 to the Convention on International Civil Aviation (Convention signed in Chicago on 7 December 1944) contains a number of standards and recommended practices on "facilitation" which were established on the basis of Article 37 of the Convention (Annex I).

These standards and recommended practices are largely concerned with the customs formalities and other measures applicable to aircraft engaged in international traffic and the passengers or goods carried by such aircraft.

They are periodically reviewed at meetings of the Facilitation Division (FAL) of the International Civil Aviation Organization in order to take account firstly of the growth of international air traffic and secondly of developments in the techniques for operating airlines and of the introduction of new customs verification techniques.

The Commission has been informed that the Facilitation Division will be holding a session some time during the first half of 1979 devoted to such a review. Given the objective in view, which is constantly to amend the provisions agreed internationally in order increasingly to facilitate air transport, this exercise is in fact tantamount to renegotiation of the provisions in force.

Scope of the proposed negotiations

According to the draft agenda drawn up by the Facilitation Division (Annex II) it would appear that all the provisions of Annex 9 to the Chicago Convention will be up for discussion and hence all the customs formalities and other measures applicable in the field of international air traffic.

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Although at the present stage it is still difficult to determine the exact scope of the discussions to be held on this matter (each Contracting Party has been invited to forward any observations it may have to make regarding the agenda), it is now beyond doubt that they will deal with areas which are of interest to the Community as such and fall within its jurisdiction. For instance, this is the case with the review of the provisions of Chapter 4 of Annex 9 to the Convention, which deal with the procedure for the customs clearance of goods (RP (Recommended practices) 4.4., 4.5, 4.6, 4.15, 4.17 and 4.23), use of the customs arrangements for temporary admission (RP 4.27.1, 4.28, 4.32) and the granting of duty-free admission (RP 4.21.1, 4.39, 4.41, 4.42 and 4.48).

#### Need for Community action at these negotiations

As already stated above the purpose of the meeting of the Facilitation Division is to work towards the establishment of international rules adapted to the current situation as regards international air traffic. Progress here on customs matters is envisaged in the form of an amendment of the scope of the provisions of Chapter 4 of Annex 9 to the Chicago Convention, to which all the Member States of the EEC are signatory but which is not applied by all of them under the same conditions (some of them have accepted recommended practices which others have so far rejected).

It is therefore necessary for the European Community as such to be able to participate in the proposed negotiations in order to exercise the powers which it possesses under the Treaty regarding customs matters.

Moreover, at the same time the opportunity should be taken to stress that as a result of the establishment of the customs union the customs provisions contained in the Chicago Convention itself may be applied only in relations between the Community regarded as an entity and non-member countries. Such is the case with article 24(b) of the Convention, which states that "Spare parts and equipment imported into the territory of a contracting State for incorporation in or use on an aircraft of another contracting State engaged in international air navigation shall be admitted free of customs duty". Such a provision is obviously no longer applicable for spare parts and third country materials imported from one Member State into another for installing in or use on a Community aircraft. In effect Member States can only apply to spare parts and third country materials imported

for these purposes the relevant measures of suspension of the duties of the common customs tariff adopted each year by the Council. Article 24 (b) of the Chicago Convention thus relates only to aircraft registered in third countries which touch down in the Community.

The special situation resulting from the EEC's customs union should therefore be emphasized during these negotiations so that it becomes clear to all the participants that, at least in as far as the provisions relating to customs matters are concerned, Community participation in the Chicago Convention and Annex 9 thereto has become necessary.

#### Basis of the action to be taken by the Community

Most of the customs provisions of Annex 9 to the Chicago Convention, particularly those in Chapter 4 thereof, have a direct bearing on the application of the Common Customs Tariff and the operation of the customs union in general. Therefore, in so far as these provisions have to be renegotiated at international level in order to be amended the agreements resulting from such negotiations must be considered as tariff and trade agreements within the meaning of Article 113 of the Treaty. And according to Article 113 the Community alone has authority to negotiate and conclude such agreements.

Article 113(3) of the Treaty also states that where such agreements with third countries need to be negotiated the Commission must make recommendations to the Council, which authorizes the Commission to open the necessary negotiations.

#### Conclusion

Consequently, the Commission recommends that the Council, pursuant to Article 113 of the EEC Treaty, authorize it to negotiate the amendment of the customs provisions contained in Annex 9 to the Convention on International Civil Aviation.

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The negotiations must be conducted in such a way as to attain the following objectives :

- (i) amendments to the current provisions of Annex 9 to the said Convention should take account of the special situation resulting from the EEC's customs union ;
- (ii) the steps should be undertaken for the preparation of legal bases necessary to secure the participation of the European Economic Community, given its jurisdiction in customs matters, in the Chicago Convention and Annex 9 thereto.

It will be possible for the Council to establish more precise negotiating directives as and when the proposals of the Facilitation Division of the International Civil Aviation Organisation are made more explicit.

Recommendation  
for a Council Decision

on the negotiation of the customs provisions  
contained in Annex 9 to the Convention on  
International Civil Aviation

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,  
and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the conclusion of an agreement for the amendment of the customs provisions contained in Annex 9 to the Convention on International Civil Aviation is likely to facilitate and boost trade in goods carried by air ; "Whereas it is desirable for the Community to attain such an objective;"

Whereas the conclusion of such an agreement has a direct bearing on the collection of Common Customs Tariff duties, agricultural levies and other charges provided for under the common agricultural policy; whereas such an agreement must, moreover, take into account the specific requirements of the customs union; whereas it is therefore necessary for the Community to negotiate this agreement,

HAS DECIDED AS FOLLOWS :

Sole Article

The Commission is hereby authorized to conduct negotiations within the framework of the Facilitation Division of the International Civil Aviation Organization for the amendment of the customs provisions contained in Annex 9 to the Convention on International Civil Aviation.

.../...

The Commission shall conduct these negotiations in accordance with the general directives annexed hereto and in consultation with the Article 113 Committee, which shall assist it in this task.

Done at Brussels,

For the Council

The President

## ANNEX

### General negotiating directives

The negotiation by the Commission of the customs provisions contained in Annex 9 to the Convention on International Civil Aviation must be conducted in such a way as to attain the following objectives :

- (i) amendments to the current provisions of Annex 9 should take account of the special situation resulting from the EEC's customs union ;
- (ii) the steps shall be undertaken for the preparation of legal bases necessary to secure the participation of the European Economic Community, given its jurisdiction in customs matters, in the Chicago Convention and Annex 9 thereto.

It will be possible for the Council to establish more precise negotiating directives as and when the proposals of the Facilitation Division of the International Civil Aviation Organisation are made more explicit.

**APPENDIX C - ANNEX 9 - REPRINT OF ICAO DOCUMENTS**

**INTERNATIONAL STANDARDS  
AND RECOMMENDED PRACTICES**

# **FACILITATION**

**ANNEX 9**

**TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

**SEVENTH EDITION - APRIL 1974**



**This edition incorporates all amendments adopted by the Council  
prior to 8 December 1973 and supersedes, on 15 July 1974, all previous  
editions of Annex 9.**

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**

# FOREWORD

## Historical Background

Standards and Recommended Practices on Facilitation were first adopted by the Council on 25 March 1949, pursuant to the provisions of Article 37 of the Convention on International Civil Aviation (Chicago, 1944), and designated as Annex 9 to the Convention with the title "Standards and Recommended Practices - Facilitation". They became effective on 1 September 1949. The Standards and Recommended Practices were based on recommendations of the First and Second Sessions of the Facilitation Division, held at Montreal in February 1946 and at Geneva in June 1948. They were expanded and amended comprehensively as a result of subsequent Sessions of the Division, i.e., the Third Session, held at Buenos Aires in December 1951, the Fourth Session, held at Manila in October 1955, the Fifth Session, held at Rome in December 1959, the Sixth Session, held at Mexico City in March-April 1963 and the Seventh Session, held at Montreal in May 1968. As a result of the Division's Recommendations for amendment of Annex 9 and Council's action thereon, the Second Edition of Annex 9 became effective on 1 March 1953, the Third Edition on 1 November 1956, the Fourth Edition on 1 November 1960, the Fifth Edition on 1 April 1964 and the Sixth Edition on 1 April 1969.

*Seventh Edition.* - The present edition incorporates, *inter alia*, provisions arising from recommendations of the Eighth Session of the Facilitation Division (Dubrovnik, March 1973) which again resulted in a comprehensive expansion and amendment of Annex 9. This Seventh Edition of Annex 9 became effective on 15 April 1974 and is to become applicable on 15 July 1974.

The Standards and Recommended Practices on Facilitation are the outcome of Article 37 of the Convention, which provides, *inter alia*, that the "International Civil Aviation Organization shall adopt and amend from time to time, as may be necessary, international standards and recommended practices and procedures dealing with . . . customs and immigration procedures . . . and such other matters concerned with the safety, regularity and efficiency of air navigation as may from time to time appear appropriate". The policy with respect to the implementation by States of the Standards and Recommended Practices on Facilitation is strengthened by Article 22 of the Convention, which expresses the obligation accepted by each Contracting State "to adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite navigation by aircraft between the territories of Contracting States, and to prevent unnecessary delays to aircraft, crews, passengers, and cargo, especially in the administration of the laws relating to immigration, quarantine, customs and clearance", and by Article 23 of the Convention, which expresses the undertaking of each Contracting State "so far as it may find practicable, to establish

customs and immigration procedures affecting international air navigation in accordance with the practices which may be established or recommended from time to time pursuant to this Convention".\*

In addition to the Standards and Recommended Practices of Annex 9, the Organization's FAL Programme is based on the FAL Resolutions of the Sixteenth Session of the Assembly, Council's Statement of 26 November 1965 on the *Aims of ICAO in the Field of Facilitation* (Doc 7891-C/906/2) and Recommendations of past FAL Division Sessions, not affecting Annex 9, as published in Circular 119-AT/31.

## Applicability

As indicated in Chapter I, Section B, the Standards and Recommended Practices in this document apply to all categories of aircraft operation except where a particular provision specifically refers to one type of operation without mentioning other types of operations.

The Standards and Recommended Practices on Facilitation inevitably take two forms: first a "negative" form, e.g., that States shall not impose more than certain maximum requirements in the way of paper work, restrictions of freedom of movement, etc., and second a "positive" form, e.g., that States shall provide certain minimum facilities for passenger convenience, for traffic which is merely passing through, etc. Whenever a question arises under a "negative" provision, it is assumed that States will, wherever possible, relax their requirements below the maximum set forth in the Standards and Recommended Practices. Wherever there is a "positive" provision, it is assumed that States will, wherever possible, furnish more than the minimum set forth in the Standards and Recommended Practices.

## Action by Contracting States

*Notification of differences.* The attention of Contracting States is drawn to the obligation imposed by Article 38 of the Convention by which Contracting States are required to notify the Organization of any differences between their national regulations and practices and the International Standards contained in this Annex and any amendments

\* A number of other articles of the Convention have special pertinence to the provision of the FAL Annex and have been taken into account in its preparation. In particular, persons responsible for the implementation of the provisions of this Annex should be familiar with the following articles in addition to Articles 22 and 23:

- Article 10, Landing at Customs Airport;
- Article 11, Applicability of Air Regulations;
- Article 13, Entry and Clearance Regulations;
- Article 14, Prevention of Spread of Disease;
- Article 16, Search of Aircraft;
- Article 24, Customs Duty;
- Article 29, Documents carried in Aircraft.

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thereto Contracting States are invited to extend such notification to any differences from the Recommended Practices contained in this Annex, and any amendments thereto. Further, Contracting States are invited to keep the Organization currently informed of any differences which may subsequently occur, or of the withdrawal of any differences previously notified. A specific request for notification of differences will be sent to Contracting States immediately after the adoption of each Amendment to this Annex.

Attention of States is also drawn to the provision of Annex 15 related to the publication of differences between their national regulations and practices and the related ICAO Standards and Recommended Practices through the Aeronautical Information Service, in addition to the obligation of States under Article 38 of the Convention.

**Promulgation of information.** The establishment and withdrawal of and changes to facilities, services and procedures affecting aircraft operations provided in accordance with the Standards and Recommended Practices specified in this Annex should be notified and take effect in accordance with the provisions of Annex 15.

**Use of the text of the Annex in national regulations.** The Council, on 13 April 1948, adopted a resolution inviting the attention of Contracting States to the desirability of using in their own national regulations, as far as practicable, the precise language of those ICAO Standards that are of a regulatory character and also of indicating departures from the Standards, including any additional national regulations that were important for the safety or regularity of air navigation. Wherever possible, the provisions of this Annex have been written in such a way as would facilitate incorporation, without major textual changes, into national legislation.

**General Information**

An Annex is made up of the following component parts, not all of which, however, are necessarily found in every Annex, they have the status indicated:

**1.-Material comprising the Annex proper**

- a) **Standards and Recommended Practices** adopted by the Council under the provisions of the Convention. They are defined, in the case of this Annex, as follows:

**Standard** Any specification, the uniform observance of which has been recognized as practicable and as necessary to facilitate and improve some aspect of international air navigation, which has been adopted by the Council pursuant to Article 54 (1) of the Convention, and in respect of which non-compliance must be notified by States to the Council in accordance with Article 38.

**Recommended Practice:** Any specification, the observance of which has been recognized as generally practicable and as highly desirable to facilitate and improve some aspect of international air navigation, which has been adopted

by the Council pursuant to Article 54 (1) of the Convention, and to which Contracting States will endeavour to conform in accordance with the Convention.

- b) **Appendices** comprising material grouped separately for convenience but forming part of the Standards and Recommended Practices adopted by the Council.
- c) **Definitions** of terms used in the Standards and Recommended Practices which are not self-explanatory in that they do not have accepted dictionary meanings. A definition does not have an independent status but it is an essential part of each Standard and Recommended Practice in which the term is used, since a change in the meaning of the term would affect the specification.

**2.-Material approved by the Council for publication in association with the Standards and Recommended Practices**

- a) **Forewords** comprising historical and explanatory material based on the action of the Council and including an explanation of the obligations of States with regard to the application of the Standards and Recommended Practices ensuing from the Convention and the Resolution of Adoption.
- b) **Introductions** comprising explanatory material introduced at the beginning of parts, chapters or sections of the Annex to assist in the understanding of the application of the text.
- c) **Notes** included in the text, where appropriate, to give factual information or references bearing on the Standards or Recommended Practices in question, but not constituting part of the Standards or Recommended Practices.
- d) **Attachments** comprising material supplementary to the Standards and Recommended Practices, or included as a guide to their application.

By Council Resolution of 25 May 1970, Annexes to the Convention on International Civil Aviation are adopted in three languages - English, French and Spanish. Pursuant to the same Council Resolution, each Contracting State is requested to select one of those texts for the purpose of national implementation and for other effects provided for in the Convention, either through direct use or through translation into its own national language, and to notify the Organization accordingly.

The following practice has been adhered to in order to indicate at a glance the status of each statement: *Standards* have been printed in light face roman; *Recommended Practices* have been printed in light face italics, the status being indicated by the words RECOMMENDED PRACTICE; *Notes* have been printed in light face italics, the status being indicated by the prefix *Note*.

Any reference to a portion of this document which is identified by a number includes all subdivisions of the portion.

# INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES

## CHAPTER 1. — DEFINITIONS AND APPLICABILITY

### A.—Definitions

When the following terms are used in the Standards and Recommended Practices on Facilitation, they have the following meanings:

*Aircraft equipment.* Articles, other than stores and spare parts of a removable nature, for use on board an aircraft during flight, including first-aid and survival equipment.

*Airline.* As provided in Article 96 of the Convention, any air transport enterprise offering or operating a scheduled international air service.

*Authorized agent.* A responsible person who represents an operator and who is authorized by or on behalf of such operator to act on all formalities connected with the entry and clearance of the operator's aircraft, crew, passengers, cargo, mail, baggage or stores.

*Baggage.* Personal property of passengers or crew carried on an aircraft by agreement with the operator.

*Cargo.* Any property carried on an aircraft other than mail, stores and baggage.

*Crew member.* A person assigned by an operator to duty on an aircraft during flight time.

*Direct transit area.* A special area established in connexion with an international airport, approved by the public authorities concerned and under their direct supervision, for accommodation of traffic which is pausing briefly in its passage through the Contracting State.

*Direct transit arrangements.* Special arrangements approved by the public authorities concerned by which traffic which is pausing briefly in its passage through the Contracting State may remain under their direct control.

*Dismarkation.* The leaving of an aircraft after a landing, except by crew or passengers continuing on the next stage of the same through-flight.

*Embarkation.* The boarding of an aircraft for the purpose of commencing a flight, except by such crew or passengers as have embarked on a previous stage of the same through-flight.

*Flight crew member.* A licensed crew member charged with duties essential to the operation of an aircraft during flight time.

*Free airport.* An international airport at which, provided they remain within a designated area until removal by air to a point outside the territory of the State, crew, passengers, baggage, cargo, mail and stores may be disembarked or unladen, may remain and may be trans-shipped, without being subjected to any customs charges or duties and, except in special circumstances, to any examination.

*Free zone.* An area where merchandise, whether of domestic or foreign origin, may be admitted, deposited, stored, packed, exhibited, sold, processed or manufactured, and from which such merchandise may be removed to a point outside the territory of the State without being subjected to customs duties or internal consumer taxes or, except in special circumstances, to inspection. Merchandise of domestic origin admitted into a free zone may be deemed to be exported.

*Ground equipment.* Articles of a specialized nature for use in the maintenance, repair and servicing of an aircraft on the ground, including testing equipment and cargo- and passenger-handling equipment.

*International airport.* Any airport designated by the Contracting State in whose territory it is situated as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out.

*Lading.* The placing of cargo, mail, baggage or stores on board an aircraft to be carried on a flight, except such cargo, mail, baggage or stores as have been laden on a previous stage of the same through-flight.

*Mail.* Dispatches of correspondence and other objects tendered by and intended for delivery to postal administrations.

*Operator.* A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

*Pilot-in-command.* The pilot responsible for the operation and safety of the aircraft during flight time.

*Public authorities.* The agencies or officials of a Contracting State responsible for the application and enforcement of the particular laws and regulations of that State which relate to any aspect of these Standards and Recommended Practices.

*Security equipment.* Devices of a specialized nature for use, individually or as part of a system, in the prevention or

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detection of acts of unlawful interference with civil aviation and its facilities.

*Spare parts.* Articles of a repair or replacement nature for incorporation in an aircraft, including engines and propellers.

*State of Registry.* A Contracting State on whose register the aircraft is entered.

*Stores.* Articles of a readily consumable nature for use or sale on board an aircraft during flight, including commissary supplies.

*Temporary visitor.* Any person, without distinction as to race, sex, language or religion, who disembarks and enters the territory of a Contracting State other than that in which that person normally resides; remains there for not more than three months for legitimate non-immigrant purposes, such as touring, recreation, sports, health, family reasons, study, religious pilgrimages, or business; and does not take up any gainful occupation during his stay in the territory visited.

*1. - Definitions and Applicability*

*Through flight.* A particular operation of aircraft, identified by the operator by the use throughout of the same symbol, from point of origin via any intermediate points to point of destination.

*Unaccompanied baggage.* Baggage not carried on the same aircraft with the passengers or crew to whom it belongs.

*Unloading.* The removal of cargo, mail, baggage or stores from an aircraft after a landing, except cargo, mail, baggage or stores continuing on the next stage of the same through-flight.

**B. - Applicability**

The provision of these Standards and Recommended Practices apply to all categories of aircraft operation except where a particular provision specifically refers to one type of operation without mentioning other types of operations.

## CHAPTER 2. — ENTRY AND DEPARTURE OF AIRCRAFT

### A.—General

2.1 Governmental regulations and procedures applicable to the clearance of aircraft shall be no less favourable than those applied to other forms of transportation.

2.2 Contracting States shall make provision whereby procedures for the clearance of aircraft will be applied and carried out in such a manner as to retain the advantage of speed inherent in air transport.

2.3 No documents, other than those provided for in this Chapter, shall be required by the public authorities from operators for the entry and departure of aircraft.

*Note.—It is part of the intention of this paragraph that standard forms shall not be varied by the inclusion of national markings thereon.*

### B.—Description, Purpose and Use of Aircraft Documents

2.4 RECOMMENDED PRACTICE.— *Contracting States should not require the presentation of a General Declaration.*

2.4.1 A Contracting State which continues to require the presentation of a General Declaration shall limit its requirements to the items and shall follow the format set forth in Appendix 1 — General Declaration.

2.4.2 When a Contracting State has eliminated the Passenger Manifest and no longer requires the General Declaration (except for purposes of attestation) it shall accept, at the option of the operator, either a General Declaration or an appropriate attestation, signed by the authorized agent or pilot-in-command, on one page only of the Cargo Manifest. The attestation on the Cargo Manifest can be provided by means of a rubber stamp. When the operator chooses to furnish the attestation on the Cargo Manifest, and when no cargo, mail, stores or baggage are laden or unladen, he shall record this on the manifest.

2.4.3 Contracting States shall accept the General Declaration when signed by either the authorized agent or the pilot-in-command, but may, when necessary, require the health section thereof to be signed by a crew member when the General Declaration itself has been signed by a non-crew member.

2.5 Where Contracting States require the presentation on entry and departure of aircraft of information relating to crew members, such information shall be limited to a notation of the number of crew on board, which shall be provided on the General Declaration in the column headed "Total number of crew".

2.6 RECOMMENDED PRACTICE.— *Contracting States should not require the presentation of a Passenger Manifest.*

2.6.1 RECOMMENDED PRACTICE.— *In Contracting States where the presentation of a list of passenger names is not required, public authorities should not require more than a notation on the General Declaration of the number of passengers embarking or disembarking, as the case may be, and the number going through the airport on the same flight.*

*Note.—It is the aim to eliminate from the General Declaration, as soon as possible, any notation in respect of passengers.*

2.6.2 A Contracting State which continues to require the presentation of a Passenger Manifest, in lieu of a notation on the General Declaration, shall limit its requirements to the items and shall follow the format set forth in Appendix 2 — Passenger Manifest.

2.7 A Contracting State which continues to require the presentation of a Cargo Manifest shall, apart from the information indicated in the heading of the format of the Cargo Manifest set forth in Appendix 3, not require more than the following three items:

- a) the air waybill number;
- b) the number of packages related to each air waybill number; and
- c) the nature of the goods.

The Cargo Manifest shall be accepted either when it follows the above-mentioned format, or a clear and understandable format adapted to electronic data-processing techniques.

*Note.—It is part of the intention of this paragraph that, for the purpose of reporting air cargo on arrival to the authorities, operators be given the following options subject to the agreement of the governments concerned:*

- a) submission of the Cargo Manifest as per Appendix 3 when prepared by the station of loading abroad, or
- b) preparation and submission of the Cargo Manifest on arrival on the basis of shipments actually landed, or
- c) submission of the information required in the Cargo Manifest in a different way, such as direct transmission into a computer, teletype listings, or one copy of the air waybill per shipment.

2.7.1 RECOMMENDED PRACTICE.— *Contracting States should dispense with the requirement for information concerning the nature of goods in the Cargo Manifest.*

2.8 Contracting States shall not require the presentation of a written declaration of the mail other than the form AV 7 proscribed by the Universal Postal Convention of Tokyo (1969). Operators carrying mail shall, upon the request of the customs authorities, present to them for inspection and return a copy of the pertinent AV 7 mail form in cases where it has not otherwise been made

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available for customs clearance purposes by the postal authorities.

2.9 Contracting States shall not require the presentation of a written declaration of stores remaining on board aircraft. In respect of stores laden on or unladen from an aircraft, Contracting States which continue to require the presentation of a written declaration of such stores shall limit the information required to an absolute minimum, and simplify their clearance to the greatest possible extent.

2.10 Contracting States shall not require the presentation of a list of the number of pieces of accompanied baggage. Operators carrying baggage shall, upon request from the authorities, provide them with any available information where it has not otherwise been provided for customs clearance purposes by the passenger.

**C.-Outbound Procedures**

2.11 Contracting States shall not require the authorized agent or pilot-in-command to deliver to the public authorities concerned, before departure of the aircraft, more than:

- a) two copies of the General Declaration, when used;
- b) two copies of the Passenger Manifest, when used, listing embarking passengers according to their points of disembarkation;
- c) two copies of the Cargo Manifest, when used, listing cargo and unaccompanied baggage laden according to points of unloading;
- d) two copies of a simple stores list, when used, listing stores laden.

2.12 If the aircraft is not embarking passengers or loading cargo, mail, stores or baggage, no aircraft document shall be required except the General Declaration (which shall so state) or, if the provisions of 2.4.2 apply, the Cargo Manifest.

2.13 When it will facilitate aircraft departure, Contracting States shall permit those operators that have provided a sufficiently conclusive statistical basis for obtaining such permission the use of standard baggage weights for each piece of baggage or for the aggregate of baggage for each passenger on given services.

**D.-Inbound Procedures**

2.14 Contracting States shall not require the authorized agent or pilot-in-command to deliver to the public authorities concerned, on arrival of the aircraft, more than:

- a) three copies of the General Declaration, when used;
- b) four copies of the Passenger Manifest, when used, listing disembarking passengers according to their points of embarkation;

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- c) three copies of the Cargo Manifest, when used, listing cargo and unaccompanied baggage unladen according to points of lading,
- d) two copies of a simple stores list, when used, listing stores unladen.

2.15 If the aircraft is not disembarking passengers or unloading cargo, mail, stores or baggage, no aircraft document shall be required except the General Declaration (which shall so state) or, if the provisions of 2.4.2 apply, the Cargo Manifest.

**E.-Consecutive Stops at Two or More International Airports in the Same Contracting State**

2.16 RECOMMENDED PRACTICE.- Contracting States should not require documents or procedures for entry or departure of aircraft which are different from or in excess of those prescribed in this Chapter in the case where aircraft stop at two or more international airports within their territories without intermediate landing in the territory of another State.

*Note.-During the interval (which may be of some duration in the case of many private flights) between the time when all inbound procedures have been completed and outbound procedures are begun, it is assumed that Contracting States normally will allow aircraft to land at other than international airports in their territories and will require no further documentation or procedures of the nature referred to in this Chapter.*

**F.-Completion of Aircraft Documents**

2.17 RECOMMENDED PRACTICE.- Documents for entry and departure of aircraft should be accepted if furnished in English or in French or in Spanish. Any Contracting State may require an oral or written translation into its own language.

2.18 Typewriting shall not be required in filling out the documents referred to in this Chapter 2. Handwritten block lettering in ink or indelible pencil, or documents produced by electronic data-processing techniques, in legible and understandable form shall be accepted in all cases.

2.19 No visa shall be required, nor shall any visa or other fee be collected, in connexion with the use of any documentation required for the entry or departure of aircraft.

**G.-Disinsecting of Aircraft**

2.20 When disinsecting is required by a Contracting State as a public health measure, that requirement shall be deemed to have been met by discharging into those portions of the aircraft which may carry insects from one area to another, an insecticide of a strength, formula and

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method of dispersal recommended by the World Health Organization and acceptable to that State, such insecticide to be effectively discharged:

- a) into the flight deck and into those portions of the aircraft which cannot be reached when the aircraft is moving, as near as possible to the time of the aircraft's last departure before entering the State and in sufficient time to avoid delaying such departure; and
- b) into those portions of the aircraft which can be reached when the aircraft is moving, after the time of the aircraft's last departure before entering the State, either
  - i) by means of an aerosol spray, or any equivalent system, while the aircraft is taxiing from the ramp to the runway for take-off, or
  - ii) if the aircraft is suitably equipped, by means of an automatic dispersal of vapour while the aircraft is flying, but as far in advance as possible and at least thirty minutes prior to first landing, or
  - iii) by other equally effective means.

2.21 RECOMMENDED PRACTICE.— *When disinsecting as a public health measure has been properly performed pursuant to 2.20 and has been recorded on the General Declaration, it should be accepted by all Contracting States as evidence that effective disinsecting has been carried out for preventing the spread of all insect vectors of human diseases for whose destruction the insecticide is effective.*

2.22 When disinsecting as a public health measure has been properly performed pursuant to 2.20, passengers and crew on arrival shall, except in special circumstances, be allowed to disembark immediately from the aircraft.

2.23 RECOMMENDED PRACTICE.— *Contracting States should ensure that all personnel in charge of disinsecting receive appropriate information concerning the way in which to perform such disinsecting effectively.*

2.24 RECOMMENDED PRACTICE.— *Disinsecting of an aircraft on a through-flight should not be required to be repeated on behalf of any insect vectors of human disease, against which the insecticide used is effective, except when live insect vectors of human disease have been found on board the aircraft, or when the aircraft is proceeding directly from an infected area of an insect-borne disease to a receptive area.*

2.25 RECOMMENDED PRACTICE.— *When a Contracting State requires treatment of the aircraft with an insecticide in the interest of agriculture or food conservation, a single treatment should be employed that also meets the requirements of public health.*

2.26 RECOMMENDED PRACTICE.— *When disinsecting or other remedial measures are required by a Contracting State for animal and plant quarantine purposes,*

*such State should devise means to integrate its procedures in this field with other clearance procedures whenever this will expedite the clearance of aircraft and the loads that they carry, in so far as this does not detract from the safety of the aircraft and the effectiveness of the measures*

2.27 Contracting States shall ensure that their procedures for disinsecting or any other remedial measure are not injurious to the health of passengers and crew and cause the minimum of discomfort to them.

2.28 Contracting States shall ensure that any insecticide or any other substance used to meet the requirements of public health, agriculture or food conservation is not inflammable and does not have a deleterious effect on the structure of the aircraft or its operating equipment.

2.29 Contracting States shall define the types of animals and animal products which, when imported by air, require that the aircraft be disinfected and shall normally exempt aircraft from disinfection when such animals or animal products are carried in approved containers. When aircraft disinfection is required, the following provision shall apply:

- a) the application shall be limited solely to the container or to the compartment of the aircraft in which the traffic was carried;
- b) the disinfection shall be carried out expeditiously;
- c) inflammable chemical compounds or solutions likely to damage aircraft structure, by corrosion or other effects, shall not be employed.

H.—Arrangements concerning International Flights other than Scheduled International Air Services

2.30 In the case of aircraft registered in other Contracting States, which are not engaged in scheduled international air services and which are making flights either in transit non-stop across the territory of a Contracting State or stopping in the territory of a Contracting State for non-traffic purposes, such Contracting State shall not require more advance notice of such flights than is necessary to meet the requirements of air traffic control and of the public authorities concerned.

2.30.1 Contracting States shall accept from the appropriate authority of any other Contracting State the information contained in a flight plan as adequate advance notification of the arrival of in-coming aircraft referred to in 2.30 above, provided that such information is received at least two hours in advance of arrival and that the landing occurs at a previously designated international airport. Responsibility for notification to authorized inspection officials, in the case of both arrivals and departures of registered aircraft of other Contracting States, shall rest with the appropriate authority of the State concerned.

*Note.—Specifications for flight plans are set forth in Annex 2 - Rules of the Air.*

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2.30.2 Any Contracting State which, for reasons of safety of flight, requires special permission in addition to the filing of a flight plan, in respect of flights referred to in 2.30 above, shall not require the application of such permission to be filed more than three working days in advance of the intended arrival of the aircraft in the territory of said Contracting State, or the intended non-stop transit flight across the territory of said State.

2.30.3 Contracting States requiring advance notice of the intended landing of aircraft in their territory shall designate a single agency through which such notices may be routed.

2.30.4 Contracting States requiring advance notice of the intended landing of aircraft in their territory shall limit the amount of information required in such notices to that transmitted in flight plans.

**2.31 RECOMMENDED PRACTICE.**— *Contracting States should make arrangements whereby one governmental agency is authorized to undertake, on behalf of all other government departments concerned, clearance of smaller aircraft, and their loads at airports used only by occasional international flights.*

*Note* Some Contracting States have already authorized local police or other authorities at or near certain of their airfields to carry out all clearance aspects, thus enabling the State concerned to permit many of the smaller aircraft, coming directly from abroad, to land and depart from airports where normal clearance facilities do not exist, provided that no dutiable articles are unladen upon arrival or intended to be laden on departure.

2.32 In the case of aircraft engaged in the carriage of passengers, cargo or mail for remuneration or hire on other than scheduled international air services, if a Contracting State requires its special permission for the operation of taking on or discharging passengers, cargo or mail, it shall not require that such special permission be applied for through diplomatic channels, and shall:

- a) establish procedures whereby such application will be dealt with promptly;

**2.- Entry and Departure of Aircraft**

- b) make such permission effective for a specific length of time or number of flights wherever possible; and
- c) impose no fees, dues or charges for the issue of such permission.

**2.32.1 RECOMMENDED PRACTICE.**— *Contracting States should not require more than the following details in the applications referred to in 2.32:*

- i) name of operator;
- ii) type of aircraft and registration marks;
- iii) date and time of arrival at, and departure from, the airport concerned;
- iv) place or places of embarkation or disembarkation abroad, as the case may be, of passengers and/or freight;
- v) purpose of flight and number of passengers and/or nature and amount of freight;
- vi) name, address and business of charterer, if any.

*Note.*— *It is the intent of this provision that applications in advance for special permission should be acted upon expeditiously on the basis of the above standard information. As an example to illustrate the intent of this provision, a State which requires applications in advance could provide that whenever applications contain all of the above standard information they need not reach the appropriate agency more than two full business days in advance of the intended landing of the aircraft in the territory of that State.*

2.33 Contracting States shall publish their regulations concerning the advance notices and applications for permission referred to in 2.30 and 2.32, and communicate them to ICAO.

2.34 An aircraft which is not engaged in scheduled international air services and which is making a flight to or through any designated international airport of a Contracting State and is admitted temporarily free of duty in accordance with Article 24 of the Convention shall be allowed to remain within that State, for a period to be established by that State, without security for customs duty on the aircraft being required.

## CHAPTER 3. — ENTRY AND DEPARTURE OF PERSONS

### A.—General

3.1 Regulations and procedures applied to persons travelling by air shall be no less favourable than those applied to persons travelling by other means of transport.

3.2 Contracting States shall make provision whereby the procedures for clearance of persons travelling by air will be applied and carried out in such a manner as to retain the advantage of speed inherent in air transport.

3.3 No documents other than those provided for in this Chapter shall be required by Contracting States for the entry into and departure from their territories of temporary visitors.

### B.—Entry Requirements and Procedures

#### I.—Passenger Identity Documents

3.4 Contracting States shall not require from temporary visitors travelling by air any other document of identity than a valid passport.

*Note.—It is not the intent of the above Standard to discourage Contracting States, who wish to be more liberal, from accepting official documents of identity such as expired passports, national registration cards, seafarers' identity documents, alien resident permits and crew member certificates in lieu of a valid passport.*

3.5 Contracting States shall take all practicable measures to ensure that passports are issued as quickly as possible after receipt of the application.

3.5.1 RECOMMENDED PRACTICE.— *As a means of giving effect to 3.5 above, Contracting States should, if necessary, decentralize their facilities for the issue of passports and should waive any requirements to produce certificates of good conduct, documentary evidence of financial status and similar supporting documents, except in special circumstances.*

3.5.2 RECOMMENDED PRACTICE.— *Contracting States should issue passports with an initial period of validity of at least five years, valid for an unlimited number of journeys and for all countries, except in special circumstances.*

3.5.3 RECOMMENDED PRACTICE.— *Contracting States should institute simple procedures for the renewal or replacement of passports and grant the same period of validity for the new or renewed passport as for the initial issue.*

3.5.4 RECOMMENDED PRACTICE.— *If any fee is charged for the issue or renewal of a passport, the amount of such fee should not exceed the cost of the operation.*

3.5.5 RECOMMENDED PRACTICE.— *A Contracting State should not require separate passports for children under sixteen years of age entering its territory when accompanied by a parent or legal guardian, provided that particulars of the child are recorded in the passport of the accompanying adult.*

3.6 In cases where a temporary visitor holds a valid passport and no visa is required of him (cf. 3.7 below), Contracting States shall not require him to obtain any other identity document, such as a tourist card, from their consulates or from operators prior to the commencement of his flight.

*Note.—It is the intention of this Standard that the temporary visitors referred to should be admitted upon arrival without having to furnish any other document except, if required, a Disembarkation Card (cf. 3.10 below) and, if required, a Certificate of Vaccination or Revaccination (cf. 3.11 below). It is not desired to discourage Contracting States from issuing a tourist card to a non-national who holds no passport, as a document entitling him to enter into their territories, if they are willing to do so.*

3.6.1 A Contracting State which issues tourist cards to non-nationals arriving by air from another Contracting State shall make provision for such issuance at all of its international airports.

#### II.—Visas

3.7 RECOMMENDED PRACTICE.— *Contracting States should extend to the maximum number of countries the practice of abolishing through bilateral arrangements or unilateral action, entrance visas for temporary visitors.*

*Note.—As of the end of 1973, fifty-two Contracting States had already eliminated entrance visas in respect of nationals from fifty or more other countries. Seventeen of these States were in the Western Hemisphere, twenty-one were in Europe and the Middle East, nine were in Africa and five were in East and South Asia and the Pacific.*

3.8 In cases where a Contracting State continues to require entrance visas from temporary visitors, it shall adopt the practice of issuing such visas without charge through reciprocal or other acceptable arrangements.

3.8.1 Contracting States shall simplify the documentary requirements and other formalities for the issue of entrance visas for temporary visitors and shall ensure that such visas are issued as quickly as possible after receipt of the application and shall not normally require the applicant to make a personal appearance at a consulate.

3.8.2 Entrance visas for temporary visitors shall normally be made valid for at least twelve months from the date of issue regardless of the number of entries into the State concerned and with the understanding that the

duration of each stay may be limited. However, the State concerned may require that the length of validity of the visa does not exceed the length of validity of the passport or other identity document in which such visa is inserted.

3.8.3 RECOMMENDED PRACTICE.— *Contracting States should not require visas for re-entry from their own nationals and resident aliens.*

3.8.4 RECOMMENDED PRACTICE.— *Visas should in all cases include the following information given in the order shown:*

- 1) number of visa;
- 2) type of visa;
- 3) date of issue, showing day, month and year in that order;
- 4) date of expiry, showing day, month and year in that order;
- 5) number of entries permitted;
- 6) authorized duration of each stay.

3.8.5 RECOMMENDED PRACTICE.— *Numerals 1, 2, 3, 4, 5, 6, 7, 8, 9, 0 and the Gregorian calendar (with months being spelled out in full) should be used in furnishing the information listed in 3.8.4.*

3.8.6 RECOMMENDED PRACTICE.— *When the text of the visa is in a national language other than English, French or Spanish, one of these three languages should also be used.*

III.—Additional Documentation

3.9 RECOMMENDED PRACTICE.— *Contracting States should not require either from temporary visitors travelling by air, or from operators on their behalf, any information in writing supplementary to or repeating that already presented in their identity documents.*

3.10 A Contracting State which continues to require written supplementary information from temporary visitors travelling by air, shall limit its requirements to the items and shall follow the format set forth in Appendix 4 — Embarkation/Disembarkation Card. Contracting States shall accept the Embarkation/Disembarkation Card when completed by temporary visitors and shall not require it to be completed or checked by the operator. Legible handwritten script shall be accepted on the card, except where the form specifies block lettering.

IV —Public Health Requirements

3.11 In cases where evidence of protection against yellow fever or smallpox is required from persons travelling by air, Contracting States shall accept the International Certificates of Vaccination or Revaccination in the forms set out by the World Health Organization in Appendices 3 and 4 of the International Health Regulations (1969).

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3.12 RECOMMENDED PRACTICE.— *Medical examination of persons arriving by air should normally be limited to those disembarking and coming within the incubation period of the disease concerned, as stated in the International Health Regulations (1969), from an area infected with one of the four quarantinable diseases (plague, cholera, yellow fever and smallpox).*

V.—Clearance Procedures

3.13 Except in special circumstances, Contracting States shall not require that identity documents be collected from passengers or crew before they arrive at the passport control points.

3.13.1 After individual presentation by passengers and crew of the identity documents, the public officials concerned shall, except in special individual cases, hand back such documents immediately after examination, rather than withholding them for purposes of obtaining additional control.

3.14 Each Contracting State shall make arrangements whereby the identity document of a temporary visitor need be inspected by only one official at times of entry and departure.

*Note.— This provision is intended to ensure inspection of the identity document of a temporary visitor by only one official on behalf of both the Immigration and Police authorities. It is not intended to discourage Health and Customs officials from examining the identity document whenever this may facilitate health and customs clearance of the temporary visitor.*

3.15 Contracting States shall accept an oral declaration of baggage from passengers and crew.

3.16 Contracting States shall normally accomplish inbound passenger baggage inspection on a sampling or selective basis.

3.16.1 RECOMMENDED PRACTICE.— *Contracting States should adopt the dual-channel baggage clearance system at international airports where the volume of passenger traffic justifies its installation.*

*Note.— See Appendix 6 — Dual-Channel System as recommended by the Customs Co-operation Council.*

VI.—Crew and Other Operators' Personnel

3.17 RECOMMENDED PRACTICE.— *Contracting States should ensure that inspection, when required, of crew members and their baggage, on arrival and departure, is carried out expeditiously.*

3.18 Contracting States shall provide facilities which will enable unlicensed crew members of their airlines to obtain without delay and without charge crew members' certificates containing the material set forth in Appendix 5 and valid for the crew member's term of employment.

3.19 In the case of an airline flight crew member who retains his licence in his possession when embarking and disembarking, remains at the airport where the aircraft has stopped or within the confines of cities adjacent thereto, and departs on the same aircraft or on his next regularly scheduled flight, each Contracting State shall accept such licence for temporary admission to the State and shall not require a passport or visa provided the licence contains the specifications set forth in 5.1.1 of Annex 1, plus: a) a certification that the holder may at all times re-enter the State of issuance of the licence upon production of the licence; b) a photograph of the holder; and c) place and date of birth of the holder.

*Note.*—It is the intent of this Standard that a licence shall be recognized as a satisfactory identity document under the specific circumstances when it contains the above certification and the other items specified, even if the holder is not a national of the State of Registry of the aircraft on which he serves. It is not desired to discourage Contracting States from issuing such licences to resident alien flight crew members if they are willing to do so.

Specifications for licences are set forth in Chapter 5 of Annex 1 — Personnel Licensing.

3.19.1 RECOMMENDED PRACTICE.— Each Contracting State should extend privileges of temporary admission similar to those provided under 3.19, and on the same conditions, to a flight crew member of an aircraft operated for remuneration or hire but not engaged in scheduled international air services, subject to the requirement that such flight crew member must depart on the aircraft on its first flight out of the territory of the State.

3.20 In the case of either an airline flight crew member whose licence does not meet the specifications of 3.19 or an unlicensed crew member of an airline, each Contracting State shall extend privileges of temporary admission similar to those provided under 3.19 and on the same conditions, provided the crew member concerned is in possession of a valid Crew Member Certificate (Appendix 5).

*Note.*—The implementation of 3.19 and 3.20 permits rapid and efficient disposition of flight personnel by airlines. The full benefit cannot be derived from these provisions while some States withhold acceptance of them.

3.20.1 RECOMMENDED PRACTICE.— Each Contracting State should extend privileges of temporary admission similar to those provided under 3.20 and on the same conditions, to a flight crew member of an aircraft operated for remuneration or hire but not engaged in scheduled international air services, when such flight crew member's licence does not meet the specifications of 3.19 and to an unlicensed crew member of an aircraft operated for remuneration or hire but not engaged in scheduled international air services, subject to the requirements:

- a) that the crew member concerned is in possession of a valid Crew Member Certificate (Appendix 5); and
- b) that the crew member concerned must depart on the aircraft on its first flight out of the territory of the State.

3.20.2 When it is necessary for a crew member of an airline, in the exercise of his or her duties, to travel to another State as a passenger by any means of transportation in order to join an aircraft, each State shall accept from that crew member, in lieu of a passport and visa, a licence as specified in 3.19 or a Crew Member Certificate as specified in Appendix 5, for temporary admission and for the necessary freedom of movement within its territory to join such aircraft.

3.20.3 RECOMMENDED PRACTICE.— Each Contracting State should extend privileges of temporary admission similar to those provided under 3.20.2 and on the same conditions, to a crew member of an aircraft operated for remuneration or hire but not engaged in scheduled international air services.

3.21 RECOMMENDED PRACTICE.— Contracting States should make arrangements to expedite the admission, for residence in their territories, of ground and flight personnel of foreign airlines operating to or through such territories, to the extent that such personnel are necessary to perform supervisory and technical duties directly connected with the operation of the international air services being performed by such airlines.

3.22 Contracting States shall make arrangements to ensure entry without delay into their territories on a temporary basis of technical personnel of foreign airlines operating to or through such territories who are urgently required for the purpose of converting to an airworthy condition any aircraft which is, for technical reasons, unable to continue its journey. In the event of States requiring a guarantee of, for instance, the subsistence in, and return from, such State, this shall be negotiated without delaying the immediate admission of such personnel.

C.—Departure Requirements and Procedures

3.23 Contracting States shall not require exit visas from their own nationals or residents wishing to tour abroad nor from temporary visitors at the end of their stay.

3.24 RECOMMENDED PRACTICE.— Contracting States should, in conformity with their respective regulations, endeavour to reduce the documentation required to be produced by passengers departing from their territories to a valid passport or other acceptable form of identity document.

*Note.*—It is not the intent of the above Recommended Practice to discourage Contracting States, who wish to be more liberal, from accepting official documents of identity such as expired passports, national registration cards, seafarers' identity documents, alien resident permits, crew member certificates, etc. in lieu of a valid passport.

3.25 RECOMMENDED PRACTICE.— In order to facilitate aircraft departure, Contracting States which examine passengers as a security measure should, to the extent feasible, utilize security equipment in conducting such examinations so as to reduce materially the number of persons to be specially searched.

**Annex 9 - Facilitation**

**3.-Entry and Departure of Persons**

*Note* The use of radiological techniques for screening passengers should be avoided.

- Privacy should be assured when a thorough physical search is to be carried out. If special rooms are not available, portable screens may be used for this purpose.

**3.26 RECOMMENDED PRACTICE.**- Contracting States should not normally require presentation of baggage of passengers departing from their territory.

**3.27** Contracting States shall not require inspection of baggage of passengers departing from their territory, except in special circumstances.

**3.28 RECOMMENDED PRACTICE.**- In order to facilitate aircraft departure, Contracting States which examine baggage of passengers departing from their territory as a security measure should, to the extent feasible, utilize security equipment in conducting such examinations so as to reduce materially the amount of baggage to be actually searched.

**3.29** Contracting States shall not require tax clearance certificates from temporary visitors.

**3.30** Contracting States shall not hold the operator responsible for any payment arising from the non-payment of taxes by any passenger.

**D.-Completion of Passenger and Crew Documents**

**3.31 RECOMMENDED PRACTICE.**- The practice of entering names on passenger and crew documents should be to put the surname or surnames first. Where both paternal and maternal surnames are used, the paternal surname should be placed first. Where for married females both the husband's and the wife's paternal surnames are used, the husband's paternal surname should be placed first.

**E.-Custody and Care of Passengers and Crew**

**3.32** The public authorities concerned shall, without unreasonable delay, accept passengers and crew for examination as to their admissibility into the State.

**3.32.1** The operator shall be responsible for the custody and care of passengers and crew until they are accepted for such examination. The responsibility of the operator shall include the custody of passengers and crew between the aircraft and the terminal building and within the terminal building transit area, it being understood that the Contracting State may, if it so wishes, relieve the operator from all, or part of this responsibility.

**3.32.2 RECOMMENDED PRACTICE.**- After such acceptance, whether conditional or unconditional, the public authorities concerned should be responsible for the custody and care of passengers and crew who are in possession of all necessary papers, until they are finally admitted or refused admission and transferred back to the custody of the operator for transport away from the territory of the State.

**3.33** Upon refusal of admission and transfer back of any person, the operator shall be responsible for promptly returning him to the point where he commenced the use of the operator's aircraft or to any other place where the person is admissible.

*Note.*-In transferring such passengers back to an operator, public authorities, as far as circumstances and time permit, should promptly consult with the operator concerned regarding the possibilities of departure.

**3.33.1** The obligation of a carrier to transport any person away from the territory of a Contracting State shall terminate from the moment such person has been definitely admitted into that State.

**3.33.2** When a person is found inadmissible and is returned to the operator for transport away from the territory of the State, the operator shall not be precluded from recovering from such person any transportation costs arising from his deportation.

**3.34** Operators shall not be fined in the event that any control documents in possession of a passenger are found by a Contracting State to be inadequate or if, for any other reason, the passenger is found to be inadmissible to the State. Operators shall take precautions to the end that passengers hold any control documents required by Contracting States.

## CHAPTER 4. — ENTRY AND DEPARTURE OF CARGO AND OTHER ARTICLES

### A. General

4.1 Regulations and procedures applicable to goods carried by aircraft shall be no less favourable than those which would be applicable if the goods were carried by other means.

4.2 Contracting States shall make provision whereby the inward and outward procedures for clearance of goods carried by air will be applied and carried out in such a manner as to retain the advantage of speed inherent in air transport.

4.3 Contracting States shall examine with operators and organizations concerned with international trade all possible means of simplifying the clearance of goods carried inbound and outbound by air and shall introduce such means as soon as possible.

### B.—Electronic Data-Processing Techniques

4.4 RECOMMENDED PRACTICE.— *Contracting States should make arrangements which would enable the use of commercial documents required for the clearance of air cargo when produced by electronic data-processing techniques in legible, understandable, and acceptable form.*

4.5 RECOMMENDED PRACTICE.— *Contracting States should examine, in close collaboration with international operators and others concerned with air cargo, the additional facilitation which can be derived from the application of electronic data-processing techniques and consider introducing such techniques where the volume of air cargo warrants.*

4.6 RECOMMENDED PRACTICE.— *When the introduction of electronic data-processing techniques is planned in a Contracting State for controlling the movement of import/export air cargo, that State should endeavour to apply the following principles:*

- i) existing control requirements and procedures should be examined with a view to their modification as necessary;*
- ii) all interested parties should, from the outset, be afforded the opportunity for consultation;*
- iii) close attention should be given to the need for ensuring that the new system is compatible with those in existence at its airports or being developed at airports in other States; and*
- iv) close attention should be given to the possibility of accepting the information necessary for the receipt, loading, discharge, delivery and clearance of air cargo prepared and transmitted by electronic data-processing techniques.*

### C.—Clearance of Export Cargo

4.7 RECOMMENDED PRACTICE.— *Contracting States should waive, as far as possible, presentation of individual documents pertaining to shipments of cargo and unaccompanied baggage to be exported by air.*

4.8 A Contracting State which continues to require such documents for export clearance shall, for as many types of goods as possible, limit its requirements to a simple export declaration.

4.9 Contracting States shall make arrangements consistent with security requirements which permit operators to select and load cargo, stores and unaccompanied baggage on outbound aircraft up to the time of departure.

4.10 RECOMMENDED PRACTICE.— *A Contracting State which continues to require export licences or permits for certain types of goods should establish simple procedures whereby such licences or permits can be obtained or renewed rapidly.*

4.11 RECOMMENDED PRACTICE.— *Contracting States should not normally require physical examination of cargo and unaccompanied baggage to be exported by air.*

*Note.—This provision is not intended to prevent authorities from examining goods exported under certain conditions, e.g. under bond, licence or drawback, nor is it intended to preclude examinations considered essential, in particular cases, for security purposes.*

4.12 In Contracting States where physical examination of export cargo cannot be waived completely, such examination shall be accomplished by applying the sampling or selective technique in a most liberal manner. The appropriate public authorities of the State concerned shall also, in consultation with, *inter alia*, operators and airport administrations, devise physical means for carrying out the inspection rapidly and without necessitating a separate ground handling of the bulk of the goods for purposes of examination.

4.13 Contracting States shall permit cargo and unaccompanied baggage which are to be exported by air to be presented for clearance purposes at any approved customs office. Transfer from the first office to the air customs office of the airport where the cargo and unaccompanied baggage are to be laden on the aircraft shall be effected in accordance with the procedure laid down in the laws and regulations of the State concerned. Such procedure shall be as simple as possible, making due allowance for essential security precautions, in particular cases.

4.14 Where goods are exported from a Contracting State, free of taxes or duties which would be payable in the absence of exportation, and that State requires evidence of

**Annex 9 - Facilitation**

**4. - Entry and Departure of Cargo**

the arrival abroad of such goods, it shall accept as such evidence a statement supplied by the shipper or consignee and certified by the customs authorities in the State of destination. In any event, the Contracting State shall not require a certified cargo manifest as such evidence of arrival at destination.

**D. - Clearance of Import Cargo**

**4.15 RECOMMENDED PRACTICE.** - *Contracting States should endeavour to simplify documentary requirements for the clearance of import cargo and reduce to a minimum the variety of forms and the information to be shown thereon.*

**4.16** The commercial invoice, which includes the information required by the importing country for the clearance of goods, shall constitute the basic document for the accomplishment of customs or other governmental formalities.

**4.17 RECOMMENDED PRACTICE.** - *Where a Contracting State requires two or more of the following documents:*

- commercial invoice,
- certificate of origin,
- certificate of value,

*it should accept either separate documents or a combined form incorporating the information contained on the separate documents, at the trader's option.*

**4.18** Contracting States which continue to require the air waybill to be presented for inspection in connexion with the clearance of cargo shall not require the consignor and/or operator to place special information for customs or other governmental purposes on the air waybill.

**4.19** Contracting States shall not require consular formalities or consular charges or fees in connexion with documents for the clearance of air cargo.

**4.20 RECOMMENDED PRACTICE.** - *A Contracting State which continues to require import licences or permits for certain types of goods should establish simple procedures whereby such licences or permits can be obtained and renewed rapidly.*

**4.21 RECOMMENDED PRACTICE.** - *Each Contracting State should make arrangements whereby imported air cargo, including private gift packages and trade samples, not exceeding a certain value or weight specified by that State, will be exempt, as far as possible, from governmental clearance documents and facilitate their prompt clearance and release to the consignee or his agent. Such value or weight limitation should be set at a level as high as possible.*

**4.21.1 RECOMMENDED PRACTICE.** - *Contracting States should exempt those shipments referred to in 4.21, as far as possible, from import duties and other taxes and charges.*

**4.22** Contracting States shall make arrangements for the use of a simplified form of customs documentation and facilitate prompt clearance and release in respect of that imported cargo, including private gift packages and trade samples, which exceeds the limits set in accordance with 4.21 and shall establish higher limits of value or weight up to which such simplified documentation will apply.

**4.23 RECOMMENDED PRACTICE.** - *Contracting States should make arrangements whereby the maximum number of consignments not falling under 4.21 and 4.22 above can be released promptly after arrival upon presentation of a provisional entry document and an adequate guarantee for payment of duties and other taxes and charges, subject to complete fulfilment of customs and other requirements within a time limit specified by that State.*

**4.24 RECOMMENDED PRACTICE.** - *Where the nature of a consignment calls for different clearance agencies, e.g. customs and veterinary or phytosanitary controls, Contracting States should endeavour to delegate authority for clearance to one of the agencies or, where not feasible, take all necessary steps to ensure that clearance is carried out simultaneously and with a minimum of delay.*

**4.25** Contracting States shall accomplish their physical examination of cargo imported by air on a sampling or selective basis. The appropriate public authorities of the State concerned shall also, in consultation with, *inter alia*, operators and airport administrations, devise physical means for carrying out such examination rapidly.

**4.26** Each Contracting State shall allow cargo and unaccompanied baggage which have been unladen from an aircraft at an international airport to be transferred to any authorized customs office within the State for customs entry and clearance. The customs regulations of the State concerned relating to such transfer shall be as simple as possible.

**E. - Containers, Pallets and their Loads**

**4.27** Contracting States shall, subject to compliance with their respective regulations, permit the temporary importation of containers, pallets and associated equipment - whether owned by airlines, consignors/consignees, or third parties - without payment of customs duties and other taxes and charges and shall facilitate the use of this equipment in air traffic.

*Note.* - *A Contracting State may reserve the right not to grant these concessions in the case of containers, pallets and associated equipment which have been the subject of purchase, hire-purchase, lease or a contract of a similar nature, concluded by a person (natural or legal) resident or established in its territory.*

**4.27.1 RECOMMENDED PRACTICE.** - *Contracting States should provide in their regulations, referred to in 4.27, for the acceptance of a simple declaration from the operator to the effect that the containers, pallets and associated equipment temporarily imported will be re-exported within the time limit set by the State concerned.*

4.-Entry and Departure of Cargo

4.28 RECOMMENDED PRACTICE.- Containers, pallets and associated equipment entering the territory of a Contracting State under the provisions of 4.27 should be permitted to leave the limits of an international airport for import clearance of their loads and/or for export lading under simplified control procedures and with a minimum of documentation as specified by the State concerned.

4.29 RECOMMENDED PRACTICE.- Contracting States should, where practicable and desirable, make suitable arrangements for the clearance and/or examination of containers/pallets and their loads at off-airport locations.

4.30 Contracting States shall permit containers, pallets and associated equipment temporarily imported, to be re-exported to any other State and through any of its approved customs offices.

4.31 Contracting States shall permit the temporary importation of component parts of containers and pallets without payment of customs duties and other taxes and charges when these parts are needed for the repair of containers and pallets already admitted under the terms of 4.27.

4.32 RECOMMENDED PRACTICE.- Contracting States should permit the loan between airlines of temporarily imported containers, pallets, and associated equipment, without payment of customs duties and other taxes and charges, when these are used only on international routes.

F.-Limitation of Operators' Responsibilities

4.33 Where a Contracting State has requirements for documents such as the commercial invoice, declaration forms, import licence and the like, it shall not make it the obligation of the operator to ensure that these documentary requirements are met, nor shall the operator be held responsible, fined or penalized for inaccuracies or omissions of facts shown on such documents, unless he is, or is acting for, the importer or exporter.

4.34 In Contracting States where the operator has the obligation to the customs authorities for safeguarding cargo, baggage, unaccompanied baggage, mail and stores until they are cleared by customs, he shall be freed from this obligation and from liability for customs duties and taxes chargeable on such items when they are taken into charge by the customs authorities and are under their sole control.

4.35 Contracting States shall absolve operators from liability for customs duties, taxes and other charges at such time as goods are transferred, with the approval of the authorities, into the possession of a third party, having on file with the customs authorities adequate security or guarantee.

4.36 Contracting States shall not impede the movement of air cargo solely in order to collect statistics. Any necessary documents shall be provided by the declarant as required by the authorities.

G.-Procedures concerning the Clearance of Particular Articles

4.37 Contracting States shall allow the loan of aircraft equipment and spare parts and security equipment and spare parts between airlines, when these are used in connexion with the establishment or maintenance of scheduled international air services, without payment of customs duties or other taxes or charges subject only to control measures which may provide that repayment of the loan is normally to be accomplished by means of the return of articles that are qualitatively and technically similar and of the same origin, and in any event that no profit-making transaction is involved.

4.38 Stores imported into the territory of a Contracting State by an airline of another Contracting State for use in connexion with the establishment or maintenance of an international service operated by that airline shall be admitted free of customs duties and other taxes or charges subject to compliance with the regulations of the Contracting State concerned. Such regulations shall not unreasonably interfere with the necessary use by the airline concerned of such stores.

4.39 RECOMMENDED PRACTICE.- Ground equipment and security equipment imported into the territory of a Contracting State by an airline of another Contracting State for use within the limits of an international airport in connexion with the establishment or maintenance of an international service operated by that airline should be admitted free of customs duties and, as far as possible, other taxes and charges, subject to compliance with the regulations of the Contracting State concerned. Such regulations should not unreasonably interfere with the necessary use by the airline concerned of such ground equipment and security equipment.

Note.-It is the intent of this provision that items such as the following should be admissible under the above provision, and it is not desired to discourage a Contracting State from allowing once-admitted items to be used by another foreign airline or at a location other than an international airport:

- 1) Repair, maintenance and servicing equipment:
  - all repair and maintenance material for airframes, engines and instruments;
  - specialized aircraft repair kits;
  - starter batteries and carts;
  - maintenance platforms and steps;
  - test equipment for aircraft, aircraft engines, and aircraft instruments;
  - aircraft engine heaters and coolers;
  - ground radio equipment.
- 2) Passenger-handling equipment:
  - passenger-loading steps;
  - specialized passenger-weighing devices;
  - specialized catering equipment.

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**3) Cargo loading equipment:**

- vehicles for moving or loading of baggage, cargo, equipment or supplies;
- specialized cargo-loading devices;
- specialized cargo-weighing devices.

**4) Component parts for incorporation into ground equipment including the items listed above.**

**5) Security equipment:**

- weapon detecting devices;
- explosives detecting devices;
- intrusion detection devices.

**6) Component parts for incorporation into security equipment.**

4.40 Contracting States shall establish procedures for the prompt entry into, or departure from, their territories of aircraft equipment, spare parts, stores, ground equipment and security equipment. When such items are urgently required by an operator of another Contracting State in order to maintain service, Contracting States shall grant prompt clearance for their import or export and shall dispense with requirements for advance production of documents such as entry or exit permits, and the like, provided that the operator accepts full responsibility in writing to produce these documents within a reasonable time after the items have been admitted or exported, and provided that the Contracting State concerned is satisfied that the documents will in fact be produced.

4.41 **RECOMMENDED PRACTICE.**— *Instructional material and training aids imported by an airline of another Contracting State into the territory of a Contracting State for use in connexion with the technical training of ground and flight personnel required to establish and maintain an international service operated by that airline should be admitted free of customs duties and other taxes and charges, subject to compliance with the regulations of the Contracting State concerned.*

*Note.*—*It is the intent of this Recommended Practice that items solely identified with aviation and aeronautical education and training such as the following should be admissible under the above provisions:*

- flight simulators;
- link-trainers;
- mock-ups;
- cut-away engines and parts;
- charts showing the functioning of various technical systems.

4.42 **RECOMMENDED PRACTICE.**— *Contracting States should, wherever possible, arrange for duty-free admittance of airline documents and should arrange for their expeditious clearance.*

*Note.*—*The term "airline documents" is deemed to include air waybills/consignment notes, passenger tickets,*

**4.—Entry and Departure of Cargo**

*excess baggage tickets, exchange orders, damage and irregularity reports, baggage and cargo labels, time-tables, and weight and balance documents, being the property of operators not domiciled within the country of importation*

4.43 Unaccompanied baggage by air shall be treated as baggage and not as cargo for the purpose of clearance through the customs controls.

*Note.*—*It is the intent of this provision, inter alia, that:*

- i) *unaccompanied baggage be as free from declaration forms as accompanied baggage;*
- ii) *the same customs concessions be granted as for accompanied baggage, subject to compliance with the regulations of the Contracting State concerned; and*
- iii) *arrangements be made for the clearance of unaccompanied baggage in the passenger customs hall where selected accompanied baggage is cleared when necessary.*

4.44 Contracting States which in certain circumstances require sanitary certificates or related documents in respect of particular animal and plant shipments shall publish the details of their requirements in this connexion.

**H.—Cargo and Other Articles Not Entering the Country of Intended Destination**

4.45 When cargo, unaccompanied baggage or stores are not unladen at their intended destination, due to error, emergency or inaccessible stowage, the public authorities at the place of intended unloading shall, subject to the operator proving to them that there has been no gross negligence or carelessness on his part, accept a declaration from him that the articles in question have not been unladen and the reasons therefor, and shall not require the operator to prepare new documentation, nor impose penalties, fines, customs duties and taxes on the operator.

4.46 When goods are consigned to a destination within a Contracting State and have not yet been released for home consumption in that State but subsequently are required to be returned to the point of origin or to be redirected to another destination, the Contracting State shall allow reforwarding without requiring import, export or transit licences if no contravention of the laws and regulations in force is involved.

*Note.*—*This provision is not intended to prevent Contracting States from requiring import, export or transit licences in case of particular consignments which are subject to special restrictions.*

4.47 When, because of error or emergency, or being stowed so as to be inaccessible upon arrival, cargo, baggage, unaccompanied baggage or stores are not unladen at their intended destination but are unladen at another international airport, the Contracting State where the unloading takes place shall facilitate their being reforwarded to their intended destination and, if satisfied that there has been no gross negligence or carelessness by the operator, shall not

4. *Entry and Departure of Cargo*

impose penalties, fines, customs duties and taxes on the operator nor any requirements in connexion with such reforwarding other than the following:

- a) that they be reported to the public authorities concerned;
- b) that until reforwarded, they remain under the supervision of the public authorities concerned at the point of unloading or at any other place prescribed by the State;
- c) that a notation that they were carried to the wrong destination be made either on the manifest or General Declaration delivered in connexion with the unloading;
- d) that they be reforwarded without delay;
- e) that they be subject to the laws and regulations of the State relating to public health and animal and plant quarantine;
- f) that, if reforwarded by air, they be entered either on the appropriate manifest or General Declaration upon reforwarding;
- g) that, if reforwarded by air, a declaration of transshipment and/or verification be made in respect of them at the airport from which they leave the State.

I. - Sale and Use of Commissary Supplies on board Aircraft

4.48 RECOMMENDED PRACTICE. - In the case where aircraft engaged in international flights stop at two or more international airports within the territory of a Contracting State without intermediate landing in the territory of another State and without embarking and disembarking any domestic passengers, Contracting States should permit the sale and use of commissary supplies on board aircraft without payment of customs duties or other taxes.

J. - Mail Documents and Procedures

4.49 Contracting States shall carry out the handling, forwarding and clearance of air mail and shall comply with the documentary procedures as currently prescribed in

Articles 61 and 62 of the Universal Postal Convention of Tokyo (1969) and in Article 183 of the Detailed Regulations.

Note. - Articles 61 and 62 of the Universal Postal Convention of Tokyo (1969) and Article 183 of the Detailed Regulations read as follows:

"Article 61 - 'Operations at airports'

Administrations shall take the necessary steps to ensure the best conditions for the receipt and onward transmission of air mails at airports in their countries."

"Article 62 - 'Customs control of air mail correspondence'

Administrations shall take all necessary steps to speed up the operations relating to the customs control of air mail correspondence addressed to their countries."

"Article 183 - 'AV 7 Delivery bill'

1. Mails to be handed over at the airport shall be accompanied by not more than five copies of a white delivery bill in the form of AV 7 for each stop.

2. A copy of the AV 7 delivery bill signed by the representative of the authority (airline or special airport service) responsible for the ground services shall be retained by the dispatching office; the other four copies shall accompany the mails for use in the following way:

- the first, duly signed at the airport of off-loading as a receipt for the mails shall be kept by the air crew on behalf of their company;
- the second shall accompany the mails to the post office to which the delivery bill is addressed;
- the third shall be kept, at the airport of loading, by the authority responsible for the ground services;
- the fourth shall be handed over at the airport of off-loading, to the authority responsible for the ground services at that airport.

3. When air mails are sent by surface to an intermediate administration for reforwarding by air, they shall be accompanied by an AV 7 delivery bill for the intermediate office."

## CHAPTER 5. — TRAFFIC PASSING THROUGH THE TERRITORY OF A CONTRACTING STATE

### A.—Traffic Arriving and Departing on the Same Through-flight

5.1 Each Contracting State shall make provision by means of direct transit areas, direct transit arrangements, or otherwise, whereby crew, passengers, baggage, cargo, stores and mail continuing their journey on the same through-flight may remain temporarily within the State without undergoing any examination except in special circumstances determined by the public authorities concerned.

5.2 Contracting States shall not require any documents or visas in respect of traffic continuing its journey on the same through-flight, except in special circumstances determined by the public authorities concerned.

*Note.—It is the intent of this provision, inter alia, that Contracting States shall neither a) temporarily deprive passengers of their passports nor b) require the operator to do so.*

### B.—Traffic Being Transferred to Another Flight at the Same Airport

5.3 Each Contracting State shall make arrangements so that disembarking passengers and their baggage being transferred from one flight or operator to another at the same airport will be treated in a manner similar to that set forth in Section A above. Operators shall undertake to sort out transferring passengers and their baggage in order that such passengers and baggage may be allowed to proceed as rapidly as possible to their connecting flights.

5.4 Contracting States shall not require any documents or visas in respect of traffic being transferred to another flight at the same airport, except in special circumstances determined by the public authorities concerned.

*Note.—It is understood that this provision does not preclude the submission of cargo manifests as per Annex 9.*

5.4.1 With respect to passengers passing through the territory of a Contracting State who are to leave that State within three days from the day of their arrival and who cannot stay at the international airport of arrival until their next flight for lack of facilities or on account of other circumstances, each Contracting State shall permit them to remain within its territory without requiring them to obtain visas prior to their arrival, except in special circumstances determined by the public authorities concerned.

*Note.—It is the intent of this provision that each Contracting State may:*

- a) issue to such passengers, upon arrival, some form indicating they have permission to enter, such as a laissez-passer or a stop-over visa;

- b) designate some specific area or place in the city where the international airport is located, or a neighbouring city, as the sphere of activities of such passengers;

- c) take any other necessary administrative measures relating to the stay of such passengers in its territory; and

*It is also understood that any Contracting State may, if it wishes to do so, extend to passengers passing through its territory more facilities than are provided in the above provision and in subparagraphs a), b) and c) of this Note.*

5.5 Each Contracting State shall make arrangements so that unladen cargo, unaccompanied baggage, and stores being trans-shipped from one flight or operator to another at the same airport, without examination except in special circumstances, can be taken directly from the inward to the outward aircraft or, if the latter aircraft is not yet available, can be kept temporarily under supervision at an appropriate location. Operators shall undertake to sort out trans-shipment cargo, unaccompanied baggage and stores in order that they may be processed as rapidly as possible.

5.6 Each Contracting State shall make arrangements to allow operators, under supervision of the public authorities, to disassemble trans-shipment cargo, including shipments in containers and pallets, so that they may sort and reassemble shipments for onward carriage without examination, except in special circumstances, and subject only to simple documentation where required.

5.7 Unladen airmail being trans-shipped from one flight or operator to another at the same airport shall be effected in accordance with the provision of current Article 186 — Detailed Regulations — of the Universal Postal Convention of Tokyo (1969).

*Note.—Article 186 — Detailed Regulations — of the Universal Postal Convention of Tokyo (1969) reads as follows:*

*"1. In the absence of special agreement between the Administrations concerned, the trans-shipment at the same airport of mails in course of transmission shall be performed by the Administration of the Country in which the trans-shipment takes place; this rule does not apply when the trans-shipment takes place between aircraft of the same carrier performing successive stages of the journey.*

*2. The Administration of the transit Country may also authorize a trans-shipment direct from one aircraft to another between two different carriers; where required, the carrier making the trans-shipment shall send to the office of exchange of the Country where this trans-shipment takes place a copy of the AV 7 delivery bill or any other document giving details of the operation."*

5.-Traffic Passing Through

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C.-Traffic Being Transferred to Another Airport

5.8 RECOMMENDED PRACTICE.— *Each Contracting State should make provision, by means of direct transit arrangements or otherwise, whereby traffic which passes directly through the State and, in the course of such passage, transfers from one international airport to another international airport, may proceed without undergoing examination, except in special circumstances determined by the public authorities concerned.*

5.9 RECOMMENDED PRACTICE.— *With respect to the traffic referred to in 5.8, Contracting States should not require any documents or visas for passengers and their baggage, and if documents are required for cargo, unaccompanied baggage and stores, documents as simplified as possible should be used.*

D.-Free Airports and Free Zones

5.10 RECOMMENDED PRACTICE.— *Contracting States should establish free airports.*

5.11 RECOMMENDED PRACTICE.— *In connexion with international airports, Contracting States should establish and either develop and operate themselves, or permit other parties to develop and operate, free zones and/or warehousing facilities and should publish detailed regulations as to the types of operations which may or may not be performed therein.*

5.12 In all cases where free zone facilities and/or warehousing facilities are not provided in connexion with an international airport but have been provided elsewhere in the same general vicinity, Contracting States shall make arrangements so that air transport can utilize these facilities on the same basis as other means of transport.

## CHAPTER 6. — INTERNATIONAL AIRPORTS — FACILITIES AND SERVICES FOR TRAFFIC

### A.—General

6.1 Contracting States shall take all necessary steps to secure the co-operation of operators and airport administrations in ensuring that satisfactory facilities and services are provided for rapid handling and clearance of passengers, crew, baggage, cargo and mail at their international airports. Such facilities and services shall be flexible and capable of expansion to meet anticipated growth in traffic volume.

6.2 Contracting States shall take all necessary steps to encourage consultations between the airport administration on the one hand and operators, control authorities and appropriate bodies representing other airport users on the other at the earliest stage in the planning of new or substantially modified terminal buildings at their international airports.

6.3 Contracting States shall take all necessary steps to secure the co-operation of operators and airport administrations in ensuring that the facilities and services at their international airports are designed in such a way as to provide the best possible airport traffic flow arrangements.

### B.—Airport Traffic Flow Arrangements

#### I.—Common Provisions

6.4 RECOMMENDED PRACTICE.— *It is recommended that the airlines, in agreement with, and subject to limitations which may be imposed by the airport authorities, be offered the choice of providing their own services for ground handling operations, or of having such operations performed entirely, or in part, by an organization controlled by another airline authorized by the airport authority, or by the airport operator, or by a servicing agent licensed by the airport authority.*

6.5 RECOMMENDED PRACTICE.— *The arrangements in 6.3 should be by the most direct route with no crossing between passenger and baggage lines nor between different circuits. To the extent that the route is not self-evident, appropriate signposting should be used.*

6.6 RECOMMENDED PRACTICE.— *Arrangements should be made so that, when necessary, passengers and crew can proceed under shelter between the air terminal buildings and the aircraft, and vice versa.*

6.7 RECOMMENDED PRACTICE.— *Particular attention should be given to passenger routes involving long distances to be covered on foot and the possibility should be studied of facilitating travel over these routes by mechanical systems.*

6.8 RECOMMENDED PRACTICE.— *Flight information boards, or displays, supplemented, where necessary, by a clearly audible public address system should be provided so that passengers and the public can be fully informed of*

*flight arrivals and departures and particularly of any last minute changes in arrival or departure times or changes in gate numbers.*

### II.—Parking and Servicing Arrangements

6.9 RECOMMENDED PRACTICE.— *Adequate measures should be taken to ensure convenient parking and servicing of aircraft of all types and categories — regular, non-scheduled and general aviation aircraft — in order to expedite clearance and operations on the apron and to reduce aircraft ground stop time. It is desirable in particular:*

- a) to make arrangements for optimum allocation of aircraft parking spaces as close as possible to the terminal building for rapid loading and unloading;*
- b) to provide adequate parking spaces for aircraft: when neither loading nor unloading, away from the terminal building so as to avoid obstruction to the flow of traffic on the apron, and make adequate arrangements for their optimum use;*
- c) to equip the parking spaces with the necessary means for rapid performance of all aircraft servicing operations;*
- d) to give particular importance to measures for assistance to aircraft during embarkation and disembarkation operations.*

### III.—Outbound Passengers, Crew and Baggage

6.10 RECOMMENDED PRACTICE.— *Easy and speedy access to the terminal should be provided for passengers, crew and their baggage arriving at the airport by surface transport.*

6.11 RECOMMENDED PRACTICE.— *Contracting States should ensure that rapid and reliable city/airport ground transportation is available to passengers and crew members.*

6.12 RECOMMENDED PRACTICE.— *International airports should have available appropriate automobile parking facilities for short and long-term parking.*

6.13 RECOMMENDED PRACTICE.— *Consideration should be given to the provision of baggage check-in facilities as close as possible to arrival points of surface transport.*

6.14 RECOMMENDED PRACTICE.— *An individual and continuous "trickle" method of processing and loading of passengers, crew and baggage should be adopted — in lieu of the group ("package") system — whenever this will speed up their clearance.*

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6.15 RECOMMENDED PRACTICE.- Particular attention should be paid to the use of sorting, conveyance and loading devices for baggage. Provision should be made as far as possible for:

- a) mechanized systems capable of transferring and loading large quantities of baggage within a minimum amount of time, consistent with the volume of traffic;
- b) an area where it would be possible to hold baggage containers and to re-arrange their contents;
- c) mechanical means of handling and storing empty baggage containers, consistent with the volume of traffic.

6.16 RECOMMENDED PRACTICE.- The premises where crew members have to report for operational purposes should be readily accessible and, if possible, next to one another.

IV. - Inbound Passengers, Crew and Baggage

6.17 RECOMMENDED PRACTICE.- Particular attention should be given to the need for adequate facilities to be available at all times and appropriate methods should be adopted to permit disembarkation of passengers without delay bearing in mind the traffic volume created by high-capacity aircraft and the possibility of simultaneous processing of several aircraft loads.

6.18 RECOMMENDED PRACTICE.- Contracting States should make arrangements for a sufficient number of control channels so that appropriate clearance of inbound passengers and crew may be obtained with the least possible delay. Additional channel(s) should be available where complicated cases may be referred without delaying the balance of the passengers.

6.19 RECOMMENDED PRACTICE.- Particular attention should be given to points where passenger delays are frequently found to occur.

6.20 RECOMMENDED PRACTICE.- Arrangements should be made for rapid unloading of baggage, including containerized baggage, from the aircraft and its swift movement to the baggage claim area so that it will arrive at delivery points in time to avoid any delay for passengers. To this end, mechanical unloading and conveyance systems should be used where the volume of traffic warrants and a sufficient number of handling staff should be available at all times.

6.21 RECOMMENDED PRACTICE.- Adequate space should be provided in the baggage claim area permitting ready identification and speedy withdrawal by each passenger of his checked baggage.

6.22 RECOMMENDED PRACTICE.- Where the volume of baggage so warrants, mechanized baggage dispensing systems should be provided in baggage-claim areas so as to move the baggage towards passengers, thus facilitating pick-up of baggage.

V. - Transit and Transfer of Passengers and Crew

6.23 RECOMMENDED PRACTICE.- Contracting States should, whenever possible, permit passengers to remain on board the aircraft and authorize embarkation and disembarkation during fuelling, subject to the necessary safety measures.

6.23.1 RECOMMENDED PRACTICE.- It is recommended in particular, that technical and regulatory provisions should be adopted to ensure that telescopic passenger ways to and from aircraft can be kept in use during fuelling of aircraft.

6.24 RECOMMENDED PRACTICE.- Provisions should be made for airline handling counters in the transit area for the purpose of processing passengers transferring from one aircraft to another and not going through clearance controls.

6.25 RECOMMENDED PRACTICE.- Direct transfer from one aircraft to another of passengers, particularly invalid passengers, should be authorized, where possible, whenever this is warranted by deadlines in making connecting flights or by other circumstances.

6.26 RECOMMENDED PRACTICE.- Arrangements should be made whereby crew members in brief transit can communicate from a point near the aircraft's loading position, located either on the apron or in a locale near the apron, via television, teletypewriter or telephone with the various governmental agencies (e.g. air traffic control, MET Office) without the need to report to them in person.

VI. - Miscellaneous Facilities and Services in Passenger Terminal Buildings

6.27 RECOMMENDED PRACTICE.- Facilities provided for the use of transit passengers should contain all necessary arrangements for their convenience.

6.27.1 RECOMMENDED PRACTICE.- Storage facilities should be provided for baggage left by their owners at international airports for later pick-up.

6.28 RECOMMENDED PRACTICE.- To the extent that the non-travelling public are admitted to terminal buildings, appropriate arrangements should be made so that they do not interfere with the flow of inbound and outbound traffic.

6.29 RECOMMENDED PRACTICE.- Where duty-free goods are offered for sale in terminal buildings, provision should be made for a convenient location of the stores and adequate customer space so as to avoid congestion and interference with the main stream of passenger traffic.

VII. - Cargo and Mail Handling and Clearance Facilities

6.30 RECOMMENDED PRACTICE.- Contracting States should make arrangements whereby all-cargo aircraft

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and their loads can be entered and cleared at the cargo terminal area.

6.31 RECOMMENDED PRACTICE.— *Easy and speedy access should be provided to airport cargo terminals, taking into account the space requirements of extra-large trucks on access roads and in front of terminals for manoeuvring into position.*

6.32 RECOMMENDED PRACTICE.— *Each cargo terminal should be provided with delivery/receiving positions adaptable to truck-bed heights.*

6.33 RECOMMENDED PRACTICE.— *Use should be made, where justified, of mechanized and automated facilities for loading and unloading, conveyance and storage of cargo.*

6.34 RECOMMENDED PRACTICE.— *Adequate space should be available in cargo terminals for storage and handling of air cargo, including building up and breaking down of pallet and container loads, located next to the customs area and easily accessible to authorized persons and vehicles from both the apron and the landside road.*

6.35 RECOMMENDED PRACTICE.— *Adequate space and facilities should be provided at international airports, or at convenient off-airport locations, for the temporary storage of empty containers.*

6.36 RECOMMENDED PRACTICE.— *Cargo terminals should be equipped with storage facilities for special cargo (e.g. valuable goods, perishable shipments, and live animals). Those areas of cargo terminals in which cargo and mail is stored overnight or for extended periods prior to shipment by air should be protected against access by unauthorized persons.*

6.37 RECOMMENDED PRACTICE.— *Parking spaces should be available at cargo terminals for handling equipment when not in use, located so as to avoid interference with the flow of inbound and outbound cargo.*

6.38 RECOMMENDED PRACTICE.— *Where high-capacity aircraft with mixed passenger and cargo loads are positioned next to the passenger terminal, all necessary facilities should be provided for swift loading/unloading and conveyance between the aircraft and the cargo terminal(s) of large volumes of air cargo. To this end flow routes should be designed so as to avoid interference with those for passengers and baggage.*

6.39 RECOMMENDED PRACTICE.— *Facilities should be provided, where necessary, for the direct removal of bulky or heavy consignments by approved transport, from the airport to the premises of the importer, agent or freight forwarder, such removal being subject to customs approval and any conditions attached to that approval.*

6.40 RECOMMENDED PRACTICE.— *Sufficiently large and convenient areas should be provided at international airports, where, under customs supervision, transshipment cargo can be broken down, sorted and reassembled for immediate or later onward transmission.*

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*6. - International Airports*

6.41 RECOMMENDED PRACTICE.— *Where the volume of air mail so warrants and where it will expedite the onward transmission of the mail, in the opinion of the postal authorities, adequate space and facilities should be provided at international airports for the reworking, sorting and onward transmission of air mail.*

**C.—Facilities Required for Implementation of Public Health Measures and Emergency Medical Relief**

6.42 RECOMMENDED PRACTICE.— *Contracting States should provide, at or near all their major international airports, facilities and services for vaccination or revaccination, and for the delivery of the corresponding certificates.*

6.43 RECOMMENDED PRACTICE.— *International airports should have available adequate facilities for administration of public health and animal and plant quarantine measures applicable to aircraft, crew, passengers, baggage, cargo, mail and stores.*

6.44 RECOMMENDED PRACTICE.— *Contracting States should provide arrangements whereby passengers and crew in transit can remain in premises free from any danger of infection and insect vectors of diseases and, when necessary, facilities should be provided for the transfer of passengers and crew to another terminal or airport nearby without exposure to any health hazard. Similar arrangements and facilities should also be made available in respect of animals.*

6.45 RECOMMENDED PRACTICE.— *Contracting States, in co-operation with airport authorities and aircraft operators should take all steps to ensure that the preparation, handling, storage and service of food and water supplies intended for consumption both at airports and on board aircraft are hygienically carried out in accordance with the recommendations and standards of the World Health Organization.*

6.46 RECOMMENDED PRACTICE.— *Contracting States in co-operation with airport authorities and aircraft operators should ensure that an effective system is instituted for the safe removal and safe disposal of excrement, refuse, waste water, waste, unused and condemned food and other matter dangerous to health in accordance with the recommendation of the World Health Organization.*

6.47 RECOMMENDED PRACTICE.— *There should be maintained at international airports such medical facilities as may be reasonable and practicable for the emergency relief of crew and passengers.*

**D.—Facilities Required for Clearance Controls and Operation of Control Services**

6.48 RECOMMENDED PRACTICE.— *Space and facilities for the authorities in charge of clearance controls should, as far as possible, be provided at public expense.*

6. - International Airports

6.49 If the space and facilities referred to in 6.48 are not provided at public expense, Contracting States shall ensure that such space and facilities are provided on terms not less favourable than those which apply to the operators of other means of transportation entering the State and requiring space and facilities on a comparable scale.

6.50 Contracting States shall provide normal services of the public authorities concerned at international airports without charge during regular working hours.

6.50.1 Contracting States shall establish regular working hours for the public authorities concerned at international airports consistent with any period of substantial workload.

*Note 1. - Paragraphs 6.50 and 6.50.1 should be applied in accordance with Articles 1 and 89 of the International Health Regulations (1969), Second annotated "1974" Edition which provide that medical examination, including scrutiny of vaccination certificates, shall be carried out free of charge at any time of the day or night.*

*Note 2. - Under Annex 15 - Aeronautical Information Services - States are obligated to publish the types and hours of clearance services available (customs, immigration, health) at their international airports.*

6.51 RECOMMENDED PRACTICE.- *Appropriate measures should be taken to provide sufficient services during regular hours of work.*

*Note. - Where traffic volume and available space and facilities warrant, Contracting States may wish to provide clearance controls for passengers and their baggage at more than one terminal building at international airports.*

6.52 Outside of the regular working hours referred to in 6.50.1, Contracting States shall provide services of such authorities on terms not less favourable to operators of aircraft than those which apply to operators of other means of transportation entering the State.

6.53 RECOMMENDED PRACTICE.- *Contracting States should make arrangements whereby one State will permit another State to station representatives of the public authorities concerned in its territory to examine aircraft, passengers, crew, baggage, cargo and documentation for customs, immigration, public health and animal and plant quarantine purposes, prior to departure for the other State concerned, when such action will facilitate clearance upon arrival in that State.*

E.-Monetary Exchange Facilities

6.54 Contracting States shall make arrangements to display at their international airports their regulations

governing the exchange of funds of other States against national funds.

6.55 Contracting States which maintain exchange controls with respect to funds of other States shall make arrangements:

- a) to publish the current legal rates of exchange for such funds;
- b) to display or otherwise make available at their international airports such rates as may be of principal interest at the respective airports.

6.56 Contracting States which do not maintain exchange controls with respect to some or all funds of other States shall make arrangements to display information to that effect at their international airports.

6.57 RECOMMENDED PRACTICE.- *With respect to those funds of other States for which no controlled exchange rates have been established by the Contracting State concerned, it should make such arrangements as may be feasible to make information available at its international airports as to the prevailing open market rates.*

6.58 Contracting States shall provide, at such times as to meet the needs of the travelling public, adequate facilities at international airports for legal exchange of funds of other States through government agencies or shall authorize private agencies to do so.

*Note. - The use of vending machines at some international airports, enabling a departing passenger to obtain, at any time during day or night, currency used in his country of destination has proved to be of valuable assistance and should be considered a possibility by Contracting States in giving effect to this provision.*

6.59 RECOMMENDED PRACTICE.- *Contracting States restricting the import or export of funds of other States should provide for the issuance to travellers of certificates showing the amounts of such funds in their possession upon entering the State and should permit such travellers, upon surrender of such certificates prior to leaving the State, to take such funds with them. Inscription on the passport or other official document for travel may serve the same purpose.*

6.60 RECOMMENDED PRACTICE.- *Contracting States which prohibit or limit the amount of importation of their own currency should provide reasonable facilities for travellers from abroad, who declare an amount of such currency in excess of that permitted by the current regulations, to deposit such amount at the international airport of entry and, upon departure, to reclaim it at the same point or at any other point designated by the public authorities concerned.*

## CHAPTER 7. — LANDING ELSEWHERE THAN AT INTERNATIONAL AIRPORTS

### A.—General

7.1 Each Contracting State shall take steps to ensure that all possible assistance is rendered by its public authorities to an aircraft which, for reasons beyond the control of the pilot-in-command, has landed elsewhere than at one of its international airports and, to this end, shall keep control formalities and procedures, in such cases, to a minimum.

7.2 The pilot-in-command or the next senior crew member available shall cause the landing to be reported as soon as practicable to the public authorities concerned.

### B.—Short Stop-over

7.3 If it is apparent that the aircraft can resume its flight within a relatively short time of arrival, the following procedure shall apply:

7.3.1 Control measures shall be limited to those that ensure that the aircraft departs with the same load that was on board at the time of arrival. In case the load or part thereof cannot, for operational or other reasons, continue on that flight, the public authorities shall expedite clearance formalities and co-operate in speedy onward transportation for that load to its destination.

7.3.2 The public authorities shall designate, if necessary, an adequate area under their general supervision where passengers and crew can move about during their stop-over.

7.3.3 The pilot-in-command shall not be required to apply to more than one government agency for take-off permission (other than for any necessary air traffic control clearance).

### C.—No Resumption of Flight

7.4 If it is apparent that the aircraft will be substantially delayed or is unable to continue its flight, the following provisions shall apply:

7.4.1 The pilot-in-command while awaiting the instructions of the public authorities concerned or if he or his crew is unable to get in touch with them, shall be entitled to take such emergency measures as he deems necessary for the health and safety of passengers and crew and for avoiding or minimizing loss or destruction to the aircraft itself and its load.

7.4.2 Passengers and crew shall be permitted to secure suitable accommodation pending completion of the necessary formalities if such formalities cannot be promptly carried out.

7.4.3 Cargo, stores, and unaccompanied baggage, if required to be removed from the aircraft for safety reasons, shall be deposited in a nearby area and remain there pending completion of the necessary formalities.

7.4.4 Mail shall be disposed of as is required pursuant to Articles 187 and 188 — Detailed Regulations — of the Universal Postal Convention of Tokyo (1969).

*Note.—Articles 187 and 188 — Detailed Regulations — of the Universal Postal Convention of Tokyo (1969) read as follows:*

*"Article 187 — 'Steps to be taken in the event of an interrupted flight or diversion of mails'*

*1. When an aircraft interrupts its flight for a length of time likely to delay the mails or when, for any reason whatsoever, it delivers the mail to an airport other than that given on the AV 7 delivery bill, the mails shall be taken charge of by officers of the Administration of the Country where the stop is made. These officers shall reforward the mails by the most rapid routes (air or surface).*

*2. The office, which did the forwarding, shall in the case inform the office of origin of each dispatch by C14 verification note, indicating in particular on the verification note the air service from which the mail was taken and the services used (air or surface) for onward transmission to its destination."*

*"Article 188 — 'Steps to be taken in the event of an accident'*

*1. When as a result of an accident in course of conveyance an aircraft is unable to continue its flight and deliver the mail at the scheduled stops, the crew of the aircraft shall hand over the mails to the post office nearest to the place of the accident or to the office best able to reforward the mail. If the crew are unable to do this, that office, having been informed of the accident, shall take immediate action, taking over the mail and reforwarding it to its destination by the most rapid route after their condition has been checked and any damaged correspondence put in order.*

*2. The Administration of the Country in which the accident occurred shall inform all Administrations of previous airports of call, by telegraph, of the fate of the mail, and these Administrations in turn advise by telegraph all other Administrations concerned.*

*3. Administrations which have loaded mail on the aircraft involved in the accident shall send a copy of the AV 7 delivery bills to the Administration of the Country where the accident occurred.*

*4. The qualified office shall then notify the offices of destination of the mails involved in the accident by verification note giving details of the circumstances of the accident and the results of the check of the mails. One copy of each verification note shall be sent to the offices of origin of the relative mails and another to the Administration of the Country to which the airline belongs. These documents shall be sent by the most rapid route (air or surface)."*

## CHAPTER 8. — OTHER FACILITATION PROVISIONS

### A.—Bonds and Exemption from Requisition or Seizure

8.1 RECOMMENDED PRACTICE.— *If a Contracting State requires bonds of an operator to cover his liabilities under the customs, immigration, public health, animal and plant quarantine, or similar laws of the State, it should permit the use of a single comprehensive bond whenever possible.*

8.2 RECOMMENDED PRACTICE.— *The aircraft, ground equipment, security equipment, spare parts and technical supplies of an airline located in a Contracting State (other than the Contracting State in which such airline is established) for use in the operation of an international air service serving such Contracting State, should be exempt from the laws of such Contracting State authorizing the requisition or seizure of aircraft, equipment, parts or supplies for public use, without prejudice to the right of seizure for breaches of the laws of the Contracting State concerned.*

### B.—Errors in Documentation and Penalties therefor

8.3 At the time the documents are being checked, the public authorities concerned shall either accord the authorized agent or pilot-in-command, where this can be done without undue delay, an opportunity to correct, or shall themselves correct, any errors which they are satisfied are of a purely clerical nature and were not made with intent to violate the laws of the Contracting State.

8.4 In the event of errors being found in documents, the operator or authorized agent shall not be penalized by the imposition of a fine before he has been given an opportunity of satisfying the public authorities concerned that the error was inadvertent and not of a serious nature.

### C.—Facilitation of Search, Rescue, Accident Inquiry and Salvage

8.5 Subject to any conditions imposed by Annex 12 (Search and Rescue) and Annex 13 (Aircraft Accident Inquiry), Contracting States shall make arrangements to ensure entry without delay into their territories on a temporary basis of qualified personnel required for search, rescue, accident inquiry, repair or salvage in connexion with a lost or damaged aircraft.

8.6 Each Contracting State shall facilitate the temporary entry into its territory of all aircraft, tools, spare parts and equipment required in the search, rescue, accident inquiry, repair or salvage of the damaged aircraft of another State. These items shall be temporarily admitted free from customs duties and other taxes or charges and the appli-

cation of regulations of any nature restricting the importation of goods.

*Note.—It is understood that this provision does not preclude the application of public health and animal and plant quarantine measures. If required.*

8.7 Each Contracting State shall facilitate the removal from its territory of both the damaged and any assisting aircraft, together with tools, spare parts and equipment which may have been brought in for search, rescue, accident inquiry, repair or salvage purposes.

8.8 Damaged aircraft or parts thereof, and any stores or cargo contained therein, together with any aircraft, tools, spare parts or equipment brought in for temporary use in search, rescue, accident inquiry, repair or salvage, which are not removed from the territory of the Contracting State within a length of time to be specified by that State, shall be subject to the requirements of the applicable laws of the State concerned.

8.9 If, in connexion with an aircraft accident inquiry, it becomes necessary to send a part, or parts, of a damaged aircraft to another Contracting State for technical examination or testing, each Contracting State concerned shall ensure that the movement of such part, or parts, is effected without delay. The Contracting States concerned shall likewise facilitate the return of such part, or parts, to the State instituting the accident inquiry should the latter State require them in order to complete the inquiry.

### D.—Natural Disaster Relief Flights

8.10 Contracting States shall facilitate the entry into and departure from their territories of aircraft engaged in natural disaster relief flights when performed by recognized international organizations or by States themselves. Such flights shall be commenced after obtaining agreement with the recipient State as quickly as possible.

8.11 Contracting States shall ensure that personnel and articles arriving on the relief flights referred to in 8.10 are cleared without unnecessary delay.

### E.—Implementation of International Health Regulations and Related Provisions

8.12 RECOMMENDED PRACTICE.— *Contracting States should comply with the pertinent provisions of the International Health Regulations (1969) of the World Health Organization and any amendments thereto.*

8.13 RECOMMENDED PRACTICE.— *In cases where epidemiological conditions permit and it will result in reducing or eliminating the number of sanitary measures required, Contracting States should, pursuant to Article 92 d) of the International Health Regulations (1969), Second annotated "1974" Edition, combine their terri-*

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*forces or make agreements for the purpose of sanitary control.*

8.14 RECOMMENDED PRACTICE.— *Each Contracting State should make arrangements to enable all agencies concerned to make available to passengers, sufficiently in advance of departure, lists of the vaccinations required by the authorities of the countries of destination, as well as vaccination certificate forms conforming to the International Health Regulations (1969). States should take all possible measures to have vaccinators use the International*

**8.—Other Facilitation Provisions**

*Certificates of Vaccination or Revaccination form, in order to assure uniform acceptance.*

8.15 RECOMMENDED PRACTICE.— *Operators should ensure compliance with any requirement of a Contracting State whereby illness, other than simple airsickness, on an aircraft is to be reported promptly by radio to health authorities in the Contracting State for which the aircraft is destined, in order to facilitate provision for the presence of any special medical personnel and equipment necessary for health procedures on arrival.*

## CHAPTER 9. — SECURITY PROVISIONS \*

9.1 RECOMMENDED PRACTICE.— *Contracting States should ensure that duly authorized officers are readily available at their international airports to assist in dealing with suspected, or actual, cases of unlawful interference with international civil aviation.*

9.2 Contracting States shall take the necessary measures to prohibit the introduction on board an aircraft engaged in the carriage of passengers, by any means whatsoever, of weapons, the carriage or bearing of which is not authorized.

9.2.1 RECOMMENDED PRACTICE.— *Contracting States should also take the measures referred to in 9.2 above in the case of an aircraft not engaged in the carriage of passengers.*

9.3 RECOMMENDED PRACTICE.— *The carriage of weapons on board aircraft by law enforcement officers and*

\* Provisions related to this subject are also contained in other Chapters and Annexes.

*other authorized persons, acting in the performance of their duties, will be governed by the laws of the State involved. The carriage of weapons in other cases should be allowed only when the weapons have been inspected by the authorized agents of the operator or, where available, a security officer, to determine that they are not loaded, if applicable, and then only if stowed by the authorized agents of the operator, or by a security officer in a place inaccessible to passengers.*

9.4 RECOMMENDED PRACTICE.— *Contracting States should establish the necessary procedures to prevent the unauthorized introduction of explosives or incendiary devices in baggage or cargo intended to be carried on board aircraft.*

9.5 RECOMMENDED PRACTICE.— *There should be maximum segregation and special guarding of aircraft which are liable to be attacked during stop-overs. As much advance notification as possible of the arrival of such aircraft should be given to the airport authorities.*

FACILITATION (FAL) DIVISION

DRAFT AGENDA - NINTH SESSION

1. REPORT ON PREVIOUS WORK, PARTICULARLY ON THE STATUS OF IMPLEMENTATION OF THE SEVENTH EDITION OF ANNEX 9

Note : The Secretariat will present a report on the work in the Facilitation field that has been undertaken by the Organization since the last Session of the Division. The report will emphasize the efforts that have been made to achieve greater implementation of the provisions of the Seventh Edition of Annex 9 and will indicate the particular aspects of the Annex which require further intensive work by Contracting States and their operators. The work of National facilitation Committees, FAL meetings of other bodies, etc., will also be reviewed and it is hoped that Contracting States and international organizations will also provide information on developments in their particular fields of interest.

2. FORMALITIES CONNECTED WITH THE ENTRY AND DEPARTURE OF AIRCRAFT

a) Description, purpose and use of aircraft documents

Note : The Division will wish to review aircraft clearance documents in the light of developments, such as the continuing increase in passenger and cargo traffic and the growing operation of large-capacity aircraft, bearing in mind also Council's directives, arising from its 1976 review of the status of implementation of Annex 9, 7th Edition, relating to paragraphs 2.4, 2.5 and 2.7.1 of the Annex. For example, the Division may wish to discuss :

- 1) whether Recommended Practice 2.6, concerning elimination of the Passenger Manifest, should now be raised to a Standard (with consequential changes elsewhere in the Annex) ;
- 2) whether the General Declaration can be further simplified, or its use be limited to certain cases.

b) Outbound and Inbound Procedures

Note : Under this item, proposals may be made for any amendments to provisions in Sections C to F of Chapter 2 of Chapter 2 of the Annex. The Division, for example, will wish to consider :

- 1) any consequential amendments to paragraphs 2.11 and 2.14 arising from action under paragraph 2 a) above;
- 2) the possibility of up-grading paragraph 2.16 of Annex 9 to a standard, in the absence of any major difficulties in implementing this provision by Contracting States.

c) Disinsecting of Aircraft

Note : The Division will be informed of WHO's action concerning the use of a new insecticide for aircraft disinsecting and any other developments in this field and determine whether any amendments are necessary to update the provisions in Section G, Chapter 2 of Annex 9, 7th Edition.

d) Arrangements concerning International Flights other than Scheduled International Air Services

Note : This agenda item will give the Division an opportunity to discuss difficulties experienced by operators of non-scheduled flights in flying over and into Contracting States. In the light of a continuing increase of such operations in various parts of the world, the Division will wish to examine the existing provisions of Section H of Chapter 2, Annex 9, 7th Edition, to see if any improvements could be introduced to that Section. For example, the Division may :

- 1) review paragraph 2.30.4 to determine to what extent it is already covered in paragraph 2.30.1;
- 2) consider certain amendments to paragraph 2.31, aimed at making its intent more clear and thereby reducing the number of differences notified against it (Council's 1976 review of status of implementation refers);
- 3) discuss the possibility of rearranging the sequence of some of the provisions and perhaps group them under pertinent sub-headings.

3. FORMALITIES CONNECTED WITH THE ENTRY AND DEPARTURE OF PERSONS

a) Entry Requirements and Procedures

Note : Passenger traffic volumes on international flights have increased considerably since the last FAL Division Session in 1973 and there is a growing need for further simplification of documentary requirements and accelerated clearance procedures at international airports. Under this agenda item, the Division will have an opportunity to discuss proposals

aimed in this direction while, at the same time, taking into account Council's directives arising from its 1976 review of the status of implementation of Annex 9, in relation to paragraphs 3.8.2., 3.8.3. and 3.10 of the Annex. In particular, the Division might wish to consider such matters as :

- 1) possible up-grading of existing paragraph 3.5.3. to a Standard, aimed at greater simplification in passport-issuing procedures ;
- 2) introduction of a reference in Chapter 3, Section B-I, to the Passport Card, following ICAO action on the final report of the Panel on Passport Cards ;
- 3) Further action which might be taken to encourage elimination of visa requirements for temporary visitors (paragraph 3.7 of the Annex refers) ;
- 4) amendments to paragraph 3.12 of the Annex resulting from WHO action concerning certain quarantinable diseases;
- 5) difficulties experienced at many international airports in the slow delivery of inbound baggage to claim areas and measures to improve the situation.

b) Departure Requirements and Procedures

Note : In discussing formalities and procedures related to the clearance or departing passengers and their baggage, the Division will wish to make a distinction between customs and immigration control requirements of States on the one hand and those imposed for airport/aircraft security purposes on the other. As to the former there appears to be room for further improvements and the Division is invited to discuss, inter alia ways and means of accelerating the processing of passengers and baggage at all points from the time passengers and their baggage arrive at the airport until they board the aircraft. Concerning security aspects, the Division may wish to review the facilitation aspects in such procedures and, in particular, consider possible amendments to paragraphs 3.25 and 3.28 in the light of Council's directives of 15 December 1977 (C-DEC 92/17).

c) Other matters affecting the Entry and Departure of Persons

Note : This item is included to permit discussion of any matters, related to the entry and departure of persons, not covered under item 3 a) and 3 b) above. For example, such questions as the custody and care of passengers and crew are usually discussed by the Division.

4. FORMALITIES CONNECTED WITH THE ENTRY AND DEPARTURE OF CARGO AND OTHER ARTICLES

a) Electronic Data Processing Techniques

Note : The Eighth Session of the FAL Division introduced a new Section B into Chapter 4 of the Annex, comprising paragraphs 4.4 to 4.6, on the above subject. Since then, the use of EDP techniques in controlling the movement of air cargo between shipper and consignee, including its clearance through customs, etc., has become more widespread. Improvements have been made in EDP techniques, based on the experience gained since their inception, and the Division will wish to review developments in this field and consider to what extent they might be reflected in Chapter 4 of the Annex. For example, the Division might give some thought to achieving wider acceptance by States of EDP-produced documents for clearance purposes, possibly through up-grading of paragraph 4.4 to a Standard.

b) Clearance of export cargo

Note : The volume of air cargo on international flights continues to grow from year to year, aided by the increased freight capacities offered in wide-body passenger and all-cargo aircraft. Since costs on the ground continue to constitute a high proportion of the total costs, States and their operators will wish to make every effort to reduce this proportion. While ground handling aspects will be considered under agenda item 6 and import aspects under item 4 c) below, the present item will enable the Division to concentrate on possible steps designed to :

- 1) further reduce clearance documentation for cargo to be exported by air; and
- 2) achieve greater simplification and acceleration in the actual clearance procedures for such cargo.

c) Clearance of import cargo

Note : In order to reduce delays at the import end and to expedite delivery of air cargo to the consignee, the Division will wish to review developments since its last session and discuss the possibility of making further progress in speeding up the clearance of inbound cargo. For example, the Division may consider such aspects as :

- 1) factors contributing to long dwell times of shipments in air cargo terminals and steps to ameliorate the situation;
- 2) ways and means of reducing and/or simplifying documentary requirements for imported air cargo.

d) Other matters affecting the entry and departure of air cargo and other articles

Note : Any matters connected with air cargo and other articles, not covered under agenda items 4 a), 4 b) and 4 c) above, will be discussed under this item, e.g. :

- 1) additional measures designed to facilitate the growing use of containers and pallets in international air transport ;
- 2) problems with respect of temporary import of aircraft equipment, spare parts, ground equipment, etc. ;
- 3) cargo and other articles not entering the country of intended destination (i.e. as a result of erroneous lading or unloading) ;
- 4) mail documents and procedures.

5. PROBLEMS WITH TRAFFIC PASSING THROUGH THE TERRITORY OF A CONTRACTING STATE

Note : Chapter 5 of Annex 9 takes into account three categories of traffic - a) in transit on the same through-flight, b) transferring to another flight at the same airport, and c) transferring to another airport. The Division will probably wish to examine the provisions in each of the sections in this Chapter to determine if further simplifications in transit arrangements and procedures can be obtained. In the light of Council's directives arising from its review of the status of implementation of the Annex, the Division will also review paragraph 5.4.1 in the light of differences notified by States, for the purpose of recommending appropriate action thereon.

6. THE PROVISION OF ADEQUATE FACILITIES AND SERVICES FOR TRAFFIC AT INTERNATIONAL AIRPORTS

a) Airport Traffic Flow Arrangements

Note : The provision of proper traffic flow arrangements at airports for passengers, crew, baggage, cargo and mail on arrival, departure or in transit, is becoming more important as the volume of traffic grows, modifications to airport terminal buildings are being made and new terminals are being constructed. In this connexion, the question of the permanent relationship of standard signs to Annex 9 will need to be reconsidered by the Division as requested in Rec. No. B-9, clause d) of the 8th Session, as subsequently approved by Council. Various ways in which traffic flow improvements can be made will be examined, for example, so as to :

- 1) ensure that arrangements are made at airports for the most direct flow routes with no crossing between different circuits ;
- 2) ensure that the comfort and convenience of passengers is borne in mind (e.g. provision of adequate toilet facilities, telephones, snack-bars, etc.) ;
- 3) expedite the handling and flow of large volumes of cargo and mail.

b) The Provision of Facilities and Services

Note : Under this item, the Division will wish to consider the demands made on governmental control authorities and operators for facilities and the provision of service covered under Sections C, D and E of Chapter 6 of the Annex, so as to cope with continually increasing traffic e.g. :

- 1) adequate space and facilities for the exercise of Customs, Immigration, Public Health and Animal and Plant Quarantine Controls ;
- 2) other services, such as banking/monetary exchange facilities to meet the needs of air travellers and shippers of cargo.

7. OTHER FACILITATION MATTERS

Note : Any proposals on Facilitation matters not falling under preceding agenda items will be considered under this item, e.g. those related to :

- 1) landings elsewhere than at international airports ;
- 2) bonds and exemption from requisition or seizure, errors in documentation and penalties therefore, etc.;
- 3) facilitation of search, rescue, accident inquiry and salvage.

8. WAYS AND MEANS OF ACHIEVING MAXIMUM IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PRESENT SESSION OF THE DIVISION AND THE ORGANIZATION'S FAL PROGRAMME GENERALLY

Note : Having reviewed, under agenda item 1, the work by the Organization, Contracting States and their operators towards achieving greater implementation of the FAL programme and in the light of the work done by the Division at its present Session, the Division is requested to consider whether any additional ways and means of promoting Facilitation can be adopted.

9. PLANS FOR FUTURE FAL DIVISION MEETINGS

- a) Recommendations concerning the problems and studies to be worked on by Contracting States and the Organization between the 9th and 10th Sessions of the Division

Note : To be developed in the light of discussions held during the 9th Session of the Division.

- b) Recommendations concerning the Agenda and date for convening the 10th Session

Note : To be developed in the light of discussions held during the 9th Session of the Division.

10. APPROVAL OF THE FINAL REPORT OF THE 9TH SESSION