

ATTACHMENT (#98-323)

* The authority granted is subject to the following conditions:

(a) The statement of authorization will remain in effect only as long as (I) Air Canada and United Air Lines continue to hold the necessary underlying authority to operate the code-share services at issue, and (ii) the code-share agreement providing for the code-share operations remains in effect.

(d) Air Canada and/or United must promptly notify the Department (Director, Office of International Aviation) if the code-share agreement providing for the code-share operations is no longer effective or if the carriers decide to cease operating all or a portion of the approved code-share services.¹

(e) The code-sharing operations conducted under this authority must comply with 14 CFR 399.88 of the Department's regulations and any amendments to the Department's regulations concerning code-share arrangements that may be adopted and are expressly conditioned upon the requirements that the subject foreign air transportation be sold in the name of the carrier holding out such service in computer reservation systems and elsewhere; and that the carrier selling such transportation (i.e., the carrier shown on the ticket) accept all obligations established in its contract of carriage with the passenger; that the passenger liability of the operating carrier be unaffected; and that the operating carrier shall not permit the code of its U.S. code-sharing partner to be carried on any flight that enters, departs, or transits the airspace of any area for whose airspace the Federal Aviation Administration has issued a flight prohibition.

(g) We may amend, modify, or revoke the authority granted at any time without hearing at our discretion.

The filing of a petition for review shall not preclude the effectiveness of this action.

¹ We expect that this notification be received within 10 days of such non-effectiveness or such decision.