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Order 98-10-13



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

SERVED OCT 16 1998

Action on IATA Agreement
Issued by the Department of Transportation
on the 13th day of October, 1998

Docket: OST-97-2573, R-1 through R-24 1/

Description: The agreement amends numerous existing cargo resolutions and recommended practices and proposes several new resolutions so as to align IATA cargo services with the new airline cargo liability regime set forth in Montreal Aviation Protocol 4 (MAP4). We deferred action on this IATA agreement until the protocol came into force. MAP4 has now come into force for those countries that have ratified it, and the Senate recently gave its advice and consent to ratification by the United States. Our review of the agreement indicates that approval and grant of antitrust immunity is warranted.

We do not find the resolutions incorporated in the above docket to be adverse to the public interest or in violation of 49 U.S.C. 41309, provided that approval is subject, where applicable, to conditions previously imposed.

Accordingly, we approve and grant antitrust immunity to the agreement, subject, where applicable, to conditions previously imposed.

This order shall be effective and become the action of the Department of Transportation upon the expiration of ten days, unless within such period a petition for review is filed pursuant to 14 CFR 385.13 or the Department gives notice that it will review this order on its own motion. Such actions are subject to judicial review under 49 U.S.C. 46110.

Given the noncontroversial nature of this agreement and the availability of the above procedure, we are waiving the 21-day period prescribed by 14 CFR 303.42.

Paul L. Gretch
Director, Office of International Aviation

1/ IATA memorandum CSC/Reso/001-Part 1, adopted at the 19th Cargo Service Conference and filed with the Department on May 30, 1997.