

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Agreements Adopted by the Traffic
Conferences of the International Air
Transport Association

Docket OST-02-

APPLICATION FOR APPROVAL OF AGREEMENTS
BY THE
INTERNATIONAL AIR TRANSPORT ASSOCIATION

16 April 2002

Communications with respect to
this document should be sent to:

David M. O'Connor
Director, Government & Industry Affairs - United States
International Air Transport Association
1776 K St. N.W. Suite 400
Washington, D.C. 20006

(202) 293-9292

Summary	DOCKET: OST-02-	DOT ORDER: pending
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Date: 16 April 2002

Filing fee/IATA Acct: \$915 - A956/2001-06

US/UST involved: Yes

End of Government Filing Period: 25 April 2002

Intended effective date: **1 May 2002**

Agreement: **PTC COMP 0916** dated 16 April 2002

Mail Vote 219 - Resolution 010r

TC1, TC12 South Atlantic-Europe, TC31 South Pacific

Special Passenger Amending Resolution

Childrens fares from Brazil

r-1--041c

r-6--061d

r-11--054m

r-2--051c

r-7--070j

r-12--064m

r-3--061c

r-8--072vv

r-13--070yy

r-4--041d

r-9--078m

r-14--074m

r-5--051d

r-10--044m

r-15--090g

APPLICATION FOR APPROVAL OF AGREEMENT

Pursuant to statements submitted by Member airlines of the International Air Transport Association (IATA), the undersigned has been constituted to be their attorney-in-fact for filing with the Department of Transportation copies of agreements adopted by the IATA Traffic Conferences.

On their behalf, and pursuant to Sections 41308 and 41309 of Title 49 of the United States Code and Parts 303.03, 303.05 and 303.30(c) of Title 14 of the Code of Federal Regulations, I am filing with the Department this application for approval of an IATA agreement.

This agreement and related factual and explanatory material and documentation required by 14 C.F.R. 303.31 and Department and Civil Aeronautics Board (CAB) precedent are contained in the IATA Traffic Conference documentation summarized above.

This agreement arises from the continuing process of Tariff Coordinating Conferences and was developed in the context of prior Department and CAB rulings addressing related resolutions which reflected regulatory and market conditions then in effect. Thus, the present agreement should be viewed as part of a dynamic process of IATA Member airline adjustment to governmental and economic factors.

On previous occasions, the Department has found such agreements to be consistent with the public interest when they do not result in fares or rates that are unlawful or injurious to competition in the markets at issue. Approval of the present agreement would not yield fares or rates that are unlawful or injurious to competition. Moreover, approval of this agreement, which reflects compromises among the differing economic and social philosophies of the many nations whose airlines are parties, will advance the public interest in maintaining good aviation relations with other countries.

We request early approval by the Department of the foregoing agreement, pursuant to 49 U.S.C. 41309, and the grant of full antitrust immunity, pursuant to 49 U.S.C. 41308.

The conferral of full antitrust immunity would be in the public interest and necessary for the transaction to proceed. This agreement is a product of the IATA Tariff Coordinating Conferences which the Department found to be anticompetitive but nevertheless approved and immunized in Order 85-5-32 (May 6, 1985) on foreign policy and comity grounds because such action is necessary to achieve the serious transportation need of maintaining good aviation relations with other countries and these benefits are not obtainable by reasonably available means having materially less anticompetitive effects.

Insofar as this agreement concerns fares or rates between non-U.S. points, in which respect they have at most indirect application in foreign air transportation, the U.S. authorities have recognized (e.g, Order 79-8-194, 30 August 1979) that the interests of other sovereign nations in the conditions governing air transportation between them greatly exceed any that the U.S. might have by reason of U.S. airline, citizen or shipper participation. This agreement is not adverse to the public interest or in violation of the Act and, therefore, full immunity should be granted.

Respectfully submitted:

David M. O'Connor
Director, Government & Industry Affairs - United States
International Air Transport Association
Attorney-in-fact

CERTIFICATE OF SERVICE

A copy of this application or a summary notice thereof has been served by first class or priority mail on the following person:

Chief, Transportation, Energy
& Agriculture Section
Antitrust Division
Department of Justice
Washington D.C. 20530

David M. O'Connor

16 April 2002
Date Served



International Air Transport Association

IATA Centre, Route de l'Aéroport 33
P.O. Box 416
CH-1215 Geneva 15 Airport
Switzerland

16 April 2002

M E M O R A N D U M

PTC COMP 0916

TO: Members Participating in Tariff Coordinating Conferences (SP-2011)

FROM: Director, Interline and Revenue Management Services

SUBJECT: **Mail Vote 219** - Resolution 010r
TC1, TC12 South Atlantic-Europe, TC31 South Pacific
Childrens Fares from Brazil
Intended Effective Date: 1 May 2002

VOTING RESULT - AFFIRMATIVE

This confirms message TW971 of 11 April 2002 which declared the above mentioned Mail Vote adopted as circulated by TW969 dated 4 April 2002.

The filing period for the attached Resolution(s) ends **25 April 2002**. Members are reminded of their obligations under Resolutions 001 and 006 to advise this Office by the end of the filing period whether approval by their Government authorities is required and, if so, to accomplish the necessary filing formalities. The effective date will be declared in accordance with Resolutions 001 and 006, when all the known necessary Government approvals have been received.

Members are referred to Memoranda PTC COMP 0814 dated 1 June 2001 and PTC COMP 0908 dated 15 March 2002 which circulated Brazilian Government action which conditioned their approval of Resolution 201 'Childrens and Infant Fares' for special and subsequently normal fares as follows:

Accompanied children aged 2-11 years:
charge 75% of applicable adult fare

Unaccompanied children

- i) aged 2-7 years: charge 100% of applicable adult fare
- ii) aged 8-11 years: charge 100% of applicable adult fare

In accordance with the action recommended by the data base working group and endorsed by the Composite Meeting of July 2000, it is proposed to amend Resolutions to reflect these conditions where not already applicable.

A handwritten signature in black ink, appearing to read 'P. Djaferis', with a stylized flourish at the end.

Philip Djaferis
Assistant Director,
Customer and External Relations
Interline and Revenue Management Services

**TC1
PASSENGER TARIFF COORDINATING CONFERENCE**

AREAWIDE

INTENDED EFFECTIVE DATE: 1 MAY 2002

RESO	TITLE	COMMENTS	Page
041c	Intermediate Class Fares Longhaul	Amending	2
051c	First Class Fares Longhaul	Amending	3
061c	Economy Class Fares Longhaul	Amending	4

**TC1
PASSENGER TARIFF COORDINATING CONFERENCE**

WITHIN SOUTH AMERICA

INTENDED EFFECTIVE DATE: 1 MAY 2002

RESO	TITLE	COMMENTS	Page
041d	Intermediate Class Fares Within South America	Amending	5
051d	First Class Fares Within South America	Amending	6
061d	Economy Class Fares Within South America	Amending	7
070j	Excursion Fares Within South America	Amending	8
072vv	Excursion Fares between Brazil and South America	Amending	9
078m	PEX Fares between Brazil and Chile	Amending	10

**TC12 SOUTH ATLANTIC
PASSENGER TARIFF COORDINATING CONFERENCE**

SOUTH ATLANTIC-EUROPE

INTENDED EFFECTIVE DATE: 1 MAY 2002

RESO	TITLE	COMMENTS	Page
044m	Intermediate Class Fares between South Atlantic and Europe	Amending	11
054m	First Class Fares between South Atlantic and Europe	Amending	12
064m	Economy Class Fares between South Atlantic and Europe	Amending	13

**TC31 SOUTH PACIFIC
PASSENGER TARIFF COORDINATING CONFERENCE**

INTENDED EFFECTIVE DATE: 1 MAY 2002

RESO	TITLE	COMMENTS	Page
070yy	Excursion Fares between South West Pacific and Central America, South America via PA, PN	Amending	14
074m	PEX Fares from South America to Australia, New Zealand via PA, PN	Amending	15
090g	Emigrant Fares from South America to South West Pacific via PA, PN	Amending	16

**TC1
TC12 SOUTH ATLANTIC-EUROPE
TC31 SOUTH PACIFIC
SPECIAL AMENDING RESOLUTION FROM BRAZIL**

PTC1(Mail 219) 010r		New	
PTC12(Mail 219) 010r			
PTC31(Mail 219) 010r			
Filing Period:	Begins: 12 April 2002	Intended Effectiveness:	1 May 2002
	Ends: 25 April 2002	Expiry:	Indefinite
			Type: B

RESOLVED that, Paragraph 19) Children and Infant Discount, A) 1) Children, is amended as shown in the Attachment

**TC1
INTERMEDIATE CLASS FARES
LONGHAUL**

PTC1(Mail 219) 041c				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 041c is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

aged 2-11 years: charge 75% of applicable adult fare

Exception: from South America: charge 67% of applicable adult fare
except from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC1
FIRST CLASS FARES
LONGHAUL**

PTC1(Mail 219) 051c				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 051c is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

aged 2-11 years: charge 75% of applicable adult fare

Exception: from South America: charge 67% of applicable adult fare
except from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC1
ECONOMY CLASS FARES
LONGHAUL**

PTC1(Mail 219) 061c				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 061c is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

aged 2-11 years: charge 75% of applicable adult fare

Exception: from South America: charge 67% of applicable adult fare
except from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC1
INTERMEDIATE CLASS FARES
WITHIN SOUTH AMERICA**

PTC1(Mail 219)041d				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 041d is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exception: from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC1
FIRST CLASS FARES
WITHIN SOUTH AMERICA**

PTC1(Mail 219)051d				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 051d is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exception: from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC1
ECONOMY CLASS FARES
WITHIN SOUTH AMERICA**

PTC1(Mail 219)061d				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 061d is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exception: from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC1
EXCURSION FARES
WITHIN SOUTH AMERICA**

PTC1(Mail 219)070j				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 070j is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exception: from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC1
EXCURSION FARES
BETWEEN BRAZIL AND SOUTH AMERICA**

PTC1(Mail 219)072vv				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 072vv is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exception: from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC1
PEX FARES
BETWEEN BRAZIL AND CHILE**

PTC1(Mail 219)078m				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 December 2002
				Type: B

RESOLVED that, Resolution 078m is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exception: from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC12 SOUTH ATLANTIC
INTERMEDIATE CLASS FARES
BETWEEN SOUTH ATLANTIC AND EUROPE**

PTC12(Mail 219)044m				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 March 2003
				Type: B

RESOLVED that, Resolution 044m is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exceptions:

i) from Brazil: charge 75% of applicable adult fare

ii) from Europe: charge 75% of applicable adult fare except from Scandinavia charge 67% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC12 SOUTH ATLANTIC
FIRST CLASS FARES
BETWEEN SOUTH ATLANTIC AND EUROPE**

PTC12(Mail 219)054m				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 March 2003
				Type: B

RESOLVED that, Resolution 054m is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exceptions:

- i) from Brazil: charge 75% of applicable adult fare
- ii) from Europe: charge 75% of applicable adult fare ~~except~~

Exceptions

- ⊖ aa) from Scandinavia: charge 67% of applicable adult fare
- ⊖ bb) from Switzerland: charge 100% of applicable adult fare

b) unaccompanied children

- ii) aged 8-11 years: charge 100% of applicable adult fare

**TC12 SOUTH ATLANTIC
ECONOMY CLASS FARES
BETWEEN SOUTH ATLANTIC AND EUROPE**

PTC12(Mail 219)064m				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	31 March 2003
				Type: B

RESOLVED that, Resolution 064m is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

Exception: from Brazil: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 100% of applicable adult fare

**TC31 SOUTH PACIFIC
EXCURSION FARES
BETWEEN SOUTH WEST PACIFIC
AND CENTRAL AMERICA, SOUTH AMERICA
VIA PA, PN**

PTC31(Mail 219)070yy				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	30 September 2002
				Type: B

RESOLVED that, Resolution 070yy is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

aged 2-11 years: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 75% of applicable adult fare

Exception: from Brazil: charge 100% of applicable adult fare

**TC31 SOUTH PACIFIC
PEX FARES
FROM SOUTH AMERICA TO AUSTRALIA, NEW ZEALAND
VIA PA, PN**

PTC31(Mail 219)074m				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	30 September 2002
				Type: B

RESOLVED that, Resolution 074m is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

aged 2-11 years: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 75% of applicable adult fare

Exception: from Brazil: charge 100% of applicable adult fare

**TC31 SOUTH PACIFIC
EMIGRANT FARES
FROM SOUTH AMERICA TO SOUTH WEST PACIFIC
VIA PA, PN**

PTC31(Mail 219)090g				Amending
Filing Period	Begins	12 April 2002	Intended Effectiveness	1 May 2002
	Ends	25 April 2002	Expiry:	30 September 2002
				Type: B

RESOLVED that, Resolution 090g is amended as follows

Paragraph 19) is amended

19) CHILDREN AND INFANT DISCOUNTS

A) 1) Children

a) accompanied children

aged 2-11 years: charge 75% of applicable adult fare

b) unaccompanied children

ii) aged 8-11 years: charge 75% of applicable adult fare

Exception: from Brazil: charge 100% of applicable adult fare