

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

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

Docket OST-2004-

APPLICATION FOR APPROVAL OF AGREEMENTS  
BY THE  
INTERNATIONAL AIR TRANSPORT ASSOCIATION

25 May 2004

Communications with respect to  
this document should be sent to

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

(202) 293-9292

Date: 25 May 2004  
Filing fee / IATA Acct: USD61 / 2004-76  
US/UST involved: No  
End of Government Filing Period: 17 June 2004  
Meeting site, date: Singapore, 12-14 May 2004  
Intended effective date: **1 July 2004**

Agreement: **CTC COMP 0481** dated 28 May 2004  
Expedited Composite Resolution 033e

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## 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.

This agreement concerns fares or rates between non-U.S. points and thus has 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 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, should be granted full immunity.

Respectfully submitted

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David M. O'Connor  
Senior Director, 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

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David M. O'Connor

25 May 2004  
Date Served



**International Air Transport Association**

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

28 May 2004

**M E M O R A N D U M**

CTC COMP 0481

TO: Members Participating in Tariff Coordinating Conferences (SC-0325)

FROM: Director, Interline Tariffs

SUBJECT: Composite Cargo Tariff Coordinating Conference  
Singapore, 12-14 May 2004  
**Expedited Composite Resolution 033e**  
Intended Effective Date: 1 July 2004

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**RESOLUTIONS - ADOPTED**

Attached is Expedited Composite Resolution 033e which was adopted at the above meeting for an intended effective date of 1 July 2004.

The filing period for the attached Resolution ends **17 June 2004**. 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.

A handwritten signature in black ink, appearing to read 'P. Djaferis'.

Philip Djaferis  
Assistant Director  
Cargo and Tariff Industry Affairs  
Interline Tariffs



RESOLUTION ADOPTED AT  
**COMPOSITE**  
**CARGO TARIFF COORDINATING CONFERENCE**

**SINGAPORE, 12-14 MAY 2004**

EXPEDITED EFFECTIVE DATE: 1 JULY 2004

RESO	TITLE	COMMENTS	RD
033e	Rules for Payment of Cargo Rates, Charges and Other Amounts	Amending	1



**EXPEDITED****RULES FOR PAYMENT OF CARGO RATES, CHARGES AND OTHER AMOUNTS**

CTC1(47)033e				Amending
CTC2(57)033e				
CTC3(47)033e				
CTC12(68)033e				
CTC23(57)033e				
CTC31(51)033e				
CTC123(61)033e				
Filing Period	Begins	4 June 2004	Intended Effectiveness	1 July 2004
	Ends	17 June 2004	Expiry	Indefinite
				Type A

RESOLVED that, Resolution033e is amended as follows

Attachment A is amended

**ATTACHMENT 'A'****SOURCES FOR RATES OF EXCHANGE**

<b>COUNTRY</b>	<b>SOURCE</b>
<b>Austria</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Belgium</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Finland</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>France and French Territories</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Germany</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Greece</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week

<b>COUNTRY</b>	<b>SOURCE</b>
<b>Ireland</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Italy</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Luxembourg</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Netherlands</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Portugal</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week
<b>Spain</b>	The bankers rate means the rate established by the European Central Bank (ECB) and published <del>by IATA</del> each Tuesday at: <a href="http://www.ecb.int/">http://www.ecb.int/</a> . This rate will be applicable from Wednesday of each week up to and including Tuesday of the following week

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**DESCRIPTION OF AGREEMENT**  
**(EXCEPT TO/FROM USA/US TERRITORIES)**

**COMPOSITE MEETING OF CARGO TARIFF COORDINATING CONFERENCES**

**SINGAPORE 12-14 MAY 2004**

**Expedited Effective Date: 1 JULY 2004**

Sources for Rates of Exchange may be updated upon notification by any TC Member; in respect of the source for the euro, it was ascertained that the current methodology of IATA circulating the information each Tuesday did not adequately address the requirements of all concerned and therefore brought to Conference for review.

It was agreed to amend the source to be directly accessed from the website of the European Central Bank. This is fully transparent and accessible by all.