

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

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

Docket OST-2005-

APPLICATION FOR APPROVAL OF AGREEMENTS  
BY THE  
INTERNATIONAL AIR TRANSPORT ASSOCIATION

9 January 2006  
Communications with respect to  
this document should be sent to

Douglas Lavin  
Regional Vice President – North America  
International Air Transport Association  
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Washington, D.C. 20006  
(202) 293-9292

|         |                          |                              |
|---------|--------------------------|------------------------------|
| Summary | DOCKET: <b>OST-2005-</b> | US DOT ORDER: <b>pending</b> |
|---------|--------------------------|------------------------------|

Date: 9 January 2006  
Filing fee / IATA Acct: USD 61/ 2005-28  
US/UST involved: No  
End of Government Filing Period: 10 January 2006

Meeting site, date: Singapore, 21 November -30 November 2005

Intended effective date: 1 February 2006

Agreement: **TC3 South East Asia – South Asian Subcontinent**  
Singapore, 21 November - 30 November 2005  
Intended Effective Date: 1 February 2006 (Memo 0914)

|           |              |
|-----------|--------------|
| <u>R1</u> | <u>002cf</u> |
|-----------|--------------|

## **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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Douglas Lavin  
Regional Vice President – North America  
International Air Transport Association

**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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Douglas Lavin

9 January 2006  
Date Served



7 December 2005

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

PTC3 0914

TO: Members Participating in Tariff Coordinating Conferences (SP-4290)

FROM: Director, Interline Tariffs

SUBJECT: **TC3 South East Asia – South Asian Subcontinent**  
Singapore, 21 November - 30 November 2005  
Intended Effective Date: 1 February 2006

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**EXPEDITED RESOLUTION - ADOPTED**

Attached is TC3 South East Asia – South Asian Subcontinent Expedited Resolution 002cf which was adopted at the above meeting for an intended effective date of 1 February 2006.

The filing period for the attached Resolution ends **10 January 2006**. 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.

Alban Sato  
Manager, Tariff Meetings  
Interline Tariffs



**TC3  
PASSENGER TARIFF COORDINATING CONFERENCE**

**BETWEEN SOUTH EAST ASIA AND SOUTH ASIAN SUBCONTINENT**

**SINGAPORE, 21 NOVEMBER – 30 NOVEMBER 2005**

EXPEDITED EFFECTIVE DATE: 1 FEBRUARY 2006

| RESO         | TITLE   | COMMENTS | RD   |
|--------------|---|----------|------|
| <u>002cf</u> | <u>Special Amending Resolution<br/>between South East Asia<br/>and South Asian Subcontinent</u> | New      | 11.2 |



**EXPEDITED****TC3  
SPECIAL AMENDING RESOLUTION  
BETWEEN SOUTH EAST ASIA AND SOUTH ASIAN SUBCONTINENT**

|                      |        |                  |                        |                 |
|----------------------|--------|------------------|------------------------|-----------------|
| <b>PTC3(81)002cf</b> |        |                  |                        | <b>New</b>      |
| Filing Period        | Begins | 20 December 2005 | Intended Effectiveness | 1 February 2006 |
|                      | Ends   | 10 January 2006  | Expiry                 | 31 March 2006   |
|                      |        |                  |                        | Type B          |

RESOLVED that, for application in the TC3 South East Asia-South Asian Subcontinent sub-area

fares Attachments to Resolutions are amended in accordance with the Attachment to this Resolution



**EFFECTIVE: 1 FEBRUARY 2006****1 RESOLUTION 070tt - EXCURSION FARES BETWEEN SOUTH EAST ASIA AND SOUTH ASIAN SUBCONTINENT**

A) From BKK, fares re-established

| <b>From</b> | <b>To</b> | <b>Reso</b> | <b>Formula</b>       |
|-------------|-----------|-------------|----------------------|
| BKK         | ISB       | 070tt       | =final levels to KHI |

**2 FARE LEVELS**

A) Normal fares from South East Asia

| <b>From</b>   | <b>To</b>                | <b>F</b> | <b>C</b> | <b>Y</b> |
|---------------|--------------------------|----------|----------|----------|
| Thailand (TH) | South Asian Subcontinent | +7%      | +7%      | +7%      |

B) Special fares from South East Asia

| <b>From</b>   | <b>To</b>                | <b>Special Fares</b> |
|---------------|--------------------------|----------------------|
| Thailand (TH) | South Asian Subcontinent | +7%                  |



## **DESCRIPTION OF AGREEMENT**

### **TC3**

**Between South East Asia and South Asian Subcontinent**

**(Not applicable to/from US territories)**

**Effective Date: 1 February 2006**

The TC3 Conference met 21 - 30 November 2005 in Singapore to develop an agreement intended effective 1 April 2006. Certain changes were adopted for an earlier effective date of 1 February 2006 as briefly described below.

- From Thailand, normal and special fares are increased by 7%.
- Excursion fare from Bangkok to Islamabad re-established to equal levels to Karachi (KHI).