

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

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Agreements Adopted by the  
Passenger Agency Conference  
of the International Air Transport Association

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Docket OST-2007-

**APPLICATION FOR APPROVAL OF AGREEMENTS  
BY THE  
INTERNATIONAL AIR TRANSPORT ASSOCIATION**

09 August 2007

Communications with respect to  
this document should be sent to:

Douglas Lavin  
Regional Vice President – North America  
International Air Transport Association  
1750 K St. N.W. #12<sup>th</sup> Floor  
Washington, D.C. 20006  
(202) 293-9292

**Summary**  
**pending**DOCKET: **OST-2007-**

DOT ORDER:

Date: **09 August 2007**  
Filing fee/IATA Acct: \$61/ A515  
US/UST involved?: NO  
Intended effective date: 1 April 2007  
Memorandum: Mail Vote Number A 138 Resolution 832 – Remittance in Canada

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**APPLICATION FOR APPROVAL OF AGREEMENTS**

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 materials 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 Agency Conferences through which IATA Member airlines establish standardized agency arrangements intended to govern agent practices in countries other than the United States. The agreement 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, which makes amendments to the framework agreements forming the charter for ongoing agency programs and/or creates new resolutions pursuant to that framework, should be viewed as part of a dynamic process of IATA Member airline adjustment to governmental and economic factors.

On previous occasions, the Department and CAB have found these framework agreements to be consistent with the public interest. The present agreement does not impair the previous bases for approval and itself is not adverse to the public interest. 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 Agency 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. The subject agreement applies only to marketing arrangements in foreign countries. Department and CAB policy has recognized that U.S. regulatory concerns are more limited than those of other countries and has given special weight to the important public benefit of foreign policy and comity.

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 persons:

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

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Douglas Lavin

09 August 2007  
Date Served



6 February 2007

**M E M O R A N D U M**  
**PAC/RESO/460**

**TO:** All Members,  
Passenger Agency Conference Accredited Representatives

**FROM:** Director, Passenger

**SUBJECT: MAIL VOTE (A138)**  
**PAC123 (Mail A138)**  
**Resolution 832 – Remittance in Canada**

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1. The process described in Resolution 832 applicable to remittance in Canada needs to be updated as a result of the implementation of BSPlink. To eliminate any uncertainty in the marketplace regarding authorisation for direct debit under the applicable Resolutions, Agents will be required to enter into a formal agreement providing for pre-authorized debits to be drawn from their respective designated account in such form as may be prescribed from time to time by ISS Management.

2. Consultation with the CAPJC, which includes Member airlines and ACTA representatives, concerning this change has taken place.

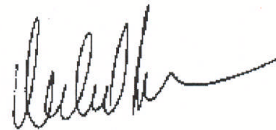
3. Members are requested to approve the changes to the remittance provisions for Canada and the resolution amendment as shown at **Attachment 'A'**. Subject to PACConf approval, the implementation date would be 1 April 2007.

4. The timetable for Mail Vote (A138) is as follows:

Voting Period:	6 February – 27 February 2007
Filing Period with Governments:	27 February – 10 March 2007
Implementation and Effectiveness:	01 April 2007

5. Members may cast their votes by the following methods:
- a) by e-mail from the PAConf Accredited Representative to the Assistant Director, Passenger Agency Policy on [masonj@iata.org](mailto:masonj@iata.org), with copy to [robbinsc@iata.org](mailto:robbinsc@iata.org), or
  - b) by teletype message from the PAConf Accredited Representative to the Assistant Director, Passenger Agency Policy on **GVATLXB**.
6. Ballots should reach this office by close of business (CET), on 27 February 2007. Votes not received by that deadline will be deemed to be affirmative.

Any Member seeking clarification concerning any aspect of this mail vote is invited to contact John Mason by email to [masonj@iata.org](mailto:masonj@iata.org).



Michael Feldman  
Director

**Resolution 832**

**REPORTING AND REMITTING PROCEDURES**

*Amend Resolution 832 by replacing Sections 1.6.2.5 and 1.6.2.6 with the following:*

**1.6.2.5-1.6.2.13 (Canada & Bermuda only: Processing and Settlement)**

- 1.6.2.5 The Agent shall submit to the Processing centre its Sales Transmittal for each Reporting Period in accordance with the Calendar of Settlement Dates for Canada published yearly and in advance by IATA as part of the local Chapter 14 of the BSP Manual for Agents.
- 1.6.2.6 The Agent shall remit all settlements owing to the Clearing Bank with a value date for each corresponding Settlement Date, as prescribed by ISS Management. The following provisions shall govern the remittance process:
- 1.6.2.6.1 In order to settle with the Clearing Bank through automated debits, the Agent shall issue all appropriate authorisations, and in particular the Agent shall enter into agreement providing for pre-authorised debits to be drawn from its designated account, such authorisations and agreement to be substantially in the form as may be prescribed from time to time by ISS Management.
- 1.6.2.6.2 The Agent who chooses not to settle through automated debits shall duly settle all amounts outstanding by wire transfer, at its own costs, with a value date for each corresponding Settlement Date.

**MEMORANDUM PAC/Reso/459**

To: Mr John Mason  
Assistant Director  
International Air Transport Association  
Route de l'Aéroport 33  
P.O. Box 416  
1215 Geneva 15 Airport, Switzerland

Fax: +41 (0)22 770 2662

**BALLOT**

**Subject: Resolution 832 - Remittance in Canada**

\_\_\_\_\_ hereby vote as follows:  
(Airline name)

**In favour      Against      Abstain**

on Mail Vote: **PAC123(Mail A138)**

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**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Accredited Representative**

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Airline**