

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

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

OST-2008-

APPLICATION FOR APPROVAL OF AGREEMENTS  
BY THE  
INTERNATIONAL AIR TRANSPORT ASSOCIATION

30 May 2008

Communications with respect to  
this document should be sent to

Douglas E. Lavin  
Regional Vice President – North America  
International Air Transport Association  
IATA Washington,  
601 Pennsylvania Avenue, N.W. Suite 300 - North Building  
Washington DC 20004



Summary	DOCKET: <b>OST-2008-</b>	US DOT ORDER: <b>pending</b>
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Date: 30 May 2008

Filing fee / IATA Acct: USD 366 / 0000-28

US/UST involved: **No**

End of Government Filing Period: **6 June 2008**

Meeting site, date: Mail Vote 568

Intended effective date: **13 June 2008**

Agreement: **Mail Vote 568 – Resolutions 074z, 081oo, 081rr, 081s, 085u, 081pp**  
TC3 Japan, Korea – South West Pacific/Japan, Korea-South East Asia  
Passenger Amending Resolutions  
Intended Effective Date: 13 June 2008  
**(Memo 1208)**

r1 074z  
r2 081oo  
r3 081rr  
r4 081s  
r5 085u  
r6 081pp

**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 E. 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 E. Lavin

30 May 2008  
Date Served





28 May 2008

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

PTC3 1208

TO: Members Participating in Tariff Coordinating Conferences (SP-5519)

FROM: Director, Passenger

SUBJECT: **Mail Vote 568 – Resolutions 074z, 081oo, 081rr, 081s, 085u, 081pp**  
TC3 Japan, Korea – South West Pacific/Japan, Korea-South East Asia  
Passenger Amending Resolutions  
Intended Effective Date: 13 June 2008

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**MAIL VOTE - ADOPTED**

As no negative votes were cast during the voting period which expired 1400 hours Geneva time 28 May 2008, Mail Vote 568 as circulated by MV568-1 dated 22 May 2008, is declared adopted on 28 May 2008.

TC Members met 12-19 November 2007 in Bangkok to develop a fares agreement for TC3. In line with agreements to despecify some cities in Japan and apply add-ons, as well as for simplification exercise, IATA proposes to remove all specified points and instead reflect country names in the application paragraphs of certain Resolutions.

Amendments to the application paragraphs do not change where the fares are specified.

The filing period for this Mail Vote ends **6 June 2008**. 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  
IDFS Passenger

International Air Transport Association

Route de l'Aéroport 33  
PO Box 416  
CH - 1215 Geneva 15 Airport  
Switzerland  
Tel: +41 22 770 2525  
Fax: +41 22 770 2684  
E-Mail: [irms@iata.org](mailto:irms@iata.org)





**TC3  
PEX FARES  
FROM NEW ZEALAND TO JAPAN**

PTC3(Mail 568)074z				Amending
Filing Period	Begins	29 May 2008	Intended Effectiveness	13 June 2008
	Ends	6 June 2008	Expiry	31 March 2009
				Type B

RESOLVED that, Resolution 074z is amended as follows

1 Paragraph 0) is amended

**0) APPLICATION**

**A) 1) Application**

economy class  
round, open jaw trip  
PEX fares  
from New Zealand  
to Japan

a) PEX A

from New Zealand  
to Fukuoka, Nagoya, Okinawa, Osaka, Tokyo

b) PEX B

from New Zealand  
to Fukuoka, Nagoya, Osaka, Tokyo

c) PEX C

from New Zealand  
to Fukuoka, Nagoya, Osaka, Tokyo



**TC3  
IIT FARES  
FROM JAPAN TO AUSTRALIA**

PTC3(Mail 568)08100				Amending
Filing Period	Begins	29 May 2008	Intended Effectiveness	13 June 2008
	Ends	6 June 2008	Expiry	31 March 2009
				Type B

RESOLVED that, Resolution 08100 is amended as follows

1 Paragraph 0) is amended

**0) APPLICATION**

A) 1) **Application**

economy class  
round, circle, open jaw trip  
IIT fares  
from Japan ~~Fukuoka, Kagoshima, Nagoya, Okinawa, Osaka, Sapporo,~~  
~~Tokyo~~  
to Australia



**TC3  
IIT FARES  
FROM JAPAN  
TO COOK ISLANDS, FIJI, PAPUA NEW GUINEA**

PTC3(Mail 568)081rr				Amending
Filing Period	Begins	29 May 2008	Intended Effectiveness	13 June 2008
	Ends	6 June 2008	Expiry	31 March 2009
				Type B

RESOLVED that, Resolution 081rr is amended as follows

1 Paragraph 0) is amended

**0) APPLICATION**

**A) 1) Application**

economy class  
round, circle, open jaw trip  
IIT fares  
from Japan  
to Cook Islands, Fiji, Papua New Guinea

**a) IIT A (D1)**

~~from Fukuoka, Nagoya, Osaka, Tokyo~~  
~~to Cook Islands, Fiji, Papua New Guinea~~

**b) IIT B (D2)**

~~from Fukuoka, Nagoya, Osaka, Sapporo, Tokyo~~  
~~to Fiji~~



**TC3  
IIT FARES  
FROM JAPAN  
TO FRENCH POLYNESIA, NEW CALEDONIA**

PTC3(Mail 568)081s				Amending
Filing Period	Begins	29 May 2008	Intended Effectiveness	13 June 2008
	Ends	6 June 2008	Expiry	31 March 2009
				Type B

RESOLVED that, Resolution 081s is amended as follows

1 Paragraph 0) is amended

**0) APPLICATION**

**A) 1) Application**

economy class  
round, circle, open jaw trip  
IIT fares  
from Japan  
to French Polynesia, New Caledonia

**a) IIT A (D1)**

~~from Fukuoka, Nagoya, Okinawa, Osaka, Tokyo  
to French Polynesia, New Caledonia~~

**b) IIT B (D2)**

~~from Fukuoka, Nagoya, Osaka, Sapporo, Tokyo  
to French Polynesia, New Caledonia~~





**TC3  
GIT FARES  
FROM COOK ISLANDS, PAPUA NEW GUINEA  
TO JAPAN**

PTC3(Mail 568)085u				Amending
Filing Period	Begins	29 May 2008	Intended Effectiveness	13 June 2008
	Ends	6 June 2008	Expiry	31 March 2009
				Type B

RESOLVED that, Resolution 085u is amended as follows

1 Paragraph 0) is amended

**0) APPLICATION**

A) 1) **Application**

economy class  
round, circle trip  
GIT fares  
from Cook Islands, Papua New Guinea  
to Japan

2) **Fares**

- a) Exception: from Papua New Guinea to Japan to Fukuoka, Kagoshima, Nagoya, Osaka, Tokyo
- i) in basic season: 57% of applicable specified or constructed unrestricted normal economy class round, circle trip fare
- ii) in peak season: 63.5% of applicable specified or constructed unrestricted normal economy class round, circle trip fare
- d) via Australia: any higher round trip fare under Resolution 081f from any ticketed point in Australia must be charged



**TC3  
IIT FARES  
FROM JAPAN TO SOUTH EAST ASIA**

PTC3(Mail 568)081pp				Amending
Filing Period	Begins	29 May 2008	Intended Effectiveness	13 June 2008
	Ends	6 June 2008	Expiry	31 March 2009
				Type B

RESOLVED that, Resolution 081pp is amended as follows

1 Paragraph 0) is amended

**0) APPLICATION**

A) 1) Application

economy class  
round, circle, open jaw trip  
IIT fares

a) IIT A

- i) from Japan to Philippines  
Fukuoka, Nagoya, Okinawa, Osaka, Sapporo, Tokyo  
to Manila
- ii) from Fukuoka, Nagoya, Osaka, Tokyo  
to Cebu

b) IIT B

- i) from Japan Fukuoka, Komatsu, Nagoya, Niigata, Osaka, Sapporo,  
Sendai, Tokyo  
to Cambodia, Myanmar, Laos, Thailand, Viet Nam
- ii) from Hiroshima, Okinawa,  
to Bangkok
- iii) from Fukuoka, Nagoya, Osaka, Sapporo, Tokyo  
to Laos, Cambodia, Myanmar, Viet Nam
- iv) from Kagoshima  
to Bangkok, Chiang Mai, Phuket

c) IIT C

- i) from Japan, Fukuoka, Hiroshima, Nagoya, Okinawa, Osaka,  
Sapporo, Sendai, Tokyo  
to Chinese Taipei

## d) IIT D

- i) from Japan, Fukuoka, Hiroshima, Nagoya, Osaka, Sendai, Tokyo to Malaysia (except Kota Kinabalu), Singapore
- ii) from Fukuoka, Nagoya, Okayama, Osaka, Tokyo to Kuala Lumpur, Kuching, Langkawi, Penang
- iii) from Kagoshima, Okinawa, Sapporo to Kuala Lumpur, Langkawi, Penang, Singapore

## e) IIT E

- i) from Japan, Fukuoka, Kagoshima, Nagoya, Okinawa, Osaka, Tokyo to Indonesia Denpasar Bali, Jakarta, Manado, Medan, Yogyakarta
- ii) from Sapporo to Denpasar Bali, Jakarta, Manado

## f) IIT F

- i) from Japan, Fukuoka, Hiroshima, Nagoya, Osaka, Sapporo, Tokyo to Hong Kong SAR, Macao SAR
- ii) from Kagoshima, Okinawa, Sendai to Hong Kong SAR

## g) IIT G

- i) from Japan, Fukuoka, Nagoya, Okayama, Osaka, Tokyo to Brunei Darussalam, Kota Kinabalu
- ii) from Fukuoka, Nagoya, Osaka, Tokyo to Brunei Darussalam

## h) IIT H

from Japan, Osaka, Tokyo to Uzbekistan Tashkent

