

RESOLUTION 001**PERMANENT EFFECTIVENESS
RESOLUTION**

PAC(48)001

Expiry: Indefinite
Type: A

RESOLVED that:

1. The filing period and effectiveness and expiry dates of Resolutions adopted by the Passenger Agency Conference in accordance with the Provisions for the Conduct of the IATA Passenger Agency Conference shall be those specified on each such Resolution.

FILING AND APPROVAL

2. Each Member shall notify the Secretary of the Passenger Agency Conference concerned as to whether the filing or approval of Resolutions is required by the Government authorities of its country and shall accomplish any necessary filing with the appropriate Government authorities prior to the commencement of the filing period.

3. Each Member shall see that the Secretary of the Passenger Agency Conference concerned is promptly notified of any extension of the filing period, approval or disapproval by such Member's Government authorities and the Secretary of the Passenger Agency Conference concerned shall forthwith inform all Members thereof.

EFFECTIVENESS

4. Immediately following the filing period or any Government extension thereof, the Secretary of the Passenger Agency Conference concerned shall inform all Members specifying the effective date.

5. Each Resolution not disapproved by the appropriate Government authorities shall remain in effect until the earliest of the following:

5.1 180 days after a Member, at any regularly scheduled meeting of a Passenger Agency Conference authorised to act upon the type of Resolution a proposal for rescission having been duly placed on the agenda, rescinds its approval;

5.2 until it shall be effectively modified or rescinded by the Conference; or

5.3 until a Government disapproves or a Government approval has been withdrawn; or

5.4 until 30 days after the Secretary of the Passenger Agency Conference concerned receives notices from any Conference Member given in accordance with Paragraph 9 herein, stating its intention that a Resolution shall cease to be effective; or

5.5 until the expiry date.

6. Where a government specifically disapproves a Resolution or a portion thereof, Paragraph 8 shall be applicable.

7. Where a government does not specifically disapprove a Resolution but imposes a condition or change or requirement or authorisation affecting the provisions, conditions, effectiveness or applicability of any Resolution(s) as agreed by the Passenger Agency Conference, Paragraph 9 shall be applicable.

8. With respect to each Resolution shown as:

8.1 Type "A", disapproval by a government authority of a Resolution or a portion thereof shall be considered disapproval of the entire Resolution;

8.2 Type "A", disapproval by a government authority of a Resolution which amends a currently effective indefinite Resolution shall be considered disapproval of the amending Resolution;

8.3 Type "A", disapproval by a government authority of a Resolution which amends and revalidates a currently effective Resolution shall be considered as disapproval only of the amendment(s) and the Resolution which it was intended to amend shall be considered as revalidated unless the government specifically withdraws its approval of the currently effective Resolution;

8.4 Type "A", disapproval by a government authority of a portion of an amending Resolution and approval of the balance of the Resolution with a condition or change or requirement or authorisation affecting the provisions, conditions, effectiveness or applicability of such Resolution as agreed by the Conferences shall be resolved by the Member(s) under Paragraph 9 of this Resolution;

8.5 Type "AA", disapproval by a government authority of a Resolution or a portion thereof shall be considered disapproval of the entire Resolution provided that any pre-existent resolution which is to be replaced by a Type "AA" Resolution, shall be automatically revalidated until such Type "AA" Resolution becomes effective, or 180 days after the next meeting of the Conference, whichever is earlier;

8.6 Type "B" disapproval by any Government authority of a portion shall be considered as rendering only that portion of the Resolution void;

8.7 Type "B" but including one or more paragraphs marked Type "A", disapproval of all or any portion of such Type "A" paragraphs shall be considered as rendering the entire Resolution void.

9. Where a Government other than by a Government requirement or authorisation as described in Resolution 200g or by a government requirement that Members file notices or submit copies of filings either at the time of approval of any Resolution(s), or subsequently, imposes a condition or change or requirement or authorisation affecting the provisions, conditions, effectiveness or applicability of any Resolution(s), as agreed by the Conference(s) the following shall apply:

9.1 the Secretary of the Passenger Agency Conference concerned shall notify all Members of the action of such Government;

9.2 any Conference Member may, within 30 days from the date of such notification, submit a written notice to the Secretary of the Passenger Agency Conference concerned stating its intention that such Resolution(s) shall not come into effect, (or shall cease to be effective);

9.3 if the Secretary of the Passenger Agency Conference concerned receives such notice of intention within such 30 day period, such Resolution(s) shall not come into effect, or if already in effect, shall cease to be effective 30 days after receipt of such notice of intention by the Secretary of the Passenger Agency Conference concerned provided that any pre-existent resolution which is to be replaced by a Type "AA" resolution, shall be automatically revalidated until such Type "AA" resolution becomes effective or 180 days after the next meeting of the Conference, whichever is earlier;

9.4 if the Secretary of the Passenger Agency Conference concerned does not receive such notice of intention within such 30 day period, the action of such Government shall thereafter be deemed legally binding in accordance with its terms.

10. The term "Government(s)" as used in the preceding Paragraphs shall be deemed to be the government(s) referred to in Paragraph 2 hereof;

10.1 where due to action of any other government a Member is prevented from putting into effect the terms of any Resolution, such Member shall notify the Secretary of the Passenger Agency Conference concerned. The effect of such action shall be subject to the provisions of Paragraphs 8 and 9 hereof, and shall be restricted to the country of the government concerned and shall not be subject to any Special Effectiveness (Tie-In) Resolution, unless a Member notifies the Secretary of the Passenger Agency Conference concerned within 30 days from the date of circulation of the notification by the Secretary of the Passenger Agency Conference concerned that such action by the government concerned shall apply to the Resolution without restriction.

ANNOUNCEMENT, ADVERTISING AND SALES

11. Upon the coming into effect hereof, every unexpired Resolution shall be governed by the terms of this Resolution and the effectiveness Resolutions originally adopted shall forthwith expire; provided that the expiry date and type specified in the original effectiveness shall be retained in respect of such unexpired Resolutions.

GOVERNMENT RESERVATIONS

EGYPT

Should any IATA resolutions be made more liberal by means of any reservations, conditions or orders imposed or issued by any government in favour of an airline, then such reservations, conditions and orders shall also apply on Egyptair.

ETHIOPIA

Should any IATA fares and/or Resolutions be made more liberal by means of any reservations, conditions or orders imposed or issued by any Government in favour of an airline, then such reservations, conditions and orders shall also optionally apply in favour of Ethiopian Airlines, S.C. (22.1.74).

FRANCE

Having noticed that many Governments, in approving Resolutions are placing conditions or reservations which substantially change the intent of the Resolutions, it is to be understood that the French Government shall not automatically be bound by such conditions or reservations especially those which are issued by Governments not directly concerned with the type of traffic involved.

HONG KONG (SAR), CHINA

Hong Kong (SAR), China—change of status from 1 July 1997.

IATA Resolutions 807, 810c, 810z regarding sales agents in the mainland of China are not applicable in Hong Kong SAR.

INDIA

1. Should any International Air Transport Association Resolution be made more liberal by means of any reservations, conditions or orders imposed or issued by any Government in favour of an airline, then such reservations, conditions and orders shall apply in favour of Air-India unless otherwise directed by the Government of India.

2. IATA passenger and cargo Resolutions, otherwise applicable to traffic within Area 3, shall not apply to transportation wholly between points in India on the one hand and points in Bangladesh on the other. (10.9.73)

INDONESIA

Should any IATA Resolution be made more liberal by means of any reservation, condition or order imposed or issued by any Government, in favour of an airline, then such reservation, condition and order shall also apply in favour of P.T. Garuda Indonesian Airways, unless otherwise directed by the Government of Indonesia.

IRAQ

The resolutions considered are those adopted by IATA and no account has been taken of any conditions or reservations made by other Governments in approving the resolutions. Accordingly Iraqi Government reserves the right to withdraw or condition further its approval of the Resolutions if it appears that the decisions of other Governments have substantially changed the meaning of the Resolutions.

ISRAEL

1. Any Government Order for reduced transportation issued by the Israel Government to El Al Israel Airlines and/or to other carriers operating to and from Israel, which requires filing with IATA (except Government business), will be deemed to be a Government Order to any one and to all carriers permitted to operate to and from Israel, enabling them to match the reduced fares, rates and conditions contained in such an Order.

2. Any Government Directive or Order shall not be valid for transportation from/to or via Israel without the prior approval of the Director, Department of Civil Aviation.

3. El Al Israel Airlines is entitled to match or establish competitive fares, rates, conditions and provisions resulting from any Government action, such as reservations or conditions placed on IATA Resolutions, or orders, directives, requirements, authorisations, etc. issued in favour of any airline or airlines. (13.12.72)

ITALY

Any Government directives, procedures or conditions (passenger and cargo) applicable to transportation from/to/via Italy, authorising a deviation from IATA Resolutions or replacing them in case of lack of an IATA agreement, shall be submitted for study to the Ministry of Transport and Civil Aviation—Director General of Civil Aviation, and will only come into effect after this Ministry has given its approval.

JORDAN

If any IATA Resolutions were made or may be made in the future more liberal in favour of a Member by means of any reservations, conditions or orders imposed or issued by any Government, then Royal Jordanian shall have the right to make use of such reservations, conditions and orders.

MACAU (SAR), China—change of status from 20 December 1999

IATA Resolutions 807, 810c, 810z regarding sales agents in the mainland of China are not applicable in Macau, SAR.

MALAWI

Should any International Air Transport Association Resolution be made more liberal by means of any reservation, condition or order imposed or issued by any Government, in favour of an airline, then such reservation, condition or order shall also apply in favour of Air Malawi Limited, unless otherwise directed by the Government of the Republic of Malawi. Furthermore, all such requirements affecting the air services to/from the Republic of Malawi (except those concerning a special individual journey or shipment) shall be submitted by Members to Air Malawi Limited for filing with the Government of the Republic of Malawi for prior specific approval, and will be applicable only if approved and in accordance with any terms contained in such approval (9.4.91).

PAKISTAN

Should any International Air Transport Association Resolution be made more liberal by means of any reservations, conditions or orders imposed or issued by any Government in favour of an airline, then such reservations, conditions and orders shall also apply in favour of Pakistan International Airlines.

PEOPLE'S REPUBLIC OF CHINA

Any amendments to Resolution 818g shall be determined by Conference, and prior to implementation in China, shall be subject to review and approval by the CAAC prior to any declaration of effectiveness or implementation in China.

SAUDI ARABIA

1. Should any International Air Transport Resolution be made more liberal by means of any reservations, conditions on orders imposed or issued by any Government in favour of an airline, then such reservations, conditions and orders shall upon request by Saudia, also apply in favour of Saudi Arabian Airlines.

2. Any Government directive authorising a deviation from IATA Resolutions shall be filed by the carrier concerned with the Civil Aviation Authority of the Kingdom of Saudi Arabia through the

Saudi Arabian Airlines Corporation when transportation is to/from or via Saudi Arabia. Such Government directive shall not be implemented unless prior approval of the Saudi Government has been obtained thereto. Government orders concerning a specified individual journey or shipment are excluded from this reservation.

□ TUNISIA

Tunisian Government explicitly disapproves Resolution 8xx (NewGen ISS Passenger Sales Agency Rules) being committed to support the Agents Community operating in the Civil Aviation Sector, and oppose any practice which might negatively impact its components.

UNITED KINGDOM

Resolutions herein considered are those adopted by IATA which has not taken account of any conditions or reservations made by other governments in approving the Resolutions. Accordingly, Her Majesty's Government (acting by the Civil Aviation Authority) reserves the right to withdraw its approval to or impose conditions or changes thereto or to disapprove a portion of any Resolution herein if it appears that decisions of other governments have substantially changed the meaning of any Resolution herein.