

法規名稱：AGREEMENT ON EXCHANGE OF TRAFFIC RIGHTS BETWEEN THE TAIPEI ECONOMIC AND TRADE OFFICE IN THAILAND AND THE THAILAND TRADE AND ECONOMIC OFFICE IN TAIPEI
(AD.1999.07.09)

簽訂日期：民國 88 年 07 月 09 日

生效日期：民國 88 年 07 月 09 日

The Taipei Economic and Trade Office in Thailand (TETO) and the Thailand Trade and Economic Office in Taipei (TTEO) (hereinafter referred to as "Parties"), desiring to expand air services between and beyond their territories, have agreed as follows:

1. Each Party may designate in writing multiple airlines to operate the agreed commercial air routes specified in the Annex and to withdraw or alter such designation,
2. On receipt of such a designation and of application from the designated airline for operating authorization and technical permission, the other Party shall ensure that appropriate authorization and permission is granted with minimum procedural delay, provided:
 - (a) Substantial ownership and effective control of that airline are vested in the Party or in its nationals or both;
 - (b) The designated airline is qualified to meet the conditions prescribed under the laws and regulations normally applicable to the operation of air transport by the Party considering the application.
3. The designated airlines of both Parties shall have rights to take on and discharge passengers, cargo and mail at the points on the respective route they operate, and shall also have the rights of flying across and landing for non-traffic purposes in each other's territory.
4. The applicable laws and regulations of either Party governing entry into or departure from its territory of aircraft engaged in international scheduled air services, or to the operation and navigation of such aircraft within its territory shall apply to the designated airlines of the other Party.

5. The fares and rates to be charged for the carriage of passenger and cargo shall be subject to the approval of the appropriate authorities, which should normally be those established by LATA. Any new fare or rate proposed by each designated airline (s) of both Parties shall be filed for approval with the authorities at least 30 days before the date of introduction.
6. The designated airlines of either Party shall have the right to establish representative offices in the territory of the other Party.
7. Either Party may, at any time, request consultation relating to this Agreement. Such consultations shall begin at the earliest possible date, but not later than sixty (60) days from the date the other Party receives the request unless otherwise agreed.
8. This Agreement shall come into force on the date of signature and shall remain in force unless terminated by either Party giving to the other twelve (12) months prior notice in writing.

Done in duplicate, at Taipei, on this ninth day of July, A.D. 1999, in the English language.

For the Taipei Economic and
Trade Office in Thailand

For the Thailand Trade and
Economic Office in Taipei

Huang Hsien-yung
Representative

Jullapong Nonsrichai
Executive Director

ANNEX

To the Agreement on Exchange of Traffic Rights between the Taipei Economic and Trade Office in Thailand and the Thailand Trade and Economic Office in Taipei signed on this ninth day of July, A.D. 1999, in the English language.

Section I

The airlines designated to provide air transportation in accordance with the aforesaid Agreement shall be entitled to operate the following commercial airroutes:

- 1.Route for the airlines designated by the Taipei Economic and Trade Office in Thailand (TETO):
Points in Taiwan/ Any intermediate points/ Points in Thailand/ Any beyond points/ and vice versa.
- 2.Route for the airlines designated by the Thailand Trade and Economic Office in Taipei (TTEO):
Points in Thailand/ Any intermediate points/ Points in Taiwan/ Any beyond points/ and vice versa.
- 3.The designated airlines of either Party may, on any or all flights, omit any point or points on the route specified above, provided that the point of origin or destination is in the territory of that Party.
- 4.Within 18 (eighteen) all-cargo weekly frequencies mentioned above, the extension of flight beyond Thailand to intercontinental points by the designated airlines of TETO shall not exceed 8 (eight) weekly services, likewise the extension of flight beyond Taiwan to intercontinental points by the designated airlines of TTEO shall not exceed 8 (eight) weekly services.

Section III

In operating air services on the agreed routes, the designated airline of either Party may enter into joint operating arrangements with any other airline(s) which holds the appropriate route and traffic rights, in the following manner:

1.Bilateral code share

Where the designated airlines of both Parties enter into code-sharing arrangements with each other, each code share service is counted as one (1) frequency of the operating carrier out of its entitlements.

However, for bilateral code share based on a joint operation arrangement, the entitlements of such services shall be equally shared by both airlines parties to such code share arrange-

ment.

2.Third-Party code share

Subject to the appropriate route and traffic rights, the designated airline of each Party may enter into code share arrangements on international sectors operated by carrier(s) of third countries between the territory of the other Party and points in the third countries. In such cases, each code share service is counted against that such designated airline of that Party under its own entitlement as one (1) frequency.

On air services operated by the designated airline of each Party between Thailand and Taiwan, the designated airline of either Party may enter into a code share arrangement with carrier(s) of third countries which hold the appropriate route and traffic rights.