

法規名稱：AGREED MINUTES ON MATTERS RELATED TO THE AIR SERVICES BETWEEN TAIPEI ECONOMIC AND TRADE OFFICE AND INDONESIAN CHAMBER OF COMMERCE TO TAIPEI

(A.D.1990.12.7)

簽訂日期：民國 79 年 12 月 07 日

生效日期：民國 79 年 12 月 07 日

1. Being duly authorized, the delegation led by Mr. Tzen Wen-Hua, representative of Taipei Economic and Trade Office (formerly the Chinese Chamber of Commerce to Jakarta) and the delegation led by Mr. E. A. Tamara, chairman of the Indonesian Chamber of Commerce to Taipei met in Taipei on 6th and 7th December, 1990 for discussions on matters related to the air services between the two countries.

2. The list of both delegations appears in Attachment A of this Agreed Minutes.

3. The meeting was held in a friendly and cordial atmosphere.

4. During the discussions both delegations agreed to the following:

a. AIRLINE DESIGNATION

Both delegations agreed to designate one or more airlines to provide the air services between the two countries. The Article 2 of the Air Services Agreement signed in Taipei on 17 November 1988 shall be replaced by the new version as Attachment B of this Agreed Minutes.

b. NEWANNEX

The Annex to the Air Services Agreement signed in Taipei on 17 November 1988 and the subsequent Annex as amended on November 3rd, 1989 shall be replaced by the new Annex as Attachment C of this Agreed Minutes.

c. DENPASAR OPERATIONS

In response to the request from Taipei Economic and Trade Office's delegation to include Denpasar as entitled operating point for the airlines designated by Taipei Economic and Trade Office, the Indonesian Chamber of Commerce to Taipei's delegation reiterated that this issue should be in line with

its current aviation policy that any foreign airline wishing to operate to/from Denpasar is subject to commercial agreement with the airlines designated by the Indonesian, Chamber of Commerce to Taipei.

d.CARGO OPERATIONS

Both delegations, after studying the cargo potential between the two countries, have agreed to request the airlines designated by both Parties to study more in details about the possibilities of cargo scheduled services in the future.

e.WEEKLY FREQUENCIES

While the weekly frequencies with effect from the Summer Schedule 1991 is stipulated as six frequencies per week, Taipei Economic and Trade Office's delegation proposed to increase to eight frequencies per week. The Indonesian Chamber of Commerce to Taipei's delegation agreed to discuss the additional two frequencies in the next consultations.

5.The next consultations will be held in mid April 1991 in Indonesia.

[Signecil

Tzen Wen--Hua

Representative

Taipei Economic and

Trade Office

[Signed]

E.A. Tamara

Chairman

The Indonesian Cham-

ber of Commerce to

Taipei

ATTACHMENT A--i

CHIEF DELEGATE

1.MR. TZEN WEN-HUA

Representative

Taipe Economic and Trade Office MEMBERS OF DELEGATION

2.MR. JACK Y. T. SHEN

Director, Planning, Legal & International Affairs Division Civil Aeronautics Administration

3.MR. MARK S. B. CHENG

Deputy Director

Department of East Asian and Pacific Affairs Ministry of Foreign Affairs

4.MR. LIN SHINN-DER

Technical Specialist Aviation Section Navigation & Aviation Department Ministry of Communications

5.MR. HOU CHIEN-WEN

Chief, International Affairs Branch, PLIA Division Civil Aeronautics Administration

6.MR. YENG HSLAO-MING

Manager, Industry Affairs Marketing and Planning Division China Airlines

7.MR. SU HORNG-YIH

Deputy Senior Vice President Project Division EVA Airways Corp

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8.MR. CHEN HSING-TE

Deputy Manager, International Affairs Department Project Division EVA Airways Corp.

ATTACHMENT A-2

CHIEF DELEGATE

1.MR. E. A. TAMARA

Chairman, Indonesian Chamber of Commerce to Taipei

MEMBERS OF DELEGATION

2.MR.CAHYOADI

Director of Air Transport

Directorate General of Air

Communications

3.MR. EDWARD A. SILOOY

Head for Air Service Agreement

Directorate General of Air

Communications

4.MR. H. BUDHIMAN

Regional Director, Asia

Garuda Indonesia

5.MR. IMAN SUTORO

Regional Director, Asia

Garuda Indonesia

ATTACHMENT B

ARTICLE 2

DESIGNATION AND

AUTHORIZATION

- 1.Each Party may designate in writing one or more airlines to conduct transportation in accordance with the Agreement and may withdraw or alter such designations.
- 2.Each Party may revoke, suspend or limit the operating authorizations or technical permissions of the airlines designated by the other Party, or to impose such conditions as it may deem necessary on the exercise of these rights:
  - (a) in any case where it is not satisfied that substantial ownership and effective control of that airline are vested in the Party designating the airline or in nationals of such country, or
  - (b) in the case of failure by that airline to comply with the laws or regulations of the country granting these rights, or
  - (c) in case the airline otherwise fails to Agreement.
- 3.Unless immediate revocation, suspension or imposition of the conditions mentioned in Paragraph 2 of this Article is essential to prevent further infringements of laws or regulations, such rights shall be exercised only after consultations With the other Party. In such a case, consultations shall begin within a period of sixty (60) days from the date of the request made by either Party for consultations.

ATTACHMENT C--1

## ANNEX

To the Air Services Agreement between the Chinese Chamber of Commerce to Jakarta and The Indonesian Chamber of Commerce to Taipei signed on November 17, 1988.

### Section 1

A. Taipei Economic and Trade Office designated CHINA AIRLINES and EVA AIRWAYS CORPORATION to operate the agreed services as mentioned in Section 2.A of this Annex.

B. The Indonesian Chamber of Commerce to Taipei designated GARUDA INDONESIA to operate the agreed services as mentioned in Section 2.B of this Annex.

### Section 2

Airlines designated to perform the air transportation specified in this Annex, shall be entitled to perform air transportation between points on the following routes :

A. Route for the airlines designated by Taipei Economic and Trade Office:

Points in the Republic of China, Hong Kong, Manila, Bangkok, Kuala Lumpur, Singapore to Jakarta and beyond one point to be named at a later date and vice versa.

B. Route for the airlines designated by the Indonesian Chamber of Commerce to Taipei:

Points in Indonesia, Singapore, Kuala Lumpur, Bangkok, Manila, Hong Kong to Taipei and beyond to Tokyo or Seoul and vice versa.

### ATTACHMENT C--2

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.

### Section 3



1. The designated airlines of either Party may operate up to 6 frequencies weekly on the route specified above according to the following schedule With effect from Winter Schedule 1990 -- 4 frequencies With effect from Summer Schedule 1991 -- 6 frequencies
2. The equipment used by the designated airlines of either Party shall be limited to DC10 / A300 / B747SP / B767 / MD11 aircraft. Any increase of capacity and change to bigger aircraft shall be subject to the approval of the civil aviation authorities of both countries.
3. Fifth freedom traffic rights to beyond point shall be limited to two frequencies per week.

#### Section 4

Whenever the designated airlines of either Party wishes to use points other than Taipei and Jaarta as origin and / or destination, it shall be subject to the commercial agreement concluded between both designated airlines and the approval of the civil aviation authorities of both countries.