

法規名稱：AGREEMENT ON EXCHANGE OF TRAFFIC RIGHTS BETWEEN THE CIVIL AERONAUTICS ADMINISTRATION OF THE REPUBLIC OF CHINA AND THE CIVIL AVIATION DEPARTMENT OF THE EMIRATE OF ABU DHABI (AD.1995.01.03)

簽訂日期：民國 84 年 09 月 19 日

生效日期：民國 84 年 09 月 19 日

The Civil Aeronautics Administration of the Republic of China and the Civil Aviation Department of the Emirate of Abu Dhabi (hereinafter referred to as "Parties"), desiring to establish direct air services between and beyond their territories, have agreed as follows:

#### 1.Designation and Authorization

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.Revocation and Suspension of Authorization

Each Party shall have the right to revoke, suspend or limit by the imposition of conditions, the operating authorization granted to a designated airline(s) of the other Party, if such designated airline, in operating its air services in terms of this Agreement, fails to comply with any applicable law or regulation of the first-mentioned Party, or fails to comply with any term or condition prescribed in this Agreement and its Annex, provided that unless immediate action is essential to prevent further infringement of laws and regulations or terms and conditions above-mentioned, this right shall be exercised only after consultation with the other Party.

#### 3.Traffic Rights

The designated airline(s) of both Parties shall have rights to take on and discharge passenger, cargo and mail separately or in combination 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.Applicability of Laws and Regulations

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 the operation and navigation of such aircraft within its territory, shall apply to the designated airlines of the other Party.

#### 5.Fares and Rates

The fares and rates to be charged for the carriage of passengers and cargo by the designated airline(s) on their respective routes shall be subject to the approvals of the appropriate aeronautical authorities and shall normally be fares and rates established by the International Air Transport Association (IATA).

## 6. Recognition of Certificates and Licenses

Each Party shall recognize as valid, for the purpose of operating the air services provided for in this Agreement, certificates of airworthiness, certificates of competency, and licenses issued or validated by the other Party and still in force, provided that the requirements for such certificates or licenses at least equal to the minimum standards which may be established pursuant to the Convention on International Civil Aviation done at Chicago in 1944. Each Party may, however, refuse to recognize as valid for the purpose of flight above its own territory, certificates of competency and licenses granted to or validated for its own nationals by the Party.

## 7. Establishment of Representative Offices

The designated airline(s) of either Party shall have the right to establish representative offices in the territory of the other Party in accordance with the laws and regulation applicable.

## 8. Transfer of Net Revenue

Each Party grants to the designated airline(s) of the other Party the right to remit to its head office the excess over expenditure of receipts earned in the territory of the first-mentioned Party in connection with the carriage of passengers, mail and cargo. The procedure for such remittance shall be in accordance with the foreign exchange rules and regulations of the Party in the territory of which the revenue accrues.

## 9. Applicability of Convention

The principles set forth in the convention on International Civil Aviation done at Chicago in 1944 shall be applied in connection with the services provided for in the Agreement.

## 10. Consultations

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.

## 11. Validity

This Agreement, including the provisions of the Annex thereto shall come into force on the date of signature.

## 12. Termination

This Agreement shall remain in force unless terminated by either Party giving to the other Party twelve (12) months prior notice in writing.

Done at Taipei on the 19th day of September, 1995

FOR  
THE CIVIL AERONAUTICS  
ADMINISTRATION OF

FOR  
THE CIVIL AVIATION  
DEPARTMENT OF

THE REPUBLIC OF CHINA  
[Signed]  
TSAY CHING-YEN  
DIRECTOR GENERAL

THE EMIRATE OF ABU DHABI  
[Signed]  
ABDULLAH SAEED AL HAMELI  
DIRECTOR GENERAL

#### ANNEX

To the Agreement on Exchange of Traffic Rights between the Civil Aeronautics Administration of the Republic of China and the Civil Aviation Department of the Emirate of Abu Dhabi signed on the 19th day of September, 1995:

##### 1. Routing

The airlines designated to provide air services in accordance with the aforesaid Agreement shall be entitled with full traffic rights to operate the following air routes:

- (A) Route for the airlines designated by the Civil Aeronautics Administration of the Republic of China:  
Taipei and/or Kaohsiung/any intermediate point/Abu Dhabi and/or Al Ain/any beyond point and vice versa.
- (B) Route for the airlines designated by the Civil Aviation Department of the Emirate of Abu Dhabi:  
Abu Dhabi and/or Al Ain/any intermediate point/Taipei and/or Kaohsiung/any beyond point and vice versa.
- (C) The designated airlines of either Party may, on any or all flight(s), omit any point or points on the route specified above, provided that the point of origin or destination is in that Party.

##### 2. Capacity and Frequency

There will be no limitation on the capacity and frequencies to be operated by the designated airlines of either Party on the route specified above.