

Record of Discussion

Delegations representing the Federal Ministry of Transport and Digital Infrastructure of the Federal Republic of Germany and the Civil Aviation Board of the Dominican Republic (hereafter: "side" or collectively the "sides") met on the 12 of December 2018 in Nairobi, Kenya to discuss different aspects of air transport between the Federal Republic of Germany and the Dominican Republic. Both sides wish to strengthen the existing air services relations and to enhance the commercial opportunities for the designated air carriers.

The atmosphere in which the discussions took place was a pleasant and friendly one, reflecting the relations between the two countries. Lists of delegation members are enclosed as Annex I and II.

1. The German side submitted a draft Air Transport Agreement between the Government of the Federal Republic of Germany and the Government of the Dominican Republic for the consideration of the Dominican side and expressed the importance of bringing its agreements into conformity with European Union law by including the so-called EU standard clauses.

In preparation of this meeting both sides submitted comments on the Air Transport Agreement for the consideration of the other side. Both sides discussed their respective views. The German side further explained that some of the Dominican comments are still under consideration by its relevant authorities and that the German side will come back to the Dominican side in due time.

2. Both sides have come to the following understanding with regard to code-sharing:

In operating or offering the authorized services on the agreed routes any designated airline of one side may enter into code-sharing arrangements with

- an airline or airlines of the same side,
- an airline or airlines of the other side, or



- an airline or airlines of a third country, provided that such a third country authorises or allows comparable arrangements between the airlines of the other side and other airlines on services to, from and via such a third country,

provided that all airlines in such arrangements

- hold the appropriate authority to operate on the routes and segments concerned,

and

- in respect of any ticket sold by it or them, make it clear to the purchaser at the point of sale which airline will actually operate each sector of the service and with which air-line or airlines the purchaser is entering into a contractual relationship.

Both sides concur that code-share services of the marketing carrier should not be counted against the bilaterally agreed frequency entitlement.

3. Both sides have come to the following understanding with regard to wet-leasing:

Both sides intend to allow any airline designated by the Government of the Federal Republic of Germany or the Government of the Dominican Republic to operate international air services on the specified routes with aircraft and crews leased from

- an airline or airlines of the same side,
- an airline or airlines of the other side, or
- an airline or airlines of third countries,

provided that all parties involved hold the required authorisations and meet the requirements normally applied by each side according to the laws and regulations applicable to such arrangements.



4. Both sides will apply the provisions of this Record of Discussion as of its signing. This Record of Discussion may be terminated by one of the sides at any time. Both sides will endeavour to notify the other side of the termination of the Record of Discussion in writing two IATA flight plan periods in advance.

Signed in Nairobi, 12 December 2018

For the Federal Ministry of Transport and Digital Infrastructure of the Federal Republic of Germany



Dr. Mirka Jelinek
Deputy Head of Division
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For the Civil Aviation Board of the Dominican Republic



Mr. Luis Ernesto Camilo
President
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Delegation of the Federal Republic of Germany

Dr. Mirka Jelinek	Head of Delegation Deputy Head of Division International Air Transport Federal Ministry of Transport and Digital Infrastructure
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Mr Klaus Laufhuette	Executive Officer Federal Ministry of Transport and Digital Infrastructure
Mrs Annika Schlesiger	Interpreter Federal Ministry of Transport and Digital Infrastructure
Mr Andreas Bulling	Director International Relations Deutsche Lufthansa AG
Mrs Ilona Germes	Senior Manager Traffic Rights Condor Flugdienst GmbH



Delegation of the Dominican Republic

Head of Delegation: **Lic. Luis Ernesto Camilo Garcia**
President
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Delegates: **Dr. Alejandro Herrera Rodriguez**
General Director
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S.E. Carlos Veras
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