

Memorandum of Understanding

The Delegations representing the Governments of the Aeronautical Authority of the Republic of South Africa and the Civil Aviation Board of Dominican Republic (hereinafter referred to as the "Delegations") met in the ICAO Air Services Negotiation Conference (ICAN 2017) held in Colombo, Sri Lanka, on December 6th, 2017 with a view to concluding an sign of a Memorandum of Understanding (hereinafter referred to as the "MOU") and the establishment of scheduled air services between the two countries. The list of the two Delegations is attached hereto as **Appendix I**.

The consultations were held in a cordial and friendly atmosphere and the following common understandings were reached:

(I) Air Services Agreement

1. The Delegation of the Dominican Republic presented the draft text of the Air Services Agreement for South Africa's consideration. The draft Agreement is attached hereto as **Appendix 2**.

(II) Designation of Airlines

2. In accordance with Article 3 (Designation and Authorisation) of the ASA:
 - (a) The Republic of South Africa will inform the other Party of its designated airline(s) at a later date; and
 - (b) Dominican Republic will inform the other Party of its designated airline(s) at a later date; and
 - (c) The Parties shall have the right to designate additional airline(s).

(III) Traffic Rights and Frequencies

3. The designated airlines of the Parties shall, with immediate effect, be entitled to operate seven (7) weekly frequencies for passenger and 7 weekly frequencies for cargo services with any aircraft type and no restrictions on points with:
 - (a) 3rd and 4th freedom traffic rights for passenger, cargo services and mail in combination; and
 - (b) 3rd, 4th and 5th freedom traffic rights for cargo services.

(IV) Commercial Activities

4. In operating or holding out the agreed services on the specified routes, any designated airline of one Party may enter into cooperative marketing arrangements such as code-sharing, blocked-space, with:
 - (a) an airline(s) of the same Party, or
 - (b) an airline(s) of the other Party; or



(c) an airline(s) of a third country,

Provided that all airlines in such arrangements hold the appropriate authority and segments concerned and shall meet the requirements normally applied to such arrangements.

5. The designated airlines of both Parties shall, when holding services out for sale, in terms of code share, blocked-space or other joint venture arrangements, make it clear to the purchaser at the point of sale which airline will be the operating airline on each sector of the service and with which airline(s) the purchaser is entering into a contractual relationship.
6. Each code-sharing frequency operated by the designated airlines of either country will count as one (1) frequency, whereas, the code-sharing services of the marketing carrier will not be counted as a frequency.
7. All code-sharing arrangements are subject to approval by the aeronautical authorities of both Contracting Parties.

(V) Charter Operation

8. In order to stimulate growth and development of tourism and trade between the two countries, airlines of both Parties shall be given favorable consideration to operate charter services subject to national regulations of both countries.

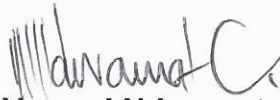
This Memorandum of Understanding enters into force on the date of its signature.

Done at Colombo on 6 December, 2017.

For the Delegation of the Dominican
Republic


Luis Ernesto Camilo
President of the Civil Aviation Board

For the Delegation of the Republic of
South Africa


Vuwani Ndwamato
Director: Air Transport

List of Delegation of Dominican Republic

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Honorary Consul of the Dominican Republic to Sri Lanka

Bernarda Franco Candelario

Head of the Air Transport Department

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List of Delegation of the Republic of South Africa

Head of delegation

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