

No. 48122

**United Republic of Tanzania
and
Jordan**

Memorandum of Understanding on the bilateral air services Agreement between the Governments of the United Republic of Tanzania and the Hashemite Kingdom of Jordan (with joint declaration). Amman, 19 February 2010

Entry into force: 19 February 2010 by signature, in accordance with article 5

Authentic text: *English*

Registration with the Secretariat of the United Nations: *United Republic of Tanzania, 12 January 2011*

Only the authentic English text of the Memorandum of Understanding and the joint declaration, with the translation into French, are published herein. The authentic texts of the Appendices I and II attached to the Memorandum of Understanding are not published herein for technical reasons, in accordance with article 12 (2) of the General Assembly regulations, to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the Secretariat.

**République-Unie de Tanzanie
et
Jordanie**

Mémorandum d'accord sur l'Accord relatif aux services aériens bilatéraux entre les Gouvernements de la République-Unie de Tanzanie et du Royaume hachémite de Jordanie (avec déclaration commune). Amman, 19 février 2010

Entrée en vigueur : 19 février 2010 par signature, conformément à l'article 5

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *République-Unie de Tanzanie, 12 janvier 2011*

Seul le texte authentique anglais du Mémorandum d'accord et la déclaration commune, avec la traduction en français, sont publiés ici. Les textes authentiques des Appendices I et II annexés au Mémorandum d'accord ne sont pas publiés ici pour des raisons techniques, conformément aux dispositions de l'article 12, paragraphe 2, des réglementations de l'Assemblée générale, en application de l'Article 102 de la Charte des Nations Unies, tel qu'amendé, et de la pratique dans le domaine des publications du Secrétariat.

[ENGLISH TEXT – TEXTE ANGLAIS]

MEMORANDUM OF UNDERSTANDING ON THE BILATERAL AIR SERVICES AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED REPUBLIC OF TANZANIA AND THE HASHEMITE KINGDOM OF JORDAN

The Delegations representing the Governments of the Hashemite Kingdom of Jordan and the United Republic of Tanzania met in Amman/ Jordan on 19th of Feb 2010 to discuss matters related to Bilateral Air Services Agreement between the two States. As a result of these discussions which were held in a very cordial and friendly atmosphere, the following understandings have been reached:

The Heads of Delegations initialed the Bilateral Air Services Agreement (BASA) which appears as Appendix I.

The list of both delegations is attached as Appendix II.

1 -Designation of Airlines

- 1.1 Substantial ownership, effective control, the principal place of business and effective regulatory control of the airline being vested in the other Contracting Party, will be the criteria for designation.
- 1.2 Each Contracting Party is entitled to designate in writing to the other Contracting Party one or more airlines for the purpose of operating the agreed services on the specified routes.

- a) For the designated airlines of Tanzania:

Points in Jordan: Amman and Aqaba.

Intermediate Points: Any points to be notified later

Points beyond: Any points to be notified later.

- b) For the designated airlines of Jordan:

Points in Tanzania: Dar es Salaam, Kilimanjaro and Zanzibar

Intermediate Points: Any points to be notified later

Points beyond: Any points to be notified later.

2. Frequency And Capacity

The Jordanian Delegation indicated that open sky policy has been declared at King Hussein International Airport in Aqaba therefore, any Designated Airline (s) of the United Republic of Tanzania are entitled to exercise Fifth Freedom Traffic Rights. Both Delegations agreed to encourage their Airlines to consider the operations of their air services on the specified routes between their territories and that will designate their Airlines as soon as it is practicable. Both Delegations further agreed the following:

- a) No limitation shall be imposed on the Designated Airlines of both Contracting Parties in their operation of the agreed services be it passengers, cargo and/or mail with regard to capacity, number of flights operated (frequencies) and the type of aircraft used,
- b) The Designated Airlines of both Contracting Parties shall be free to decide on the frequencies and capacity of their operations on the agreed services.

3. Fifth Freedom Traffic Rights

Fifth Freedom Traffic Rights may be exercised by airlines designated by both Contracting Parties subject to the approval of the aeronautical authorities.

4. Code-Share Arrangements

The designated airlines of each Contracting Party may either as a marketing carrier or as an operating carrier, freely enter into cooperative marketing arrangements including, but not limited to blocked space and/or code share arrangements with any Third Party carrier provided that such Third Party-carrier has the operating authorization.

In operating air services in specified routes any designated airline of the Contracting Party may enter into code-sharing arrangement with:

- a) An airline(s) of the same Contracting Party;
- b) An airline(s) of other Contracting Party;
- c) An airline(s) of a Third Party provided that such Third Party allows comparable arrangements with the Contracting Parties.

The code-sharing partners shall agree as to the manner they will deal in respect of liability and on matters such as aviation security, aviation safety and facilitation. The agreement setting out these terms shall be filed with the Aeronautical Authorities of each Party before providing code share services.

The Aeronautical Authorities concerned shall accept such arrangements provided that the airlines exercising traffic rights in each particular sector or route of the code share services have the required traffic rights and/or authorization for such operation.

The marketing carriers should, in respect of every ticket sold, ensure that it is made clear to the purchaser at the point of sale which airline will actually operate each sector of the service and with which airline or airlines the purchaser is entering into contractual relationship.

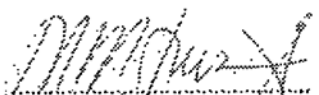
The two delegations agreed to prepare the final Bilateral ASA version in their respective languages and to recommend to their respective Governments to sign them at the earliest possible date. Place and date of the signing ceremony will be determined through diplomatic channels.

Both delegations have agreed to recommend to their respective financial authorities to enter into an Agreement for the avoidance of double taxation between the two Countries.

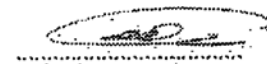
5. Entry Into Force

Both delegations agreed that this Memorandum of Understanding shall come into force on the date of its signature.

Done in two originals at Amman on this 19TH day of February, 2010 in English language.



Ambassador Muhammed Mzale



Capt. Suleiman Obeidat

**FOR THE GOVERNMENT OF
THE UNITED REPUBLIC OF
TANZANIA**

**FOR THE GOVERNMENT OF
THE HASHEMITE KINGDOM
OF JORDAN**