

**No. 49795. Republic of Korea and
Chile**

AGREEMENT ON AIR SERVICES BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KOREA AND THE GOVERNMENT OF THE REPUBLIC OF CHILE. SANTIAGO, 14 AUGUST 1979 [*United Nations, Treaty Series*, vol. 2849, I-49795.]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT AMENDING THE AGREEMENT ON AIR SERVICES BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KOREA AND THE GOVERNMENT OF THE REPUBLIC OF CHILE. SANTIAGO, 7 JUNE 2006 AND 20 JUNE 2006

Entry into force: 20 June 2006, in accordance with the provisions of the said notes

Authentic text: English

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**Nº 49795. République de Corée et
Chili**

ACCORD RELATIF AUX SERVICES AÉRIENS ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE CORÉE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU CHILI. SANTIAGO, 14 AOÛT 1979 [*Nations Unies, Recueil des Traités*, vol. 2849, I-49795.]

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD MODIFIANT L'ACCORD RELATIF AUX SERVICES AÉRIENS ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE CORÉE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU CHILI. SANTIAGO, 7 JUIN 2006 ET 20 JUIN 2006

Entrée en vigueur : 20 juin 2006, conformément aux dispositions desdites notes

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[ENGLISH TEXT – TEXTE ANGLAIS]

I

Embajada de la República de Corea

KCP – 072 – 2006

Santiago, 7 June 2006

His Excellency
Mr. Alejandro Foxley
Minister of Foreign Affairs of the Republic of Chile

Excellency,

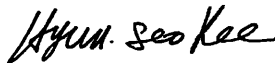
I have the honour to refer to the consultations which took place in Los Angeles on 10 and 11 May 2001 in accordance with Article 13 of the Agreement on Air Services between the Government of the Republic of Korea and the Government of the Republic of Chile (hereinafter referred to as "the Agreement").

Pursuant to the agreement reached at the said consultations and in accordance with paragraph 1 of Article 15 of the Agreement, I have also the honour to propose, on behalf of the Government of the Republic of Korea, to amend the Agreement as set out in the Attachment.

If the above proposal is acceptable to the Government of the Republic of Chile, I have further the honour to propose that this Note and Your Excellency's reply to that effect shall be regarded as constituting an agreement between the two Governments on this matter, which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Enclosure: The revised Articles and Annex



Kee Hyun-seo
Ambassador Extraordinary and Plenipotentiary
of the Republic of Korea to the Republic of Chile

Article 10

Tariffs

1. Each Contracting Party may require notification to or filing with its aeronautical authorities of tariffs to be charged to or from its territory by airlines of the other Contracting Party. Notification or filing by the airlines of both Contracting Parties may be required at least thirty (30) days before the proposed date of effectiveness. In individual cases, notification or filing may be permitted on shorter notice than normally required.

2. Without limiting the application of general competition and consumer law in each Contracting Party, intervention by the Contracting Party shall be limited to:

- a) prevent unreasonably discriminatory tariffs or practices;
- b) protect consumers from tariffs that are unreasonably high or unreasonably restrictive due either to the abuse of a dominant position or to concerted practices among air carriers; and
- c) protect airline(s) from tariffs that are artificially low because of direct or indirect governmental subsidy or support.

3. Neither Contracting Party shall take unilateral action to prevent the inauguration or continuation of a tariff proposed to be charged or charged by a designated airline(s) of either Contracting Party for international air services between the territories of the Contracting Parties. If either Contracting Party believes that any such tariff is inconsistent with the consideration set forth in this Article, it shall request consultations and notify the other Contracting Party of the reasons for its dissatisfaction within fourteen (14) days from receiving the filing. These consultations shall be held not later than fourteen (14) days after receipt of the request. Without a mutual agreement, the tariff shall go into effect or continue in effect.

Article 12
Exchange of Statistics

The aeronautical authorities of both Contracting Parties shall supply each other, on request, with periodic statistics or other similar information relating to the traffic carried on the agreed services.

ANNEX

Section 1

Scheduled Air Transportation Routes

Airlines of each Contracting Party designated under this Annex shall, in accordance with the terms of their designation, be entitled to perform scheduled international air transportation between points on the following routes:

A. Routes for the airline or airlines designated by the Government of the Republic of

Korea:

From Points in the Republic of Korea and intermediate points to a point or points in Chile and beyond.

B. Routes for the airline or airlines designated by the Government of the Republic of

Chile:

From Points in the Republic of Chile and intermediate points to a point or points in Korea and beyond.

Section 2

Operational Flexibility

Each designated airline may, on any or all flights and at its own option:

1. operated flights in either or both directions;
2. combine different flight numbers within one aircraft operation;
3. serve intermediate and beyond points and points in the territories of the Contracting Parties on the routes in any combination and in any order;
4. omit stops at any point or points;
5. transfer traffic from any of its aircraft to any of its other aircraft at any point on the routes; and