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Order 99-9-22

10:25 a.m.



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, DC

**SERVEL** OCT 4 1999

Issued by the Department of Transportation  
on the 29th day of September, 1999

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Agreement Adopted by the Traffic  
Conferences of the International Air  
Transport Association

Docket OST-98-4338 -5

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**ORDER**

By Order 98-10-16, as extended by Order 99-2-2 to September 30, 1999, the Department approved, as stopgap measure, a notice proposed by IATA for use on airline tickets issued in EU countries, including tickets for transportation to and from the United States, to meet the requirements of the EU regulations with respect to waiver of the limits of liability of the Warsaw Convention.<sup>1</sup> The EU Regulations became effective October 17, 1998. In those orders, we noted that " we are not endorsing the language of the notice," and that we " anticipate that before [September 30, 1999], affected carriers and governments will have agreed upon satisfactory language, which can be endorsed by the Department."

By application filed September 23, 1999, IATA states that it has consulted with the U.S. Air Transport Association, and authorities at the EU Secretariat, in an effort to arrive at a generally agreed revised notice which will fulfill the purposes of the EU notice requirements. IATA states, however, that time has not permitted finalization of a generally agreed revised notice. Accordingly, IATA requests a temporary extension of the

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<sup>1</sup> In doing so, we noted that this EU notice would not affect the ticket notice mandated under 14 C.F.R. 121.175 of the Department's Regulations, which would still be required in addition to IATA's EU notice. We also took into account the fact that, under EU regulations, carriers that have not fully implemented the EU requirements must also include a ticket notice of their applicable liability conditions.

Department's approval of the stopgap notice approved by Order 98-10-16, until March 31, 2000.

For the reasons stated in Order 98-10-16, the Department finds that a temporary extension until March 31, 2000, and anti-trust immunity granted by that Order, would be in the public interest.

**ACCORDINGLY:**

Order 98-10-16 is amended by deleting the date September 30, 1999 (as extended by Order 99-2-2) from the ordering paragraph of that order, and substituting the date " March 31, 2000" , so that the ordering paragraph will read: " We approve and grant antitrust immunity to the agreement contained in Docket OST-98-4338 until March 31, 2000."

**By:**

**A. BRADLEY MIMS**

Acting Assistant Secretary for Aviation  
and International Affairs

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