

MEMORANDUM OF UNDERSTANDING

The Delegations representing the Aeronautical Authorities of the Government of the Hashemite Kingdom of Jordan and the Government of the Dominican Republic whose names appear in attached Annex met in the ICAO Air Services Negotiation Conference (ICAN 2017) held in Colombo, Sri Lanka, from 4 - 8 December 2017, to discuss amendments proposed by the Dominican Republic to the text of the Agreement Air Services initialed during the second ICAO Negotiation for Air Services Conference (ICAN 2009) held in Istanbul, Turkey from September 28 to October 2, 2009. matters relating Air Services Agreement between the two countries.

As a result of these discussions, which were held in a very cordial and friendly atmosphere, both parties agreed to the following amendments to the text of the ASA initialed on October 1, 2009, and the following understandings have been reached:

1. ARTICLE 1, paragraph f): Definitions of Territory,

The Dominican Republic proposes to replace the text of the current definition of the Term "Territory" with the following:

- f) Term "Territory" in relation to a State, means the land areas and territorial waters adjacent thereto and the airspace above them, under the sovereignty of that State.*

The proposal was accepted by the Delegation of Jordan.

2. ARTICLE 9: User Charges

The Dominican Republic proposes to add a new text for paragraph 1) to Article 9. The current text remains as paragraph 2):

1. The fees and duties applied to the use of airports, their facilities and other facilities and services, as well as any charge for the use of air navigation, communication and services facilities, shall be established in accordance with the laws and regulations of each Party.
2. Neither of the Contracting Party shall impose nor permit to be imposed on the designated airlines of the other Contracting Party, charges by users higher than those imposed on their own airlines operating similar international air services.

ARTÍCULO 10: Commercial Activities

The Dominican Republic proposes a new text for paragraph 3) of Article 10.

3. In compliance with standards and ICAO Annexes 6 and 17, and for self-assistance should be provided.

he

he

When the internal rules of a Party limit or preclude the exercise of the aforementioned rights, each designated airline shall be treated in a non-discriminatory manner with respect to ground handling services offered by a duly authorized provider or suppliers. The exercise of the rights provided in paragraph 1 of this Article shall be subject to physical or operational limitations that result from considerations of security or aviation security at the airport.

This proposal was accepted by the Delegation of Jordan.

ARTICLE 14: Aviation Security

The Dominican Republic, proposes amendments to paragraphs 1), 3) and 8) of Article 14, Aviation Security,

1. Consistent with their rights and obligations under international law, the Parties reaffirm their obligation to each other to protect the security of civil aviation against acts of unlawful interference forms an integral part of this Agreement. Without limiting the generality of their rights and obligations under international law, the Parties shall, in particular, act in conformity with the provisions of the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on September 14, 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on December 16, 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on September 23, 1971, its Supplementary Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, signed at Montreal on February 24, 1988, the Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed at Montreal on March 1, 1991, and the provisions of agreements and protocol relating to aviation security which will become binding on both Parties.

3. The Parties in their mutual relations shall act in accordance with the provisions established by the International Civil Aviation Organization (hereinafter ICAO) and designated as Annexes to the Convention, to the extent that these security provisions are applicable to both Contracting Parties, they will require the aircraft operators of their registry or aircraft operators that have their main center of commercial activity or permanent residence in their territory and the operators of airports in their territory to act in accordance with the provisions of aviation security. Designated Airlines by both Contracting Parties are required to comply with the provisions on aviation security in accordance with the applicable airport security and civil aviation law within the ICAO standards and recommended practices.

8. If a Party has problems with respect to the aviation security provisions of this Article, the Aeronautical Authorities of each Party may request immediate consultations with the Aeronautical Authorities of the other Party. Failure to reach a satisfactory agreement within fifteen (15) days after the date of such request shall constitute grounds for suspending, revoking, limiting or imposing



conditions on the exploitation authorization and technical permits of an airline or airlines designated by that Part. When required by an emergency, a Party may take provisional measures before the expiration of fifteen (15) days. Any action taken pursuant to this paragraph shall cease at the time of compliance by the other Party with the security provisions of this Article.

The proposal to modify paragraphs 1) and 8) of Article 14 was accepted by the Delegation of Jordan and, with respect to paragraph 3) of the same article, it was decided to leave this discussion for later.

Entry Into Force

Both Delegations agreed that this Memorandum of Understanding (MOU) modifies the ASA dated October 1st., 2009, in its Articles 1): paragraph f ; 9): paragraphs 1 and 2; 10): paragraph 3; 14): paragraphs 1, 3 and 8; and that it will enter into force after the completion of national procedures to obtain the legal approvals in order to sign the ASA on its final text

Done at Colombo, Sri Lanka, in two originals, on the December 7th, 2017 in the English and Spanish languages.

Head of the Delegation of the
Dominican Republic


Mr. **Luis Ernesto Camilo García**
President of the Civil Aviation Board

Head of the Delegation of the
Hashemite Kingdom of Jordan


Capt. **Haitham Misto**
Chief Commissioner / CEO

ANNEX
List of Delegations

DELEGATION THE HASHEMITE KINGDOM OF JORDAN:

Head of Delegation

Capt. Haitham Misto

Chief Commissioner- CEO

Civil Aviation Regulatory Commission

Members

Advo. Mohammad Almaghaireh

Dir. Air Transport & International Relations

Civil Aviation Regulatory Commission

Mrs. Basma Almajali

Head of Network Management and Alliances

Royal Jordanian Airlines



DELEGATION OF THE DOMINICAN REPUBLIC:

Head of Delegation

Mr. Luis Ernesto Camilo García
President of the Civil Aviation Board

Members

Mrs. Bernarda Franco Candelario
Air Transport Department Director, Civil Aviation Board

Mrs. Himilce Tejada
Communications Director, Civil Aviation Board

He

He