

## **Bhutan-Myanmar Air Services Consultations**

**24 May 2016, Thimphu**

### **AGREED MINUTES**

Delegations representing the Royal Government of Bhutan and the Government of the Republic of the Union of Myanmar (hereinafter referred to collectively as the “Delegations” or individually as “Bhutan Delegation” and “Myanmar Delegation”) met in Thimphu, Bhutan, on 24 May 2016 in order to finalise and sign the text of the Air Services Agreement and its Annex which were initialed on 25 June 2015 (hereinafter referred to as “the Agreement”).

The list of the members of the Delegations is attached as **Appendix**.

As a result of the discussions, which were held in a cordial atmosphere, the Delegations have agreed on the following:

#### **1. Finalisation of the text of the Agreement**

Considering the recent change of the title of the Ministry responsible for civil aviation in Myanmar, the Myanmar Delegation proposed for replacing the expression “the Ministry of Transport” with the expression “the Ministry of Transport and Communications” in paragraph (b) of the Article 1 of the text of the Agreement. It was agreed and changes made accordingly. In addition, few typographical mistakes in the initialed text of the Agreement were also corrected.

#### **2. Formal signing of the text of the Agreement**

The Delegations formally signed the finalized text of the Agreement on behalf of their respective Governments.

The Delegations reaffirmed that the Agreement will replace the Air Services Agreement between the Royal Government of Bhutan and the Government of the Union of Myanmar, signed in Yangon on 7 August 2002.

The Delegations also reaffirmed that the Agreement will enter into force on the date of signature in accordance with the provisions of Article 30.

### 3. **Future Liberalisation**

Bhutan Delegation proposed for increase in the existing maximum capacity entitlements regarding the fifth freedom traffic rights from 200 to 400 per week. The Myanmar Delegation took note of the proposal for future consideration.

### 4. **Entry into force**

These Agreed Minutes will come into effect as from the date of signature.

Signed at Thimphu, on 24 May 2016.

For the Delegation of  
the Royal Government of Bhutan



Wangdi Gyaltshen  
Director

Bhutan Civil Aviation Authority  
Ministry of Information and  
Communications

For the Delegation of  
the Republic of the Union of Myanmar



Min Lwin  
Director General  
Department of Civil Aviation  
Ministry of Transport and  
Communications

**Bhutan-Myanmar Air Services Consultations**  
**24 May 2016, Thimphu**

**Delegation List of Bhutan**

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|----|--|--------|
| 1. | Mr. Wangdi Gyaltshen<br>Director<br>Bhutan Civil Aviation Authority  | Leader |
| 2. | Mr. Karma Wangchuk<br>Director<br>Department of Air Transport  | Member |
| 3. | Mr. Sangay Tenzin<br>Chief of Flight Safety<br>Bhutan Civil Aviation Authority                                       | Member |
| 4. | Mr. Sithar Dorji<br>Sr. Planning Officer<br>Policy and Planning Division<br>Ministry of Information & Communications | Member |
| 5. | Mr. Jigme Norbu<br>Desk Officer<br>Ministry of Foreign Affairs   | Member |
| 6. | Mr. Tandi Wangchuk<br>Chief Executive Officer<br>Drukair Corporation Ltd.  | Member |
| 7. | Mr. Pema Namgyel<br>Sr. Manager<br>Corporate Planning<br>Drukair Corporation Ltd.                                    | Member |
| 8. | Mr. Phala Dorji<br>Chief Executive Officer<br>Tashi Air Pvt. Ltd.  | Member |
| 9. | Mr. Tshenchok Thinlay<br>Executive Director<br>Tashi Air Pvt. Ltd.   | Member |



10	Mr. Ugyen Tenzin General Manager Commercial Tashi Air Pvt. Ltd.	Member
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**Delegation List of the Republic of the Union of Myanmar**

1.	Mr. Min Lwin Director General Department of Civil Aviation	Leader
2.	Mr. Ne Win Director (Air Transport) Department of Civil Aviation	Member

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**Bhutan-Myanmar Air Services Consultations**  
**24-25 June 2015, Yangon**

**AGREED MINUTES**

Delegations representing the Royal Government of Bhutan and the Government of the Republic of the Union of Myanmar (hereinafter referred to collectively as the "Delegations" or individually as "Bhutan" and "Myanmar") met in Yangon, Myanmar, on 24-25 June 2015 in order to negotiate and initial the revised Air Services Agreement (hereinafter referred to as the "Agreement"). This Agreement will replace the Air Services Agreement between the Royal Government of Bhutan and the Government of the Union of Myanmar, signed in Yangon on 7 August 2002.

The list of the members of the Delegations is attached as **Appendix I**.

As a result of the discussions, which were held in a cordial atmosphere, the Delegations have agreed on the following:

**1. Text of the Agreement**

The Delegations have negotiated the text of the revised Air Services Agreement and its Annex (attached as **Appendix II**) and have initialed it.

The Agreement and its Annex will enter into force on the date of signature in accordance with the provisions of Article 30.

Notwithstanding the above, the Delegations agreed that, pending the entry into force of the Agreement and its Annex, their respective aeronautical authorities will act in accordance with the provisions of the Agreement and its Annex as from the date of signature of these Agreed Minutes.

**2. Designations**

The Delegations decided on the principle of a multiple designation regime.

Bhutan designated Druk Air (Royal Bhutan Airlines) and Tashi Air Pvt Ltd (Bhutan Airlines) to operate passenger and/or cargo services to/from Myanmar on the routes as specified in the Annex to the initialed Agreement.

The designation of Druk Air (Royal Bhutan Airlines) and Tashi Air Pvt Ltd (Bhutan Airlines) will be confirmed by written notification through diplomatic channels.

Myanmar designated Myanmar National Airlines, Myanmar Airways International and Golden Myanmar Airlines to operate passenger and/or cargo services to/from Bhutan on the routes as specified in the Annex to the initialed Agreement.

The designation of Myanmar National Airlines, Myanmar Airways International and Golden Myanmar Airlines will be confirmed by written notification through diplomatic channels.

### 3. Third and Fourth Freedom Traffic Rights

- (a) The designated airline(s) of Bhutan will have the right to operate passenger and/or cargo services exercising third and fourth freedom traffic rights in each direction on the routes specified in the Annex to the Agreement;
  - (i) with unrestricted capacity, frequency and aircraft type to and from all points in Myanmar other than Yangon; and
  - (ii) up to a total of five (5) services each way per week to and from Yangon, without restriction on capacity or aircraft type.
- (b) The designated airline(s) of Myanmar will have the right to operate passenger and/or cargo services exercising third and fourth freedom traffic rights in each direction on the routes specified in the Annex to the Agreement, up to a total of five (5) services each way per week to and from Paro, without restriction on capacity or aircraft type.

### 4. Fifth Freedom Traffic Rights

- (a) In accordance with the frequency entitlements provided in paragraph 3 (a), the designated airline(s) of Bhutan will have the right to exercise fifth freedom traffic rights, in each direction on the routes specified in the Annex to the Agreement, at five (5) freely selected intermediate points and five (5) freely selected beyond points, with the exception of the following sectors;
  - (i) Yangon-Gaya and vice versa (v.v.);
  - (ii) Mandalay-Gaya v.v.;
  - (iii) Yangon-Bangkok v.v.;
  - (iv) Yangon-Singapore v.v.; and
  - (v) Yangon-Kuala Lumpur v.v.
- (b) Despite paragraph 4 (a), the designated airline(s) of Bhutan may operate two (2) frequencies per week using any aircraft type on each of the sectors; (i) Mandalay-Gaya v.v., (ii) Yangon-Bangkok v.v. and (iii) Yangon-Singapore v.v. (or) Yangon-Kuala Lumpur v.v. sector. In operating those services, the maximum seating capacity should be not more than two hundred (200) per week on each sector.
- (c) In accordance with the frequency entitlements provided in paragraph 3 (b), the designated airline(s) of Myanmar will have the right to exercise fifth freedom traffic rights, in each direction on the routes specified in the Annex to the Agreement, at five (5) freely selected intermediate points and five (5) freely selected beyond points, with the exception of the Katmandu-Paro v.v. sector.



- (d) On the Katmandu-Paro v.v. sector, the designated airline(s) of Myanmar may operate two (2) frequencies per week using any aircraft type. In operating those services, the maximum seating capacity should be not more than two hundred (200) per week on the sector.

## 5. Code-sharing

The Delegations confirmed that the designated airline(s) of each Contracting Party may enter into code-sharing arrangements according to the provisions set out in **Appendix III**.

## 6. Non-scheduled services

The Delegations decided to give favourable consideration to authorizing non-scheduled services, subject to the submission procedures and approval of each Contracting Party.

## 7. Future Liberalisation

Delegations noted the potential for future liberalisation of third, fourth and fifth freedom traffic rights, including the sectors currently excluded or limited for the designated airlines from both Contracting Parties.

## 8. Entry into force

These Agreed Minutes will come into effect as from the date of signature and will supersede all previous Agreed Minutes.

Signed at Yangon, on 25 June 2015.

For the Delegation of  
Royal Government of Bhutan



Wangdi Gyaltshen  
Director

Bhutan Civil Aviation Authority  
Ministry of Information and Communications

For the Delegation of  
the Republic of the Union of Myanmar



Min Lwin  
Acting Director General  
Department of Civil Aviation  
Ministry of Transport



