

Memorandum of Understanding

The Delegations representing the Royal Government of Bhutan and the Government of the Kingdom of Thailand met in Thimphu, Bhutan, on 2-3 April, 2013, to discuss matters relating to Air Services Agreement between the two countries.

A list of the members of the two delegations is attached as **Attachment 1**.

The discussions were held in a cordial and friendly atmosphere. The following understandings were reached:

1. Review of the existing Air Services Agreement (ASA)

The Bhutanese delegation proposed to revise the existing ASA signed on 2 June 1993 and the two delegations agreed on the need to update the existing ASA and mutually agreed to discuss this issue in the next round of consultation.

2. Airline Designation

The two delegations agreed to amend Paragraph 1 of Article 6 (Designation and Operating Authorization) to read as “Each Contracting Party shall have the right to designate one or more airlines for the purpose of operating the agreed services. Such designation shall be effected by virtue of a written notification between the aeronautical authorities of both Contracting Parties.”

3. Route Schedule

The two delegations agreed to revise the Route Schedule, as amended by the Memorandum of Understanding signed on 24 March 2006, annexed to the Air Services Agreement between the two countries, signed on 2 June 1993, to be read as appears in **Attachment 2**.

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4. Traffic Rights

The two delegations agreed to replace paragraph 4 “Traffic Rights” of the Memorandum of Understanding signed on 24 March 2006 with the following:

“The designated airlines of the two Contracting Parties shall enjoy full rights in 3rd and 4th freedom traffic. With regard to the 5th freedom traffic rights, the designated airlines of each Contracting Party shall enjoy 5th freedom traffic rights to and from intermediate and/or beyond points on the agreed routes up to twenty eight (28) weekly frequencies.”

5. Other issues:

The Bhutanese delegation requested for establishing cooperation between the aeronautical authorities of the two countries and support from DCA, Thailand, on all matters relating to help the development of the Bhutanese aviation industry. In order to address this request, the Thai delegation requested the Bhutanese delegation to submit a detailed proposal indicating the areas of cooperation requested for further action.

This Memorandum of Understanding will enter into effect on the date of the exchange of diplomatic notes.

Both delegations noted that their airlines may seek temporary approvals pending the entry into effect of this MOU.

Signed in Thimphu, Bhutan on the 3rd April, 2013



(Kildley Dorji)

For the Bhutanese Delegation



(Voradej Harnprasert)

For the Thai Delegation

Bhutanese Delegation

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| 1. Dasho Kinley Dorji
Hon'ble Secretary
Ministry of Information & Communications | Head of Delegation |
| 2. Mr. Wangdi Gyaltshen
Director
Department of Civil Aviation | Member |
| 3. Mr. Karma Wangchuk
Chief Adm Officer
Department of Civil Aviation | Member |
| 4. Mr. Bhimlal Suberi
Chief Planning Officer
Planning & Policy Division
Ministry of Information and Communications | Member |
| 5. Mr. Sangay Tenzin
Chief Airworthiness Officer
Department of Civil Aviation | Member |
| 6. Mr. Bab Tobgay
Sr. Flight Safety Officer
Department of Civil Aviation | Member |
| 7. Mr. Sithar Dorji
Planning Officer
Planning & Policy Division
Ministry of Information and Communications | Member |
| 8. Mr. Sonam Tshering
Airworthiness Officer
Department of Civil Aviation | Member |
| 9. Mrs. Chimi D. Phuntsho
Desk Officer
Asia & the Pacific Division
Department of Bilateral Affairs
Ministry of Foreign Affairs | Member |



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| 10. Mr. Tandin Jamso
Chief Executive Officer
Druk Air | Member |
| 11. Mr. Namgay Wangchuk
General Manager
Commercial and Domestic Air Services
Druk Air | Member |
| 12. Mr. Chewang Gyeltshen
Manager, Corporate Planning
Druk Air | Member |
| 13. Mr. Wangchuk Dorji
Chairman
Tashi Air | Member |
| 14. Capt. David Young
Chief Executive Officer
Tashi Air | Member |
| 15. Mr. Tshenchok Thinley
Executive Director
Tashi Air | Member |

10

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Thai Delegation

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| 1. Mr. Voradej Harnprasert
Director General
Department of Civil Aviation | Head of Delegation |
| 2. Mr. Yos Laohasilpsomjitr
Director of Air Transport Regulatory Bureau
Department of Civil Aviation | Member |
| 3. Mr. Yongyuth Manochayakorn
Director of International Cooperation Bureau,
Ministry of Transport | Member |
| 4. Mr. Pvitpol Harisaphan
Chief of Air Services Agreement and Negotiation Group
Department of Civil Aviation | Member |
| 5. Mr. Anant Kanaviwatchai
Transport Technical Officer
Department of Civil Aviation | Member |
| 6. Mr. Veerasakdi Prem Aree
First Secretary
Royal Thai Embassy, Dhaka
Bangladesh | Member |
| 7. Mr. Jirasak Tansuriwongse
Manager
Air Services Agreement Department
Thai Airways International Plc. | Member |



V. Harnprasert

ANNEX
Route Schedule

Route Schedule I

Route on which air services may be operated by the designated airlines of the Royal Government of Bhutan:

Points of Origin	Intermediate Points	Points in Thailand	Beyond Points
Any points in Bhutan	Any points	Any points in Thailand	Any points

Route Schedule II

Route on which air services may be operated by the designated airlines of the Government of the Kingdom of Thailand:

Points of Origin	Intermediate Points	Points in Bhutan	Points Beyond
Any points in Thailand	Any points	Any points in Bhutan	Any points

Notes:

The designated airlines of both Contracting Parties may, on any or all flights, omit calling at any of the above points, provided that the agreed services on these routes being at a point in the Contracting Parties which designated that airlines.

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AIR SERVICES AGREEMENT
BETWEEN THE GOVERNMENT OF THE KINGDOM OF BHUTAN
AND THE GOVERNMENT OF THE KINGDOM OF THAILAND

The Government of the Kingdom of Bhutan and the Government of the Kingdom of Thailand,

Considering that the Kingdom of Bhutan and the Kingdom of Thailand are parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944, and

Desiring to conclude an agreement, supplementary to the said Convention, for the purpose of establishing air services between and beyond their respective territories,

Have agreed as follows :

Article 1 Definitions

1. For the purpose of the present Agreement, unless the context otherwise requires :

a) The term "the Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944, and includes any annex adopted under article 90 of that Convention and any amendment of the annexes or Convention under articles 90 and 94 thereof so far as those annexes and amendments are applicable for both Contracting Parties;

b) The term "aeronautical authorities" means, in the case of the Kingdom of Thailand, the Minister of Transport and Communications and, in the case of the Kingdom of Bhutan, the Minister of Communications or in both cases any person or body, authorized to exercise the functions presently assigned to the said authorities;

c) The term "designated airline" means an airline which one Contracting Party has designated in accordance with Article 6 of the present Agreement, for the operation of the agreed air services;

d) The term "tariff" means the prices to be paid for the carriage of passengers, baggage and cargo and the conditions under which these prices apply, including commission charges and other additional remuneration for agency or sale of transportation documents but excluding remuneration and conditions for the carriage of mail.

2. The Annex forms an integral part of the present Agreement. All references to the Agreement shall include the Annex unless explicitly agreed otherwise.

