



Australian Government

Department of Infrastructure, Regional Development and Cities

Mr Russell Broadbent MP
Chair
Joint Standing Committee on Treaties
Parliament House
CANBERRA ACT 2600

Dear Mr Broadbent

Subject: JSCOT public hearing 1 April 2019

I refer to the public hearing of the Joint Standing Committee on Treaties on 1 April 2019, at which this Department answered questions in relation to:

- *Agreement between the Government of Australia and the Government of the Kingdom of Thailand relating to Air Services;*
- *Agreement between the Government of Australia and the Government of the Democratic Republic of Timor-Leste relating to Air Services; and*
- *Agreement between the Government of Australia and the Government of Papua New Guinea relating to Air Services.*

During the hearing, Ms Susan Templeman MP, asked a question in relation to paragraph 4, Article 3 Grant of Rights, in the *Agreement between the Government of Australia and the Government of Papua New Guinea relating to Air Services*, which provides for:

4. If because of armed conflict, political disturbances or developments, or special and unusual circumstances, the designated airlines of one Party are unable to operate a service on their normal routes, the other Party shall use its best efforts to facilitate the continued operation of such service through appropriate temporary rearrangements of such routes as is mutually decided by the Parties.

Mr Josh Wilson MP sought further clarification in relation to the clause referred to by Ms Susan Templeman MP. I undertook to provide an answer in writing.

The answers to the questions can be found at **Attachment A**.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'R' followed by a horizontal line that tapers to the right.

Ross Adams
Director, International Air Transport
Aviation Industry Policy
8 April 2019

Attachment A

Ms Susan Templeman MP asked:

What was the reason behind including paragraph 4, Article 3 Grant of Rights, in the *Agreement between the Government of Australia and the Government of Papua New Guinea relating to Air Services*?

Answer:

The clause was included on request from the delegation of the Government of Papua New Guinea and was agreed by the Australian delegation as acceptable.

Mr Josh Wilson MP asked:

Is the clause present in other air services agreements?

Answer:

Yes, a similar clause is included in the following agreements:

- Agreement between the Government of Australia and the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam relating to Air Services, [1992] ATS20;
- Agreement between the Government of Australia and the Government of Hong Kong concerning Air Services, [1993] ATS 28;
- Agreement between the Government of Australia and the Government of the Republic of Korea relating to Air Services, [1992] ATS 16;
- Agreement between the Government of Australia and the Government of the Republic of Vanuatu relating to Air Services, [1993] ATS 17;
- Agreement relating to Air Services with the Government of the Republic of the Mauritius, [1995] ATS 17;
- Agreement between the Government of Australia and the Government of the Republic of South Africa relating to Air Services, [1995] ATS 23;
- Agreement between the Government of Australia and the Government of the Socialist Republic of Vietnam relating to Air Services, [1995] ATS 26;
- Agreement between the Government of Australia and the Government of the State of Bahrain relating to Air Services, [1995] ATS 29;
- Agreement between the Government of Australia and the Government of Malta relating to Air Services, [1996] ATS 21;
- Agreement between the Government of Australia and the Government of The Republic of Lebanon relating to Air Services, [1999] ATS 4;
- Agreement between the Government of Australia and the Government of Samoa Relating to Air Services, [2001] ATS 18;
- Agreement between the Government of Australia and the Government of the Cook Islands Relating to Air Services, [2002] ATS 27;
- Agreement with the Republic of Chile Relating to Air Services, [2005] ATS 25;
- Agreement with the United Arab Emirates relating to Air Services, [2005] ATS 8;
- Agreement between the Government of Australia and the Government of the People's Republic of China relating to Air Services, [2006] ATS 19.