

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE AERONAUTICAL AUTHORITY OF RUSSIAN FEDERATION
AND THE AERONAUTICAL AUTHORITY OF THE
REPUBLIC OF SOUTH AFRICA**

1. Delegations representing the Aeronautical Authorities of the Russian Federation and the Republic of South Africa met on the 6th of December 2017, during the ICAO Air Services Negotiation Conference (ICAN2017) in Colombo, Sri Lanka, to review the air services framework between the two respective countries.
2. The talks were held in a friendly and constructive atmosphere. A list of the two delegations is at **Appendix A**
3. As a result of these discussions, the two delegations agreed on the following:

**3.1 BILATERAL AIR SERVICES AGREEMENT SIGNED ON THE 3RD OF
AUGUST 1992**

The South African Party presented a draft Article on Aviation Safety for the consideration for the Russian Federation. Copy attached as **Appendix B**.

3.2 CAPACITY AND FREQUENCIES:

3.1.1 Passengers Services

The Parties agreed to increase the number of frequencies from 1 to a total of seven (7) flights per week with any type of aircraft.

3.1.2 All-Cargo Services

The Parties agreed to increase the number of frequencies from 1 to a total number of seven (7) flights per week with any aircraft type.

3.1.3 Designation Regime

The Parties re-affirmed a multiple designation regime.

3.1.4 Airline Cooperation

The Parties re-affirmed a code-share framework attached as **Appendix C**.

3.1.5 Tariff regime

The Parties re-affirmed a double disapproval tariff regime.

3.1.6 Route Schedule

The Parties agreed that Nairobi may be utilised as a point beyond by Russia.

3.1.7 Traffic rights

Parties agreed that intermediate and beyond points shall be served without fifth freedom traffic rights, unless otherwise agreed to by the Aeronautical Authority of both countries

This Memorandum of Understanding will be effective from the date of its signature

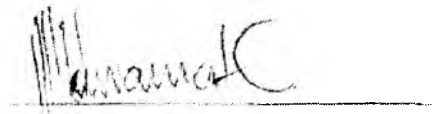
Signed in Colombo, 6th of December 2017, Sri Lanka.

For the delegation of the
Russian Federation



Head of the Delegation

For the delegation of the
of the Republic of South Africa



Head of the Delegation

DRAFT
AVIATION SAFETY

(1) A Contracting Party may request consultations at any time concerning the safety standards maintained by the other Contracting Party relating to aeronautical facilities, aircrew, aircraft and the operation of aircraft. Such consultations shall take place within thirty (30) days of such request.

(2) If, following such consultations, a Contracting Party finds that the other Contracting Party does not effectively maintain and administer safety standards in the areas referred to above which are at least equal to the minimum standards established at that time pursuant to the Convention, the first Contracting Party shall notify the other Contracting Party of those findings and the steps considered necessary to conform with those minimum standards. Such Contracting Party shall take appropriate corrective action and failure to take appropriate action within fifteen (15) days of being notified thereof, or such longer period as may be agreed upon, shall be grounds for the application of Article 4.

(3) Notwithstanding the obligations mentioned in Article 33 of the Convention, it is agreed that any aircraft operated by the designated airline of one Contracting Party on services to or from the territory of the other Contracting Party, may, while within the territory of the other Contracting Party, be subject to an examination by the authorised representative of that Contracting Party. The purpose of such examination shall include the verification of the validity of the aircraft documents and those of its crew and the apparent condition of the aircraft and its equipment (hereinafter referred as "ramp inspection"), provided this does not lead to unreasonable delay.

(4) If any such ramp inspection or series of ramp inspections gives rise to serious concerns that-

(a) an aircraft or the operation of an aircraft does not comply with the minimum standards established at that time pursuant to the Convention; or

(b) there is a lack of effective maintenance and administration of safety standards established at that time pursuant to the Convention,

the Contracting Party carrying out the ramp inspection shall, for the purposes of Article 33 of the Convention, be free to conclude that the requirements under which the certificate or licences in respect of that aircraft or in respect of the crew of that aircraft had been issued or rendered valid, or that the

requirements under which that aircraft is operated, are not equal to or above the minimum standards established pursuant to the Convention.

- (5) In the event that access for the purpose of undertaking a ramp inspection of an aircraft operated by the designated airline of one Contracting Party in accordance with sub-Article 3 above is denied by the representatives of that designated airline, the other Contracting Party may infer that serious concerns of the type referred to in sub-Article 4 above arise and draw conclusions referred to in that sub-Article.
- (6) Each Contracting Party reserves the right to immediately suspend or vary the operating authorisation of a designated airline of the other Contracting Party in the event the first Contracting Party concludes, whether as a result of a ramp inspection or consultation, that immediate action is essential to the safety of airline operation.
- (7) Any action by one Contracting Party in accordance with sub-Articles (2) and (6) above, shall be discontinued upon compliance by the other Contracting Party with the safety provisions of this Article.



APPENDIX A

DELEGATIONS

RUSSIAN FEDERATION:

Sergey Seskutov	Deputy Director Department of State Policy in Civil Aviation Ministry of Transport of the Russian Federation
Ilona Degtyarenko	Deputy Head Air Services Division Department of State Policy in Civil Aviation Ministry of Transport of the Russian Federation
Kamil Feizrakhmanov	Domodedovo Airport
Oleg Demidov	Volga-Dnepr Airlines
Margarita Demidova	AirBridgeCargo Airlines

REPUBLIC OF SOUTH AFRICA

Mr. Vuwani E. Ndwamato Director: Air Transport Department of Transport (DOT)	Head of delegation
Ms. Bella Makhale Assistant Director: Bilateral Affairs, DOT	Member
Mr Owen Rikhotso Assistant Director: Bilateral Affairs DOT	Member
Mr Ofentse Sebitlo Deputy Director: Economic Infrastructure & Logistics Department of Trade and Industry	Member
Matome Ramokgobedi Group Manager Traffic Development Airports Company South Africa	Member
Mr David King Project Manager: Cape Town Air Access Wesgro	Member
Mr. Darren Hay Manager – International Affairs South African Airways	Member
Mr Sam Ndlovu Manager-Network Planning & Aero Political Affairs South African Airways-Cargo	Member



CODE-SHARE FRAMEWORK

In operating or holding out the authorized services on the agreed routes, any designated airline of one Contracting Party may enter into co-operative marketing arrangements like code-sharing, with-

- an airline or airlines of the other Contracting Party;
- an airline or airlines of a third country, provided that such third country authorizes or allows comparable arrangements between the airlines of the other Contracting Party and other airlines on services to, from and via such third country.

Provided that all airlines in such arrangements-

- hold the appropriate authority;
- meet the requirements normally applied to such arrangements; and
- must, in respect of any ticket sold by it, make it clear to the purchaser at the point of sale which airline or airlines the purchaser is entering into a contractual relationship

Counting of Code-shared Services

Each code-sharing frequency operated by the designated airlines of either country will count as one (1) frequency, whereas, the code-sharing services of the marketing carrier will not be counted as a frequency.

Domestic entry points for code-share only services:

In addition to the provisions of the Route Schedule annexed to the Agreement, the designated airline(s) of each Contracting Party may, when operating services as the marketing carrier through marketing arrangements with an airline(s) of the other Contracting party serve besides the points mentioned in the Route Schedule, any points within the territory of the other Contracting Party

Commercial Agreements

All code-share arrangements shall have the prior approval of the appropriate Aeronautical Authorities before implementation. Signed commercial agreements in this regard shall be filed with both Aeronautical Authorities prior to the introduction of any code-share services and shall be subject to review.