

PART 294 FILING INSTRUCTIONS FOR CANADIAN AIR TAXIS (CAT)

Form 4505: File per instructions on form.

- Form 6411:
- (1) Should be completed by insurance broker and/or insurer.
 - (2) If you have dual authority from the Department, Insurer must fill out Part 2B and/or 2C on Certificate; otherwise they fill out 2A.
 - (3) Include a copy of your Canadian Transportation Agency license
 - (4) File original documents only (electronically or mail in) to the:

USDOT/OST/X40
Special Authorities Division, X46
1200 New Jersey Ave., SE #W86 445
Washington, DC 20590

Torlanda.Archer@dot.gov or Alie.Langhorst@dot.gov.

If you have any questions feel free to call 202-366-1037.

AGREEMENT ON MEASURES TO IMPLEMENT THE INTERNATIONAL AIR TRANSPORT ASSOCIATION (IATA) INTERCARRIER AGREEMENT¹

Execute the Agreement with the name, title, and signature of company official, and the name and address of the carrier, as indicated:

- (1) Attach a copy of the executed Agreement to your DOT registration application (Form 4505).
- (2) File your original Agreement with the:

Director General
International Air Transport Association
P.O. Box 113
Montreal-H4Z1M1
Quebec, Canada

¹ Part 203 of the Department's Regulations (14 C.F.R. Part 203) requires that U.S. and foreign air carriers become parties to CAB Agreement 18900 waiving, in part, the limits of liability under the Warsaw/Hague Conventions for passenger deaths or injuries in aircraft accidents. By Order 97-1-2, the Department approved, with conditions, three Agreements providing for waiver of the Warsaw/Hague passenger liability limits in their entirety. The Order also exempted carriers from the requirements of Part 203, and substituted the MIA or IPA (Implementing Provisions Agreement) Agreements for Agreement 18900, for such periods as they were Parties to the revised Warsaw/Hague waiver Agreement(s). The 1999 Montreal Convention, effective November 4, 2003, when applicable, also eliminates the Warsaw/Hague passenger liability limits in their entirety. The attached IATA Agreement on Measures to Implement the IATA Intercarrier Agreement (MIA Agreement) is the IATA waiver Agreement to which most foreign air carriers are Parties.

AGREEMENT ON MEASURES TO IMPLEMENT THE IATA INTERCARRIER AGREEMENT

I. Pursuant to the IATA Intercarrier Agreement of 31 October 1995, the undersigned carriers agree to implement said Agreement by incorporating in their conditions of carriage and tariffs, where necessary, the following:

1. _____ {CARRIER} shall not invoke the limitation of liability in Article 22(1) of the Convention as to any claim for recoverable compensatory damages arising under Article 17 of the Convention.
2. _____ {CARRIER} shall not avail itself of any defense under Article 20(1) of the Convention with respect to that portion of such claim which does not exceed 100,000 SDRs.
3. Except as otherwise provided in paragraphs 1 and 2 hereof, _____ {CARRIER} reserves all defenses available under the Convention to any such claim. With respect to third parties, the carrier also reserves all rights of recourse against any other person, including without limitation, rights of contribution and indemnity.

II. At the option of the carrier, its conditions of carriage and tariffs also may include the following provisions:

1. _____ {CARRIER} agrees that subject to applicable law, recoverable compensatory damages for such claims may be determined by reference to the law of the domicile or permanent residence of the passenger.

III. 1. This Agreement may be signed in any number of counterparts, all of which shall constitute one Agreement. Any carrier may become Party to this Agreement by signing a counterpart hereof and depositing it with the Director General of the International Air Transport Association (IATA).

2. Any carrier Party hereto may withdraw from this Agreement by giving (12) twelve months' written notice of withdrawal to the Director General of IATA and to the other carriers Parties to the Agreement.

Signed this ____ day of _____, ____

(signature and title)

(name of carrier)

(address of carrier--include City, State and Zip)