

MEMORANDUM OF UNDERSTANDING
ON AIR SERVICES

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE

AND

THE GOVERNMENT OF THE REPUBLIC OF INDIA

1. The delegations representing the Government of the Republic of Singapore and the Government of the Republic of India (hereinafter referred to as "Singapore" and "India" respectively, or the "Contracting Parties" collectively) met in Singapore on 10 and 11 July 2006 for air services consultations pursuant to Article XV of the Air Services Agreement between the Contracting Parties dated 23 January 1968 (hereinafter referred to as "the Agreement"). The delegation list is attached as Appendix A.

2. The consultations were held in a friendly and cordial atmosphere.

3. The Contracting Parties have reached the following understanding on the manner in which the Contracting Parties intend, notwithstanding the Agreement, to act in respect of these provisions.

A. THE ASEAN OFFER

4. The Contracting Parties confirmed the above offer has come into force on 29 June 2004 in accordance with Article XV of the Agreement through the exchange of diplomatic notes comprising Singapore's TPN of 12 April (089/2004) and 29 June 2004 (159/2004) and India's TPN of 17 June 2004 (SII/221/I/04). The three Notes are attached at Appendix B.

5. The Contracting Parties clarified that under the terms of this agreement:
- (a) the designated airlines of Singapore have unlimited access to the 18 points set out in the Annex to Singapore's TPN of 29 June 2004 (under "Route Schedule"), which include Cochin and Trivandrum;
 - (b) the designated airlines of India have unlimited access between the said 18 points and Singapore.
 - (c) it was agreed by the two sides that the Indian side shall continue to retain the 1.6 B747 units made available to the Indian side vide MOU of 7 September 2001, as reciprocal entitlement when Cochin was granted as an additional point of call in India to the Singapore side, with a specific entitlement of 1.6 B747 units allocated under Routes I or II of the Route Schedule.

B. FULL LIBERALIZATION OF ALL-CARGO SERVICES

6. With immediate effect, the designated airlines of the Contracting Parties shall be entitled to operate all-cargo services with no limitation on frequency, routing and capacity with any type of aircraft with full 3rd, 4th and 5th freedom traffic rights as set out in the Schedule at Appendix C.

7. This Schedule supersedes

- (a) for the designated airlines of Singapore, Route V (Freighter) of Schedule I dated 29 June 2004; and
- (b) for the designated airlines of India, Route III (Freighter) of Schedule II dated 29 June 2004.

C. COMMERCIAL ARRANGEMENTS

8. The Indian delegation clarified that in line with the Government of India's policy in this regard, the existing terms and conditions of all the commercial arrangements between the designated airlines of India and Singapore shall continue to be applicable up to 31 December 2009. Thereafter, these commercial agreements shall cease to apply.

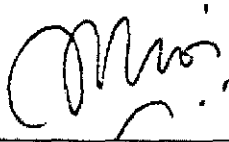


D. GENERAL

9. The delegations discussed the enhancement of 3rd, 4th and 5th freedom traffic rights and code share arrangements and agreed to meet within 6 months to further discuss these and other matters relating to air services.

10. This Memorandum shall take effect from the date of signature.

Done on 11 July 2006, in Singapore



BG (NS) CHOI SHING KWOK
LEADER
SINGAPORE DELEGATION



MR AJAY PRASAD
LEADER
INDIAN DELEGATION

SINGAPORE-INDIA AIR SERVICES CONSULTATIONS
10 – 11 JULY 2006
SINGAPORE

SINGAPORE DELEGATION

Leader

BG (NS) Choi Shing Kwok Permanent Secretary
Ministry of Transport

Members

MG (NS) Lim Kim Choon Senior Deputy Director General
Civil Aviation Authority of Singapore

Mr Lee Ark Boon Director (Air)
Ministry of Transport

Mr Yam Kum Weng Director (Air Transport)
Civil Aviation Authority of Singapore

Mr Christopher Goh State Counsel
Attorney-General's Chambers

Mr Lim Yew Heng Assistant Director (Air)
Ministry of Transport

Mr Ling Ming Koon Senior Air Transport Manager
Civil Aviation Authority of Singapore

Ms Geneve Ling Air Transport Manager
Civil Aviation Authority of Singapore

Mr Gerald Ng Assistant Air Transport Manager
Civil Aviation Authority of Singapore

Ms Keh Hui Peng Network Manager
Jetstar Asia Airways

Mr Derrick Tan Network Analyst
Jetstar Asia Airways

Mr Cheong Kok Seng Senior Manager International Relations
Singapore Airlines

Mr Manjit Singh Grewal Manager, North India
Singapore Airlines

Mr Joseph Ang International Relations Executive
Singapore Airlines



Ms Donna Clarkstone

Head of Distribution and Revenue
Management
Tiger Airways

Mr Craig Henshaw

Manager, Pricing and Revenue Management
Tiger Airways

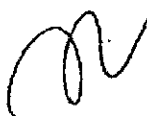


Note No: 089/2004

The High Commission of the Republic of Singapore presents its compliments to the Ministry of External Affairs of India and has the honour to refer to the latter's Note No. AC/202/16/04 dated 2 January 2004, concerning India's offer on additional routes, capacity and traffic rights under the Air Services Agreement between the Government of the Republic of India and the Government of the Republic of Singapore dated 23 January 1968 ("the Agreement"), read with subsequent Memoranda or Supplementary Memoranda of Understanding, Confidential Memoranda of Understanding and Exchange of Letters (collectively referred to as "associated documents") entered into between our two Governments relating to air services.

The High Commission has the honour to propose amendments to the Agreement and the associated documents based on the elements of India's offer which are acceptable to the Government of the Republic of Singapore. The proposed amendments are set out in the Annex to this Note.

If the Ministry of External Affairs of the Republic of India is agreeable to the proposed amendments as set out in the Annex to this Note, the High Commission further proposes that this Note and the affirmative note in reply by the Ministry of External Affairs of the Republic of India shall constitute a binding agreement between our two Governments. The proposed amendments shall become effective on the date of the affirmative note in reply by the Ministry of External Affairs of the Republic of India and the requirements of Article XV of the Agreement regarding the coming into effect



of the amendments shall be deemed to have been fulfilled. In this regard, the High Commission has the further honour to refer to Article XV of the Agreement.

The High Commission of the Republic of Singapore avails itself of this opportunity to renew to the Ministry of External Affairs of India the assurances of its highest consideration.

New Delhi

12 April 2004

Ministry of External Affairs

New Delhi



ANNEX

Singapore's proposal for Amendments to be made to the Air Services Agreement between the Government of the Republic of India and the Government of the Republic of Singapore dated 23 January 1968 ("the Agreement"), read with subsequent Memoranda or Supplementary Memoranda of Understanding, Confidential Memoranda of Understanding and Exchange of Letters entered into between the two Governments relating to air services:

(A) ROUTE SCHEDULE

- (i) Patna, Lucknow, Guwahati, Gaya, Varanasi, Bhubaneswar, Khajuraho, Aurangabad, Goa, Jaipur, Port Blair, Calicut, Amritsar, Visakhapatnam, Ahmedabad and Tiruchirapalli will be included as additional points of call for the designated airlines of Singapore. Accordingly, the Annex to the Agreement shall be deleted and replaced by the attached Appendix I as the new Schedule I and II.

(B) TRAFFIC RIGHTS

- (i) In addition to existing entitlements, the designated airlines of Singapore shall have full traffic rights on all or any of the sectors under Route X of the new Schedule I of the Annex to the Agreement.

(C) CAPACITY ENTITLEMENTS

- (i) In addition to the existing entitlements, the designated airlines of Singapore shall be entitled to:
 - (a) operate 5 weekly services, without any restrictions as to aircraft type, on Route III of the new Schedule I of the Annex to the Agreement and subject to the existing terms of the commercial agreements; and
 - (b) operate under Route VI, VII and X of the new Schedule I of the Annex without any restrictions on the frequency or

aircraft type and without being subject to the terms of any commercial agreements.

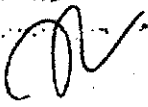
(ii) In addition to the existing entitlements, the designated airlines of India shall be entitled to:

(a) operate 5 weekly services between Kolkata and Singapore, without any restrictions as to aircraft type and subject to the existing terms of the commercial agreements; and

(b) operate on all or any of the sectors between Singapore and Patna, Lucknow, Guwahati, Gaya, Varanasi, Bhubaneswar, Khajuraho, Aurangabad, Goa, Jaipur, Port Blair, Cochin, Thiruvananthapuram, Calicut, Amritsar, Visakhapatnam, Ahmedabad and Tiruchirapalli without any restrictions on the frequency or aircraft type and without being subject to the terms of any commercial agreements.

(D) OTHERS

The Contracting Parties may designate multiple airlines for operation of scheduled services within the agreed entitlements.



Appendix I

SCHEDULE I

Routes to be operated by the designated airlines of Singapore

Points of Departure	Intermediate Points	Points in India	Beyond Points
<u>Route I</u> Singapore	Colombo	Mumbai	(i) Two points selected from Dubai, Abu Dhabi, Bahrain (ii) Cairo, Malta (iii) Zurich, Paris, Manchester (iv) One point selected from Amsterdam, Copenhagen, Brussels, Vienna, Athens
<u>Route II</u> Singapore	Colombo	Chennai	—
<u>Route III</u> Singapore	Yangon, Dhaka	Kolkata	Dhaka, Kathmandu, Jeddah, Doha, Riyadh
<u>Route IV</u> Singapore	—	Delhi	—
<u>Route V</u> (Freighter) Singapore	Any intermediate points	Mumbai, Chennai, Kolkata, Delhi	Any beyond points
<u>Route VI</u>			

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Points of Departure	Intermediate Points	Points in India	Beyond Points
Singapore	—	Thiruvananthapuram (Trivandrum)	—
<u>Route VII</u> Singapore	—	Kochi (Cochin)	—
<u>Route VIII</u> Singapore	—	Hyderabad	—
<u>Route IX</u> Singapore	—	Bangalore	—
<u>Route X</u> Singapore	—	Patna, Lucknow, Guwahati, Gaya, Varanasi, Bhubaneswar, Khajuraho, Aurangabad, Goa, Jaipur, Port Blair, Calicut, Amritsar, Visakhapatnam, Ahmedabad, Tiruchirapalli	—

SCHEDULE II

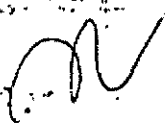
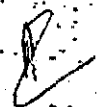
Routes to be operated by the designated airlines of India:

Points of Departure	Intermediate Points	Points in Singapore	Beyond Points
<u>Route I</u> Points in India	Kuala Lumpur	Singapore	(i) Three points selected from Bangkok, Hong Kong, Manila, Kuala Lumpur (ii) Jakarta, Perth, Sydney (iii) One point selected from Melbourne, Auckland, Noumea, Nadi (iv) Three points selected from Yangon, Ho Chi Minh, Bandar Seri Begawan, Manila, Adelaide, Brisbane, Cairns, Darwin, Townsville, Surabaya, Christchurch, Denpasar
<u>Route II</u> Points in India	Kuala Lumpur, Bangkok, Penang	Singapore	
<u>Route III (Freighter)</u> Points in India	Any intermediate points	Singapore	Any beyond points

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NOTE:

- (i) Any of the points on the specified routes in Schedules I and II of this Annex may at the option of the designated airlines be omitted on any or all flights unless otherwise agreed. The agreed service to be operated on the Routes in Schedules I and II shall have blinded sectors as agreed between the Parties from time to time. The agreed services to be operated on Route I of the Schedules I and II shall not terminate in the territory of the other Contracting Party unless otherwise agreed between both Contracting Parties.
- (ii) Yangon, if selected, will be operated as an intermediate point with 5th freedom traffic rights.
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भारत सरकार
विदेश मंत्रालय, नई दिल्ली
GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

No.

New Delhi the 200

No. S.II/221/1/04

June 17, 2004

The Ministry of External Affairs, Republic of India, presents its compliments to the High Commission of the Republic of Singapore and has the honour to refer to the latter's note verbale No. 089/2004 dated 12.4.2004 conveying the response of the Government of Singapore to the offer of additional routes made under the Government of India's "Open Sky" policy vide this Ministry's note verbale No. AC/202/16/04 dated 2.1.2004.

The Ministry has the honour to convey that the counter proposal contained in the High Commission's note verbale referred to above, is acceptable to the Government of India, subject to the modification that the additional 5 services per week will be operated by the designated airlines of India from any point(s) of their choice in India and not from Kolkata only as proposed by Singapore. It may be mentioned that it is an acceptable practice in civil aviation that the points of origin in respect of their own designated airlines are decided by the home country and the route schedule only specifies the destinations in the other contracting party.

The esteemed High Commission is requested to convey the above position to the concerned authorities in Singapore.

The Ministry of External Affairs, Republic of India, avails itself of this opportunity to renew to the High Commission of the Republic of Singapore the assurances of its highest consideration.

High Commission of the Republic of Singapore,
New Delhi.

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Ministry of External Affairs
New Delhi

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Note No: 159/2004

The High Commission of the Republic of Singapore presents its compliments to the Ministry of External Affairs of the Republic of India and has the honour to refer to the latter's Notes No. AC/202/16/04 dated 2 January 2004 and S.II/221/1/04 dated 17 June 2004 respectively, as well as Singapore's Note No. 089/2004 dated 12 April 2004, concerning India's offer on additional routes made under the Government of India's "Open Sky" policy.

2 The High Commission has the honour to convey that the counter-proposal contained in Note No. S.II/221/1/04 dated 17 June 2004 is acceptable to the Government of Singapore.

3 The High Commission has the honour to confirm that this Note, Singapore's Note No. 089/2004 dated 12 April 2004 and India's Note No. S.II/221/1/04 dated 17 June 2004 shall be read together to constitute a binding agreement between our two Governments, to amend the provisions of the Air Services Agreement between the Government of the Republic of India and the Government of the Republic of Singapore dated 23 January 1968 ("the Agreement"), read with subsequent Memoranda or Supplementary Memoranda of Understanding, Confidential Memoranda of Understanding and Exchange of Letters (collectively referred to as "associated documents") entered into between our two Governments relating to air services. The agreed amendments shall become effective on the date of this Note and the requirements of Article XV of the Agreement regarding the coming into effect of the amendments shall be deemed to

have been fulfilled. In this regard, the High Commission has the further honour to refer to Article XV of the Agreement. The amendments to the Agreement and the associated documents are as set out in the Annex to this Note

4 The Ministry also has the honour to designate Singapore Airlines Cargo Pte Ltd. (SQC) as an airline for the operation of scheduled services within the agreed entitlements under the Agreement and the associated documents, as amended by the Notes referred to above.

5 The High Commission of the Republic of Singapore avails itself of this opportunity to renew to the Ministry of External Affairs of the Republic of India the assurances of its highest consideration.

New Delhi

29 June 2004

Ministry of External Affairs

New Delhi



ANNEX

Amendments to be made to the Air Services Agreement between the Government of the Republic of India and the Government of the Republic of Singapore dated 23 January 1968 ("the Agreement"), read with subsequent Memoranda or Supplementary Memoranda of Understanding, Confidential Memoranda of Understanding and Exchange of Letters entered into between the two Governments relating to air services:

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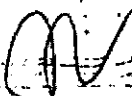
aircraft type and without being subject to the terms of any commercial agreements.

(ii) In addition to the existing entitlements, the designated airlines of India shall be entitled to:

- (a) operate 5 weekly services between any point(s) in India and Singapore, without any restrictions as to aircraft type and subject to the existing terms of the commercial agreements; and
- (b) operate on all or any of the sectors between Singapore and Patna, Lucknow, Guwahati, Gaya, Varanasi, Bhubaneswar, Khajuraho, Aurangabad, Goa, Jaipur, Port Blair, Cochin, Thiruvananthapuram, Calicut, Amritsar, Visakhapatnam, Ahmedabad and Tiruchirapalli without any restrictions on the frequency or aircraft type and without being subject to the terms of any commercial agreements.

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<u>Route II</u> Singapore	Colombo	Chennai	—
<u>Route III</u> Singapore	Yangon Dhaka	Kolkata	Dhaka, Kathmandu, Jeddah, Dhahran, Riyadh
<u>Route IV</u> Singapore	—	Delhi	—

Points of Departure	Intermediate Points	Points in India	Beyond Points
<u>Route V</u> (Freighter) Singapore	Any intermediate points	Mumbai, Chennai, Kolkata, Delhi	Any beyond points
<u>Route VI</u> Singapore	—	Thiruvananthapuram (Trivandrum)	—
<u>Route VII</u> Singapore	—	Kochi (Cochin)	—
<u>Route VIII</u> Singapore	—	Hyderabad	—
<u>Route IX</u> Singapore	—	Bangalore	—
<u>Route X</u> Singapore	—	Patna, Lucknow, Gorwahati, Gaya, Varanasi, Bhubaneswar, Khajuraho, Aurangabad, Goa, Jaipur, Port Blair, Calicut, Amritsar, Visakhapatnam, Ahmedabad, Truchirapalli	—

SCHEDULE II

Routes to be operated by the designated airlines of India:

Points of Departure	Intermediate Points	Points in Singapore	Beyond Points
<p><u>Route I</u></p> <p>Points in India</p>	Kuala Lumpur	Singapore	<p>(i) Three points selected from Bangkok, Hong Kong, Manila, Kuala Lumpur</p> <p>(ii) Jakarta, Perth, Sydney</p> <p>(iii) One point selected from Melbourne, Auckland, Noumea, Nadi</p> <p>(iv) Three points selected from Yangon, Ho Chi Minh, Bandar Seri Begawan, Manila, Adelaide, Brisbane, Cairns, Darwin, Townsville, Surabaya, Christchurch, Denpasar</p>
<p><u>Route II</u></p> <p>Points in India</p>	Kuala Lumpur, Bangkok, Penang	Singapore	
<p><u>Route III (Freighter)</u></p> <p>Points in India</p>	Any intermediate points	Singapore	Any beyond points

NOTE:

- (i) Any of the points on the specified routes in Schedules I and II of this Annex may at the option of the designated airlines be omitted on any or all flights unless otherwise agreed. The agreed service to be operated on the Routes in Schedules I and II shall have blinded sectors as agreed between the Parties from time to time. The agreed services to be operated on Route I of the Schedules I and II shall not terminate in the territory of the other Contracting Party unless otherwise agreed between both Contracting Parties.
- (ii) Yangon, if selected, will be operated as an intermediate point with 5th freedom traffic rights.



Appendix C

Route Schedule for all-cargo services

Section 1

Routes to be operated by the designated airline(s) of Singapore in both directions:

Points of Origin	Intermediate Points	Points in India	Beyond Points
Singapore	Any Points	Points in India	Any points

Section 2

Routes to be operated by the designated airline(s) of India in both directions:

Points of Origin	Intermediate Points	Points in Singapore	Beyond Points
Points in India	Any Points	Singapore	Any points

Section 3

1. The designated airlines of one Party may combine in one flight any of the points in the territory of the other Party without exercising cabotage rights between those two points.

2. Points on any of the specified routes may, at the option of the designated airlines, be omitted on any or all flights, provided that the services begin or end at points in the territory of the contracting party that designated those airlines.

