



Order 2020-12-25

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation
on the 29th day of December, 2020

Served: December 29, 2020

In the Matter of the Modification, Reissuance, or
Amendment of Economic Authority Held by

**CERTAIN FOREIGN AIR CARRIERS
OF THE UNITED KINGDOM**

Docket DOT-OST-2020-0259¹

Exemptions under 49 U.S.C. §40109, statements
of authorization under 14 CFR Part 212, special
authorizations under 14 CFR Part 375, and foreign
air carrier permits under 49 U.S.C. §41301

**ORDER GRANTING EXEMPTIONS, AMENDING/REISSUING STATEMENTS OF
AUTHORIZATION, AMENDING PART 375 SPECIAL AUTHORIZATIONS,
AND TO SHOW CAUSE**

Summary

By this Order, the Department is taking, *sua sponte*, several regulatory actions in response to the withdrawal of the United Kingdom from the European Union (Brexit) and the application of a new air transport agreement between the United States and the United Kingdom. Specifically, effective January 1, 2021, we (1) grant certain foreign air carriers of the United Kingdom exemption authority under 49 U.S.C. §40109, subject to conditions;² (2) amend/reissue statements of authorization held by certain UK carriers and/or their foreign and U.S. carrier partners; (3) amend Part 375 special authorizations held by UK foreign civil aircraft operators; and (4) tentatively find that it is in the public interest to modify and reissue to certain foreign air

¹ We will also post a copy of this Order in the respective Dockets in which each carrier was awarded its most recent exemption and/or foreign air carrier permit. *See* Appendix A.

² The conditions are attached at Appendix B.

carriers of the United Kingdom the foreign air carrier permits attached as Appendix C to this Order, also subject to conditions.³ Each of these actions is specified in greater detail below.⁴

Background

In preparation for Brexit, the United States and the United Kingdom signed the 2020 U.S.-UK Air Transport Agreement (“the U.S.-UK ATA”),⁵ an open-skies air transport agreement, in Washington on November 10, 2020, and in London on November 17, 2020. Among other things, Article 2 of the U.S.-UK ATA provides UK carriers the right to perform international air transportation:

From points behind the territory of the United Kingdom via the territory of the United Kingdom and intermediate points to any point or points in the territory of the United States and beyond; and for all-cargo service, between the territory of the United States and any point or points.⁶

As of January 1, 2021, some economic authority that the Department had previously granted to UK and other air carriers pursuant to the terms of the 2007 U.S.-EU Air Transport Agreement, as amended (“the U.S.-EU ATA”), either expires by the terms under which it was granted or will otherwise be impacted, per the conditions and/or other terms under which those authorizations were issued and the applicability of the new U.S.-UK ATA.^{7 8} In that connection, the respective aeronautical authorities of the United States and the United Kingdom will begin permitting operations consistent with the terms of the U.S.-UK ATA on the principles of comity and reciprocity as of January 1, 2021, pending the entry into force of the agreement.⁹

³ We reserve the right to modify the list of affected carriers in each of these instances, based upon our own further examination of our regulatory records or upon comments filed in response to this Order. However, we make clear that we fully expect all affected carriers to abide by the terms set forth in this Order, regardless of whether they, or their specific regulatory circumstances, or their individual arrangements were specifically identified in this Order.

⁴ We note that there are UK carriers holding DOT authority that were licensed pursuant to agreements other than the U.S.-EU ATA. The matter of appropriate licensing for those carriers is addressed in our December 29, 2020, Notice in Docket DOT-OST-2020-0260.

⁵ The U.S.-UK ATA is available here: <https://www.state.gov/u-s-uk-air-transport-agreement-of-november-28-2018/>

⁶ We note that the traffic rights available to UK carriers under the U.S.-UK ATA are narrower than the traffic rights that UK carriers held under the U.S.-EU ATA.

⁷ For example, permits awarded to UK carriers under the terms of the U.S.-EU ATA terminated when the Department ceased applying the terms of the U.S.-EU ATA to the United Kingdom at the end of the transition period provided by the EU-UK Withdrawal Agreement. Furthermore, exemption authority granted by the Department to UK carriers was issued pursuant to the rights provided for in the U.S.-EU ATA, which no longer applies to UK carriers. Some statements of authorization granted to UK carriers and/or their foreign and U.S. partner carriers would no longer be effective pending reissuance of underlying economic authority to UK carriers under the terms of the U.S.-UK ATA. Part 375 special authorization flight reporting conditions must be amended to be consistent with the U.S.-UK ATA.

⁸ On December 3, 2020, the United States delivered a statement to the 23rd meeting of the Joint Committee established under the U.S.-EU ATA, as amended, on the legal implications of Brexit with respect to the U.S.-EU ATAs, available here: <https://www.state.gov/u-s-statement-on-brex-it-and-u-s-eu-atas/>.

⁹ The United States and the United Kingdom confirmed this via an exchange of correspondence, available here: <https://www.state.gov/u-s-uk-comity-and-reciprocity-agreement/>.

Throughout the negotiations of the new U.S.-UK ATA, UK negotiators and stakeholders expressed concern about potential lengthy licensing procedures. The Department expressed its willingness to facilitate, with a minimum of administrative process, a seamless transition for carriers affected by the transition between air service agreements, while continuing to meet the rigorous regulatory requirements of the Department. Now that the United States and the United Kingdom will begin applying the terms of the U.S.-UK ATA as of January 1, 2021, the Department is taking the present action to facilitate the transition to the new bilateral regime. Specifically, the Department is reissuing, modifying, or amending certain Department-issued economic authorities held by UK and other carriers to ensure that services in the U.S.-UK market can continue without interruption, and proposing to reissue permits to UK carriers to enable those carriers to hold similar authority as that which they held pursuant to the U.S.-EU ATA.

Decision

This Order will address (1) the grant of exemption authority under the terms of the U.S.-UK ATA to UK carriers currently holding exemptions under 49 U.S.C. §40109 or foreign air carrier permits under 49 U.S.C. §41301 pursuant to the U.S.-EU ATA; (2) the amendment/reissuance of statements of authorization held by certain UK carriers and/or their foreign and U.S. carrier partners that were issued pursuant to the U.S.-EU ATA or earlier, so as to reflect the new services authorized by the U.S.-UK ATA; (3) the amendment of Part 375 special authorizations held by UK foreign civil aircraft operators for the purpose of revising flight reporting conditions; and (4) the tentative decision to modify and reissue foreign air carrier permits under the terms of the U.S.-UK ATA to UK carriers currently holding permits under 49 U.S.C. §41301 pursuant to the U.S.-EU ATA.¹⁰

I. Exemption Authority Under 49 U.S.C. § 40109

We have decided, under assigned authority and consistent with our August 23, 2005, Notice referenced above, to grant exemption authority to the 18 UK carriers specified in Appendix A and below that are licensed pursuant to the U.S.-EU ATA, subject to our standard exemption conditions. Specifically, effective January 1, 2021, we will grant exemption authority to those UK carriers to the extent necessary to authorize them to continue to conduct the equivalent scope/type of U.S. services under the terms of the U.S.-UK ATA that they previously conducted pursuant to the U.S.-EU ATA with appropriate DOT authority, consistent with the homeland licenses held at the time of licensing by the Department pursuant to the U.S.-EU ATA, and consistent with the traffic rights now available to UK carriers under the terms of the U.S.-UK ATA.¹¹

¹⁰ With respect to the exemption/tentative permit authority granted here, where applicable, we are using our streamlined regulatory procedures set forth in our August 23, 2005, Notice in Docket DOT-OST-2005-22228.

¹¹ For example, a UK carrier that held authority to conduct scheduled and charter operations to/from the United States under the U.S.-EU ATA will be granted exemption authority to conduct scheduled and charter operations to/from the United States under the U.S.-UK ATA. Similarly, a UK carrier that held authority to conduct only charter operations under the U.S.-EU ATA will be granted exemption authority to conduct only charter operations to/from the United States under the U.S.-UK ATA. We will also impose any unique conditions (*i.e.*, small aircraft limitations) in these new exemptions if they already applied to a carrier's authority. To the extent that any UK carrier wishes to broaden the scope of the rights that it is authorized to conduct under the U.S.-UK ATA beyond

A. Thirteen of the 18 UK carriers previously licensed pursuant to the U.S.-EU ATA hold foreign air carrier permits. As discussed further below, we are tentatively proposing to grant those 13 UK carriers permits under the terms of the U.S.-UK ATA. Effective January 1, 2021, we are also granting those 13 carriers exemption authority to conduct the services covered by the U.S.-UK ATA that are specified in the individual specimen permits attached as Appendix C to this Order, and are summarized in short form below:

Acropolis Aviation Limited: Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

AirTanker Services Limited: Foreign charter air transportation of persons and property from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign charter cargo air transportation of property between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

British Airways Plc: Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

DHL Air Limited: Foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points.

Gama Aviation Limited: Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and other charters subject to 14 CFR Part 212.

The authority granted is limited to services using small aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

Jet2.com Limited: Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

those it conducted under the U.S.-EU ATA, the carrier must file an application with the Department requesting amendment of its authority. Similarly, if any UK carrier's current homeland license does not authorize a type of service that the carrier was licensed to conduct when it was licensed by the Department under the U.S.-EU ATA, the carrier must advise the Department and we will consider amending its authority accordingly.

London Executive Aviation Limited: Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

The authority granted is limited to services using small aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

Norwegian Air UK Limited: Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

SaxonAir Charter Limited: Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

The authority granted is limited to services using small aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

TAG Aviation (UK) Ltd.: Foreign charter air transportation of persons and property from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and other charters subject to 14 CFR Part 212.

Titan Airways Limited: Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

TUI Airways Limited d/b/a TUI (TUD):¹² Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

¹² The foreign air carrier permit granted by Order 2009-6-7 was issued in the name Thomson Airways Limited. By letter dated December 5, 2017, the Department acknowledged under Part 215 of our regulations the request of Thomson Airways Limited to change its name to "TUI Airways Limited d/b/a TUI."

Virgin Atlantic Airways Ltd: Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

B. The remaining five UK carriers previously licensed pursuant to the U.S.-EU ATA hold only exemption authority.¹³ These carriers are CargoLogicAir Limited, Voluxis Limited, ExecuJet (UK) Limited d/b/a ExecuJet Europe, Catreus AOC Limited, and Concierge U Ltd. d/b/a Jet Concierge Club. Effective January 1, 2021, we are also granting those five carriers exemption authority to conduct the services covered by the U.S.-UK ATA as specified immediately below:

CargoLogicAir Limited: Foreign scheduled and charter air transportation of property and mail between any point or points in the United States and any point or points.¹⁴

Voluxis Limited: Foreign charter air transportation of persons and property from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

The authority granted is limited to services using small aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

ExecuJet (UK) Limited d/b/a ExecuJet Europe: Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; foreign charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.¹⁵

The authority granted is limited to services using small aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

Catreus AOC Limited: Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or

¹³ We note that each of these UK carriers has a request for a foreign air carrier permit pending before the Department that was filed when the United Kingdom was covered by the U.S.-EU ATA. We invite the carriers to supplement/amend the pending permit portion of their applications to the extent necessary to request authority to conduct the services authorized under the new U.S.-UK ATA and to provide the Department with the full scope of evidentiary submissions required by 14 CFR Part 211.20.

¹⁴ CargoLogicAir has a pending application on file with the Department for renewal of its exemption authority. See application dated July 2, 2018, in Docket DOT-OST-2016-0063. In light of our *sua sponte* action here, we are dismissing that pending application as moot.

¹⁵ ExecuJet (UK) Limited d/b/a ExecuJet Europe has a pending application on file with the Department for renewal of its exemption authority. See application dated July 30, 2020, in Docket DOT-OST-2018-0052. In light of our *sua sponte* action here, we are dismissing that pending application as moot.

points in the United States and beyond; foreign charter cargo air transportation between any point or points in the United States and any point or points; and other charters subject to 14 CFR Part 212.

The authority granted is limited to services using small aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

Concierge U Ltd. d/b/a Jet Concierge Club: Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond, and other charters subject to 14 CFR Part 212.

The authority granted is limited to services using small aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

The exemption authority we are granting the carriers specified above and in Appendix A is encompassed by the U.S.-UK ATA. We therefore find that grant of exemption authority for a two-year term is warranted, effective January 1, 2021.¹⁶ In the specific circumstances presented here where we are, solely as a result of Brexit and in the interest of implementing application of the U.S.-UK ATA, reissuing authority to UK air carriers that already held Department authority pursuant to the U.S.-EU ATA, we find that grant of the exemption authority, as conditioned, is consistent with the public interest.

II. Statements of Authorization Under 14 CFR Part 212

A number of the UK carriers specified in Appendix A hold, along with their foreign and U.S. carrier partners, Department-issued statements of authorization under 14 CFR Part 212 that allow them to engage in a diverse array of cooperative marketing arrangements pursuant to the authority provided for in the U.S.-EU ATA.¹⁷

Article 8 of the U.S.-UK ATA provides for, among other things, UK carriers to engage in cooperative marketing arrangements with U.S. carriers and/or other foreign carriers, to include code-share, blocked space, and wet-lease services. Our expectation is that UK, U.S., and other foreign carriers will continue to provide these services, albeit in most cases to the narrower extent now available under the terms of the U.S.-UK ATA as compared to the U.S.-EU ATA. To that end, we are amending/reissuing statements of authorization to previously licensed

¹⁶ With respect to those carriers to which we propose to grant permits as specified in Appendix C, the exemption authority will remain in effect for two years or until the proposed permit authority becomes effective, whichever occurs earlier.

¹⁷ These statements of authorization were granted subject to the condition that the carriers in the arrangements must continue to hold underlying authority to conduct the services at issue. In light of our decision to grant new underlying exemption authority to UK carriers under the terms of the U.S.-UK ATA, carriers should consider any existing statements of authorization under Part 212 to be amended/reissued, to the extent necessary to permit them to engage in the full extent of code-share, blocked space, and/or wet-lease services authorized by the U.S.-UK ATA. Our goal is to mirror to the extent possible the type of authority they had under the U.S.-EU ATA.

carriers that already held Department authority pursuant to the U.S.-EU ATA. We find that such amendment/reissuance of applicable statements of authorization is in the public interest and warranted for a term coextensive with the previously approved duration of authority, subject to the conditions that were imposed on the applicable carriers in their previously issued statements of authorization and in compliance with the U.S.-UK ATA.

Rather than enumerating the extensive number of statements of authorization that have been issued, effective January 1, 2021, we are amending those existing statements of authorization together with our actions amending the UK carriers' underlying exemption/permit authority. Accordingly, our amendment to the UK carriers' underlying authority extends to operations conducted under code-share arrangements, blocked space arrangements, and wet-lease arrangements previously licensed by the Department. Nothing in an existing statement of authorization issued under the auspices of the U.S.-EU ATA, or its predecessor or other agreements, should be construed as conferring any authority not expressly provided for under the terms of the U.S.-UK ATA, the U.S.-EU ATA, or other relevant agreements, as applicable.¹⁸

We also note that the new U.S.-UK bilateral regime will require UK and other foreign carriers to obtain statements of authorization pursuant to 14 CFR Part 212 for certain operations that were previously authorized without prior approval based on the carriers' authority and the terms of the U.S.-EU ATA. Some examples of charter operations that may now require a statement of authorization include, but are not necessarily limited to, UK carriers seeking to operate 7th freedom EU-U.S. combination charter flights, in either direction, including ad hoc charters and wet-lease arrangements, regardless of duration; and EU carriers seeking to operate 7th freedom UK-U.S. combination charter flights, in either direction, including ad hoc charters and wet-lease arrangements, regardless of duration.^{19 20}

III. Special Authorizations Under 14 CFR Part 375

Under the provisions of 14 CFR Part 375.70, the Department may grant special authorizations to foreign civil aircraft operators that permit those operators to conduct limited single-entity charter operations to/from the United States, subject to conditions, provided that the Department finds that grant of the authority is in the public interest. A total of four civil aircraft operators of the United Kingdom hold current undocketed Part 375 special authorizations to conduct limited single-entity charter operations, and all of those authorizations were most recently granted at a time when the U.S.-EU ATA applied to those UK carriers.

¹⁸ We expect that the UK Civil Aviation Authority (UK CAA) and other foreign CAA's will appropriately modify the authorities of their countries' carriers, in a manner consistent with the terms of the U.S.-UK ATA and of the other air transport agreements to which the United States is a party. We also reserve the right to amend explicitly any statement of authorization we deem necessary involving UK carriers and/or their services.

¹⁹ These UK- and EU-carrier operated 7th-freedom combination charter operations will also require the charter carrier's homeland CAA to maintain an adequate charter statement of reciprocity on file with the Department in Docket DOT-OST-2006-24269, in accordance with the provisions of 14 CFR Part 212.

²⁰ For further guidance on applications and associated procedural steps that may be necessary as a result of the new U.S.-UK ATA, carriers may contact the Department's Foreign Carrier Licensing Division in the Office of International Aviation at robert.finamore@dot.gov.

Authorization #	Foreign Civil Aircraft Operator	Expiration Date
2020-433	ExecuJet (UK) Limited d/b/a ExecuJet Europe ²¹	April 15, 2021
2020-888	Centreline AV Limited	July 15, 2021
2020-1211	Jet Exchange Limited	September 26, 2021
2020-1475	Flexjet Operations Limited	December 4, 2021

As a result of Brexit and the implementation of the traffic rights encompassed in the U.S.-UK ATA, we must amend all special authorizations under Part 375 held by UK foreign civil aircraft operators, to the extent necessary to modify the flight reporting conditions imposed to be consistent with the new U.S.-UK ATA.²² Specifically, effective January 1, 2021, we amend paragraphs (1) and (2) of the above-referenced special authorizations as follows:

(1) For any charter flight the operator conducts under this authority between a point or points in its homeland and a point or points in the United States, the operator must notify the Department, in writing (by letter, fax (202-366-3694), or email) of the specific routing of that flight no later than five business days after the operation of the flight.²³

(2) For any charter flight the operator proposes to conduct under this authority between a point or points not in its homeland and a point or points in the United States, the operator must notify the Department (by letter, fax, or email) of the specific routing of each flight it proposes to conduct at least three business days before the planned departure of that flight. The Department reserves the right to withhold or withdraw approval of a specific flight if it determines that the conduct of a flight by the operator in a proposed city-pair market would not be in the public interest.

In the circumstances presented, we find that amendment of the special authorizations, as conditioned, is in the public interest.

IV. Tentative Findings and Conclusions—Reissuance of Foreign Air Carrier Permits

Consistent with our streamlined licensing approach specified above, in addition to granting the UK carriers specified in Appendix A exemption authority in this action, and based on the application of the U.S.-UK ATA on the principles of comity and reciprocity as of January 1, 2021, we have also tentatively decided to modify and reissue foreign air carrier permits to those

²¹ We note that ExecuJet (UK) Limited d/b/a ExecuJet Europe has been awarded exemption authority by the Department but has not yet obtained Federal Aviation Administration (FAA) Part 129 Op Specs. Once the operator's Op Specs are issued, its Part 375 special authorization will be subsumed by its exemption.

²² It is not our intention to authorize any increase in number of single-entity charter flights authorized or the duration of effectiveness of the special authorizations. Except to the extent amended here, the special authorizations remain subject to the terms under which they were most recently issued.

²³ This does not relieve the operator from the TSA advance flight notification requirement imposed on it as specified in paragraph (5) of its original special authorization.

that held permit authority under the U.S.-EU ATA, to now authorize services under the terms of the U.S.-UK ATA, consistent with their homeland licenses. Those specimen permits are attached as Appendix C.

The permit authority will tentatively be modified and reissued subject to show-cause procedures and standard conditions. In addition, we note that Annex 1 of the U.S.-UK ATA (Concerning Additional Matters Related to Ownership and Control of UK Airlines) contains a provision stating that an airline of the United Kingdom that was authorized by the Department of Transportation as of November 28, 2018, shall be deemed to satisfy the ownership and control standards of Articles 3(a) and 4(1)(b) of the U.S.-UK ATA,²⁴ provided that:

- a. substantial ownership of the airline remains vested in the United Kingdom, one or more States that were party to the European Economic Area Agreement as of November 28, 2018, and continue to be such a party, nationals of one or more of these States, or a combination thereof, provided that any such State is party to a modern liberal air transport agreement with the United States that is being applied;
- b. changes in the degree of ownership of the airline by third countries or their nationals do not result in significant third country ownership; and
- c. the degree of control of the airline exerted by third countries or their nationals does not increase substantially.

Whether a given UK carrier meets the terms of these ownership and control provisions is relevant to the reissuance of the foreign air carrier permits tentatively proposed in Appendix C. In light of the time that has passed since the November 28, 2018, date on which the U.S.-UK ATA was initialed, we are also making our tentative grant of the permits in Appendix C subject to affirmation by the UK carriers tentatively being granted permits that their ownership and control structure remains in compliance with paragraphs (a) through (c) above, by responding to the three interrogatories below:

1. Does substantial ownership of the airline remain vested in the United Kingdom; one or more States that were party to the European Economic Area Agreement as of November 28, 2018, and continue to be such a party; nationals of one or more of these States; or a combination thereof, provided that any such State is party to a modern liberal air transport agreement with the United States that is being applied? If not, please provide clarifying information.
2. Have changes in the degree of ownership of the airline by third countries or their nationals resulted in significant third country ownership? If yes, please provide clarifying information.
3. Has the degree of control of the airline exerted by third countries or their nationals increased substantially? If yes, please provide clarifying information.

²⁴ Articles 3 and 4 cover Authorization, and Revocation of Authorization, respectively. Articles 3(a) and 4(1)(b) articulate that, except as provided in Annex 1, substantial ownership and effective control of that airline are to be vested in the other Party, nationals of that Party, or both.

We expect the UK carriers to which we are proposing to issue foreign air carrier permits in Appendix C to file responses to these interrogatories in Docket DOT-OST-2020-0259 within 10 days of the service date of this Order.

Subject to the above, we tentatively find and conclude that the public interest warrants granting these carriers foreign air carrier permits, in the form attached as Appendix C and subject to the conditions attached. In particular, we tentatively find and conclude that the factors which support our grant of exemption authority to these carriers also warrant modification and reissuance of the foreign air carrier permits attached in Appendix C.²⁵

In view of the foregoing and all facts of record, we tentatively find and conclude that:

1. The carriers are fit, willing and able to provide the foreign air transportation described in the attached permits and to conform to the provisions of Title 49 of the U.S. Code, and to our rules, regulations, and requirements;
2. The carriers are substantially owned and effectively controlled in a manner consistent with Annex I of the U.S.-UK ATA, or otherwise meet the criteria required to obtain a waiver from the Department's ownership and control policy;
3. The public interest requires that the exercise of the privileges granted by the permits should be subject to the terms, conditions, and limitations contained in the attached permits, and to such other reasonable terms, conditions, and limitations required by the public interest as we may prescribe;
4. The issuance of these foreign air carrier permits will not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975, as defined in 14 CFR §313.4(a)(1) of our regulations;²⁶
5. The public interest does not require an oral evidentiary hearing on the reissuance of these permits; and
6. Our action with respect to these foreign air carrier permits should, unless disapproved by the President of the United States under §41307 of Title 49 of the U.S. Code, become effective on the 61st day after its submission for §41307 review, or upon the date of receipt of advice from the President or his designee under Executive Order 12597 and implementing regulations that he or she does not intend to disapprove this portion of the Department's decision under that section, whichever occurs earlier.

In view of the above, and acting under authority assigned by the Department in its regulations, 14 CFR Part 385, we find that (1) our actions are consistent with Department policy; and (2) with respect to the exemption authority we are conferring on the UK carriers specified in Appendix A,

²⁵ We note that the FAA advised us that it knew of no reason why we should not reissue these permits.

²⁶ This finding is based on the fact that the grant of this permit will not result in a near-term net annual change in aircraft fuel consumption of 10 million gallons or more.

the carriers are qualified to perform those operations; and (3) that grant of the exemption authority is consistent with the public interest and would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975.

ACCORDINGLY,

1. We grant exemptions under 49 U.S.C. § 40109 to the foreign air carriers of the United Kingdom identified in Appendix A to authorize them to conduct the services specified in the body of this Order;
2. The exercise of the privileges granted above is subject to compliance by the foreign air carriers of the United Kingdom identified in Appendix A with the standard exemption conditions specified in Appendix B;
3. Our action granting the exemption authority described herein is effective January 1, 2021, for a period of two years, or until the attached permits become effective, whichever is earlier;²⁷
4. We grant amended statements of authorization under 14 CFR Part 212 to the applicable foreign air carriers of the United Kingdom identified in Appendix A and their foreign and U.S. partner carriers, as applicable, to authorize them to conduct the cooperative marketing arrangements as specified in the body of this Order;
5. Our action granting the amended statements of authorization as described herein is effective January 1, 2021, for a term coextensive with the previously approved duration of authority, subject to the conditions imposed on the previously issued statements of authorization and the condition that such services must be conducted under the terms of the United States-United Kingdom Air Transport Agreement;
6. We grant, effective January 1, 2021, amended special authorizations under 14 CFR Part 375.70 to the foreign civil aircraft operators of the United Kingdom as specified in the body of this Order;
7. We may amend, modify, or revoke the authority set forth above at our discretion at any time and without hearing;
8. With respect to our tentative decision to modify and reissue foreign air carrier permits to the foreign air carriers of the United Kingdom as specified in the body of this Order, we direct all such carriers to respond to the interrogatories on ownership and control as set forth in the body of the Order and to do so within 10 days of the service date of this Order;

²⁷ Should there be a delay in issuance of their foreign air carrier permits, we remind the UK carriers that they must individually timely file to renew the exemption authority granted here. In addition, the five UK carriers holding only exemption authority as identified on page 6 of this Order may separately file applications for foreign air carrier permits. However, if they do not obtain permit authority prior to expiration of their exemptions, they too must ensure that they timely file an exemption renewal application.

9. With respect to our tentative decision to modify and reissue foreign air carrier permits to the foreign air carriers of the United Kingdom as specified in the body of this Order, we direct all interested persons to show cause why our tentative decision, as set forth above, should not be made final;

10. Any interested person objecting to the issuance of an order making final our tentative findings and conclusions with respect to the reissuance of foreign air carrier permits as specified in the body of this Order shall, no later than twenty-one (21) calendar days after the date of service of this Order, file with the Department and serve on the parties to this proceeding, a statement of objections specifying the part or parts of the tentative findings and conclusions objected to, together with a summary of testimony, statistical data, and concrete evidence to be relied upon in support of the objections; if objections are filed, answers to objections are due no later than seven (7) calendar days thereafter;

11. If timely and properly supported objections are filed, we will give further consideration to the matters and issues raised by the objections before we take further action;

12. In the event no objections are filed, all further procedural steps shall be deemed waived, and the Department will enter an order which will (subject to Presidential review under §41307 of Title 49 of the U.S. Code) make final our tentative findings and conclusions set forth in this order;

13. We dismiss as moot the applications of CargoLogicAir Limited in Docket DOT-OST-2016-0063 and ExecuJet (UK) Limited d/b/a ExecuJet Europe in Docket DOT-OST-2018-0052; and

14. We will serve a copy of this Order on the foreign air carriers of the United Kingdom specified in Appendix A, the foreign civil aircraft operators of the United Kingdom specified in the body of this Order, all certificated U.S. carriers, all foreign air carriers, the Embassy of the United Kingdom in Washington, D.C., the Department of State, and the Federal Aviation Administration.

Persons entitled to petition the Department for review of this Order under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Order. Our action with respect to the authorities discussed in sections I – III above are effective immediately, and the filing of a petition for review will not alter such effectiveness.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Appendices

*An electronic version of this document is available on the World Wide Web at:
<http://www.regulations.gov>*

Appendix A

Existing Authorities Held by UK Carriers

DOCKET	CARRIER	AUTHORITY	ORDER #
DOT-OST-2016-0063	CargoLogicAir Limited	Exemption	Notice
DOT-OST-2018-0188	Voluxis Limited	Exemption	Notice
DOT-OST-2018-0052	ExecuJet (UK) Limited d/b/a ExecuJet Europe	Exemption	Notice
DOT-OST-2019-0177	Catreus AOC Limited	Exemption	Notice
DOT-OST-2019-0075	Concierge U Ltd. d/b/a Jet Concierge Club	Exemption	Notice
DOT-OST-2010-0150	Acropolis Aviation Limited	Permit	2010-12-34
DOT-OST-2013-0109	AirTanker Services Limited	Permit	2013-9-9
DOT-OST-2007-28149	British Airways Plc	Permit	2007-10-1
DOT-OST-2009-0076	DHL Air Limited	Permit	2009-7-13
DOT-OST-2010-0202	Gama Aviation Limited	Permit	2010-12-13
DOT-OST-2008-0213	Jet2.com Limited	Permit	2008-12-23
DOT-OST-2014-0139	London Executive Aviation Limited	Permit	2015-1-18
DOT-OST-2015-0261	Norwegian Air UK Limited	Permit	2017-9-16
DOT-OST-2015-0202	SaxonAir Charter Limited	Permit	2016-5-6
DOT-OST-2008-0008	TAG Aviation (UK) Ltd.	Permit	2008-7-12
DOT-OST-2008-0074	Titan Airways Limited	Permit	2008-6-30
DOT-OST-2008-0373	TUI Airways Limited d/b/a TUI	Permit	2009-6-7 ²⁸
DOT-OST-2007-28594	Virgin Atlantic Airways Ltd.	Permit	2007-10-16

²⁸ See n. 7.

Foreign Air Carrier Exemption Conditions

Appendix B

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380);
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States; and
- (12) Be subject to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this exemption remains in effect, to which the United States and the holder's homeland are or shall become parties.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.

Issued by
Order 2020-



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

PERMIT TO FOREIGN AIR CARRIER

ACROPOLIS AVIATION LIMITED

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign charter cargo air transportation between any point or points in the United States and any point or points.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

PERMIT TO FOREIGN AIR CARRIER

AIRTANKER SERVICES LIMITED

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign charter air transportation of persons and property from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign charter cargo air transportation between any point or points in the United States and any point or points.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

PERMIT TO FOREIGN AIR CARRIER

BRITISH AIRWAYS PLC

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.

Issued by
Order 2020-



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

PERMIT TO FOREIGN AIR CARRIER

DHL AIR LIMITED

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.

Issued by
Order 2020-



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

PERMIT TO FOREIGN AIR CARRIER

GAMA AVIATION LIMITED

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond.

In the conduct of these operations, the holder may only use aircraft capable of carrying no more than 60 passengers and having a maximum payload capacity of no more than 18,000 pounds.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

PERMIT TO FOREIGN AIR CARRIER

JET2.COM

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

PERMIT TO FOREIGN AIR CARRIER

LONDON EXECUTIVE AVIATION LIMITED

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign charter cargo air transportation between any point or points in the United States and any point or points.

In the conduct of these operations, the holder may only use aircraft capable of carrying no more than 60 passengers and having a maximum payload capacity of no more than 18,000 pounds.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United

Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties. The Department of Transportation has executed this permit and affixed its seal on _____, 2020.

By:

BENJAMIN J. TAYLOR

Director

Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

PERMIT TO FOREIGN AIR CARRIER

NORWEGIAN AIR UK LIMITED

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

PERMIT TO FOREIGN AIR CARRIER

SAXONAIR CHARTER LIMITED

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign charter cargo air transportation between any point or points in the United States and any point or points.

In the conduct of these operations, the holder may only use aircraft capable of carrying no more than 60 passengers and having a maximum payload capacity of no more than 18,000 pounds.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United

Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties. The Department of Transportation has executed this permit and affixed its seal on _____, 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

PERMIT TO FOREIGN AIR CARRIER

TAG AVIATION (UK) LTD.

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign charter air transportation of persons and property from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.

Issued by
Order 2020-



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

PERMIT TO FOREIGN AIR CARRIER

TITAN AIRWAYS LIMITED

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign charter cargo air transportation between any point or points in the United States and any point or points.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

PERMIT TO FOREIGN AIR CARRIER

TUI AIRWAYS LIMITED D/B/A TUI

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

PERMIT TO FOREIGN AIR CARRIER

VIRGIN ATLANTIC AIRWAYS LTD.

A Foreign Air Carrier of the United Kingdom

is authorized, subject to the following provisions, the provisions of Title 49 of the U.S. Code, and the orders, rules, and regulations of the Department of Transportation, to engage in:

Foreign scheduled and charter air transportation of persons, property, and mail from points behind the United Kingdom via the United Kingdom and intermediate points to a point or points in the United States and beyond; and

Foreign scheduled and charter cargo air transportation between any point or points in the United States and any point or points.

The holder shall also be authorized to engage in other charter trips in foreign air transportation, subject to the terms, conditions, and limitations of the Department's regulations governing charters.

This permit and the exercise of the privileges granted in it shall be subject to the terms, conditions and limitations in both the order issuing this permit and the attachment to this order, and to all applicable provisions of any treaty, convention or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the holder's homeland are or shall become parties.

This permit shall be effective on . Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the dissolution or liquidation of the holder to whom it was issued; (2) upon the effective date of any treaty, convention, or agreement or amendment, which shall have the effect of eliminating the bilateral right for the service authorized by this permit from the service which may be operated by airlines designated by the Government of The United Kingdom (or, if the right is partially eliminated, then the authority of this permit shall terminate in like part); (3) upon the effective date of any permit granted by the Department to any other carrier designated by the Government of The United Kingdom in lieu of the holder; or (4) upon the termination or expiration of the applicable air services agreement between the United States and The United Kingdom. However, clause (4) of this paragraph shall not apply if prior to such termination or expiration, the foreign air transportation authorized herein becomes the subject of another treaty, convention or agreement to which the United States and The United Kingdom become parties.

The Department of Transportation has executed this permit and affixed its seal on , 2020.

By:

BENJAMIN J. TAYLOR
Director
Office of International Aviation

(SEAL)

Foreign Air Carrier Permit Conditions

In the conduct of the operations authorized, the foreign carrier applicant shall:

- (1) Not conduct any operations unless it holds a currently effective authorization from its homeland for such operations, and it has filed a copy of such authorization with the Department;
- (2) Comply with all applicable requirements of the Federal Aviation Administration, the Transportation Security Administration, and with all applicable U.S. Government requirements concerning security, including, but not limited to, 14 CFR Parts 129, 91, and 36 and 49 CFR Part 1546 or 1550, as applicable. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) from a foreign airport that would be the holder's last point of departure for the United States, contact its International Industry Representative (IIR) (formerly referred to as International Principal Security Inspector) to advise the IIR of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served;
- (3) Comply with the requirements for minimum insurance coverage contained in 14 CFR Part 205, and, prior to the commencement of any operations under this authority, file evidence of such coverage, in the form of a completed OST Form 6411, with the Federal Aviation Administration's Program Management Branch (AFS-260), Flight Standards Service (any changes to, or termination of, insurance also shall be filed with that office);
- (4) Not operate aircraft under this authority unless it complies with operational safety requirements at least equivalent to Annex 6 of the Chicago Convention;
- (5) Conform to the airworthiness and airman competency requirements of its Government for international air services;
- (6) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR Part 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (7) Agree that operations under this authority constitute a waiver of sovereign immunity, for the purposes of 28 U.S.C. 1605(a), but only with respect to those actions or proceedings instituted against it in any court or other tribunal in the United States that are: (a) based on its operations in international air transportation that, according to the contract of carriage, include a point in the United States as a point of origin, point of destination, or agreed stopping place, or for which the contract of carriage was purchased in the United States; or (b) based on a claim under any international agreement or treaty cognizable in any court or other tribunal of the United States. In this condition, the term "international air transportation" means "international transportation" as defined by the Warsaw Convention, except that all States shall be considered to be High Contracting Parties for the purpose of this definition;
- (8) Except as specifically authorized by the Department, originate or terminate all flights to/from the United States in its homeland;
- (9) Comply with the requirements of 14 CFR Part 217, concerning the reporting of scheduled, nonscheduled, and charter data;
- (10) If charter operations are authorized, except as otherwise provided in the applicable aviation agreement, comply with the Department's rules governing charters (including 14 CFR Parts 212 and 380); and
- (11) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department, with all applicable orders or regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

This authority shall not be effective during any period when the holder is not in compliance with the conditions imposed above. Moreover, this authority cannot be sold or otherwise transferred without explicit Department approval under Title 49 of the U.S. Code.