

MEMORANDUM OF UNDERSTANDING

Delegations representing the Aeronautical Authorities of the Republic of Poland and the Republic of Costa Rica (hereinafter referred to as "Delegations") met in Riyadh, Kingdom of Saudi Arabia on 5 December 2023 in the margins of the ICAO Air Services Negotiations Event to negotiate and conclude the text of the Air Services Agreement (ASA) between their respective countries.

A list of the Delegations is attached as Appendix I.

The negotiations were held in a friendly and cordial atmosphere, underlying good relations between both countries.

As a result of these negotiations, the Delegations have reached the following understanding:

1. Text of the Air Services Agreement

Acknowledging the importance of the air transport sector and its contribution to the economic and social development of both countries, the Delegations agreed on the text of the ASA which was initialed by both Delegations. The text of the ASA is attached as Appendix II.

Both Delegations will submit the text of the ASA to their competent authorities for scrutiny and approval in order to finalize an early signature and completion of their respective national requirements for the entry into force of the ASA, as soon as possible.

2. Passenger Capacity and Frequencies

Both Delegations agreed that the designated airline(s) of each Contracting Party shall be permitted to operate up to unlimited number of weekly passenger services in each direction on their respective routes with any type of aircraft with third and fourth freedom traffic rights.

3. All Cargo Services

Both Delegations agreed that the designated airline(s) of each Contracting Party shall be permitted to operate up to unlimited number of weekly all cargo services in each direction on their respective routes with any type of aircraft with third and fourth freedom traffic rights.

4. Fifth Freedom Traffic Rights

Both Delegations confirmed that exercising of fifth freedom traffic rights on the intermediate and/or beyond points by the designated airlines of each Contracting Party shall be agreed upon by the Aeronautical Authorities of both Contracting Parties.

5. Non-scheduled Air Services

Both Delegations agreed that the airlines of both Contracting Parties may operate non-scheduled air services between their respective territories, provided that such services fully comply with the laws and regulations in force in each Contracting Party.

6. Cooperative Marketing Arrangements

In operating or holding out air services on the specified routes, any designated airline of one Contracting Party may enter into cooperative marketing arrangements, such as blocked-space, code-sharing or leasing arrangements (including leasing of aircraft and crew), with:

- a) an airline or airlines of the same Contracting Party;
- b) an airline or airlines of the other Contracting Party; and
- c) an airline or airlines of a third state,

provided that all airlines in such arrangements:

- i. hold the appropriate authority;
- ii. meet the requirements normally applied to such arrangements; and
- iii. in respect of tickets sold, the airline makes it clear to the purchaser at the point of sale which airline will actually operate each sector of the service and with which airline or airlines the purchaser is entering into a contractual relationship.

The designated airlines of the Contracting Parties, when code-sharing in the above arrangements, shall be allowed to hold out as marketing carrier any number of services.

7. Final Provision

This Memorandum of Understanding shall enter into effect on the date of its signature.

Done at Riyadh, on 5 December 2023 in duplicate in English language.

For the Aeronautical Authority of
the Republic of Poland



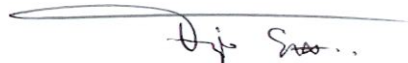
Mr. Kamil ROSIŃSKI

Director of Air Transport
Department

Civil Aviation Authority

Head of Delegation

For the Aeronautical Authority of the
Republic of Costa Rica



Mr. Fernando NARANJO Elizondo

Director General

General Directorate of Civil Aviation

Head of Delegation



APPENDIX I

List of Delegations

The Delegation of the Aeronautical Authority of the Republic of Poland:

Mr. Kamil ROSIŃSKI	Director of the Air Transport Department Civil Aviation Authority (Head of Delegation)
Mrs. Renata MALESZYK	Head of International Agreements Division Air Transport Department Civil Aviation Authority
Mr. Paweł DUDZIC	Head of Traffic Rights Division Air Transport Department Civil Aviation Authority

The Delegation of the Aeronautical Authority of the Republic of Costa Rica

Mr. Fernando NARANJO Elizondo Director General
General Directorate of Civil Aviation
(Head of Delegation)

Mrs. Ana Patricia GAMBOA Venegas Air Transport Unit
General Directorate of Civil Aviation



ANNEX

Section I

ROUTE SCHEDULE

Routes to be operated by the airline or airlines designated by the Republic of Costa Rica:

Points in the territory of the Republic of Costa Rica	Intermediate points	Points in the territory of the Republic of Poland	Points Beyond
Any points	Any points	Any points	Any points

Routes to be operated by the airline or airlines designated by the Republic of Poland:

Points in the territory of the Republic of Poland	Intermediate points	Points in the territory of the Republic of Costa Rica	Points Beyond
Any points	Any points	Any points	Any points

Notes

1. Intermediate points and points beyond on any of the specified routes may, at the option of the designated airline or airlines, be omitted on any or all flights, provided that any air service either begins or terminates in the territory of the Contracting Party designating the airline or airlines.
2. The intermediate and beyond points on the above routes to be operated with fifth freedom traffic rights by the designated airlines, shall be agreed upon between the aeronautical authorities of the Contracting Parties.

Section II

Cooperative marketing arrangements

1. In operating or holding out air services on the specified routes, any designated airline of one Contracting Party may enter into cooperative marketing arrangements, such as blocked-space, code-sharing or leasing arrangements (including leasing of aircraft and crew), with:
 - a) an airline or airlines of the same Contracting Party;
 - b) an airline or airlines of the other Contracting Party; and
 - c) an airline or airlines of a third state,



provided that all airlines in such arrangements:

- i. hold the appropriate authority;
- ii. meet the requirements normally applied to such arrangements; and
- iii. in respect of tickets sold, the airline makes it clear to the purchaser at the point of sale which airline will actually operate each sector of the service and with which airline or airlines the purchaser is entering into a contractual relationship.

2. The designated airlines of the Contracting Parties, when code-sharing in the above arrangements, shall be allowed to hold out as marketing carrier any number of services.

Section III

Change of gauge

On any sector or sectors of the routes of this Annex, an airline or airlines designated by either Contracting Party shall be entitled to perform international air transportation, including under code sharing arrangements permitted under Section II of this Annex without any limitation as to change at any point or points on the route, in the type or number of aircraft operated, provided that the service is scheduled as a direct connection flight.

Section IV

Intermodal Transportation

The designated airlines and indirect providers of cargo transportation of the Contracting Parties shall be permitted, without restrictions, to employ in connection with international air transportation any surface transportation for cargo to or any points within or outside the territories of the Contracting Parties, including transport to and from all airports with customs facilities, and including, where applicable the right to transport cargo in bond under applicable laws and regulations. Such cargo, whether moving by surface or by air, shall have access to airport customs processing and facilities. The designated airlines may elect to perform their own surface transportation or to provide it through arrangements with other surface carriers, including surface transportation operated by other airlines and indirect providers of cargo transportation. Such intermodal cargo services may be offered at a single, through price for the air and surface transportation combined, provided that shippers are informed as to the facts concerning such transportation.