



*United States–Spain Treaties in Force,
January 1, 2009*

**Agreement modifying the agreement of February 20, 1973,
as modified.**

**Dated at Madrid November 2 and 3, 1977
Entered into force November 3, 1977**

TIAS 8933



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AIR TRANSPORT SERVICES: LOW-COST FARES

STATUS:

Agreement modifying the agreement of February 20, 1973, as modified.
Effectuated by exchange of notes
Dated at Madrid November 2 and 3, 1977;
Entered into force November 3, 1977.

TEXT:

The American Embassy to the Spanish Ministry of Foreign Affairs

No.915

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to refer to tariff filings recently made by Iberia for non-affinity/incentive group fares between the United States and Spain for the 1977-1978 winter, and 1978 summer traffic seasons.

The United States is committed to an international aviation policy which features low fares, competitive international air services. At the same time, the United States believes that the new non-affinity/incentive group fares must be regarded as experimental in nature because their effect on the competitive structure on North Atlantic passenger rates is as yet unclear. However the possibility exists that these experimental fares, once introduced, could become permanent even though they might later prove to have a disruptive effect on the market. This is due to the fact that the provisions of Article 10 of the United States-Spain Air Services Agreement of 1973 (1) do not easily permit the suspension of existing fares.

NOTES

(1) TIAS 7725, 8919; 24 UST 2109; ante, p. 2010.

In view of this possibility, the United States proposes that neither government will, with regard to these non-affinity/incentive group fares for effectiveness after the summer 1978 traffic season, apply the provisions of the U.S.-Spain Air Services Agreement of 1973 to maintain in existence any new non-affinity/incentive group fares which may have been approved for the 1978 summer season, if the other government has disapproved a similar filing for effectiveness after the 1978 summer traffic season. Moreover, during the 1977-1978 winter, and 1978 summer traffic seasons, either government may take action to prevent the continuation of such fares on or before their respective dates of expiration, provided that it notifies the other government six weeks in advance of its intent to take such action and agrees to consult with the other government if consultations are requested.



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The Embassy would appreciate a reply from you confirming that the foregoing is acceptable to your government.

The Embassy of the United States of America avails itself of this occasion to renew to the Ministry of Foreign Affairs the assurances of its highest consideration.

The Spanish Ministry of Foreign Affairs to the American Embassy

MINISTERIO DE ASUNTOS EXTERIORES

Núm. 377

Nota Verbal.

El Ministerio de Asuntos Exteriores saluda atentamente a la Embajada de los Estados Unidos en Madrid, y en relación con el contenido de su Nota Verbal no 915, de 2 de los corrientes, tiene el honor de informarle que transmitido a las autoridades competentes del Ministerio de Transportes, la Dirección General de Transporte Aéreo se muestra conforme en considerar las nuevas tarifas de grupos de no afinidad e incentivos, presentadas por Iberia ante las autoridades norteamericanas competentes para la temporada de invierno y verano 1977-78, como experimentales y sujetas a las condiciones expuestas en la Nota Verbal mencionada, siempre que la entrada en vigor de dichas tarifas en todas las rutas entre Europa y Estados Unidos este sujeta a tales requisitos.

El Ministerio de Asuntos Exteriores aprovecha la ocasión para reiterar a la Embajada de los Estados Unidos en Madrid el testimonio de su más alta consideración.

Translation

MINISTRY OF FOREIGN AFFAIRS

No. 377

Note Verbale

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States at Madrid and, in relation to its note verbale No. 915 of November 2, 1977, has the honor to inform it that following transmittal to the competent authorities of the Ministry of Transportation, the Air Transport Bureau agrees to consider new non-affinity/incentive group fares filed by Iberia with the competent United States authorities for the 1977-1978



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winter and summer seasons as experimental and subject to the conditions put forth in the aforementioned note verbale, provided that the entry into force of said fares on all the routes between Europe and the United States be subject to those requirements.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States at Madrid the assurances of its highest consideration.

SIGNATORIES:

EMBASSY OF THE UNITED STATES OF AMERICA
MADRID, November 2, 1977

MADRID, 3 de Noviembre de 1977.

A LA EMBAJADA DE LOS ESTADOS UNIDOS EN MADRID.

MADRID, November 3, 1977.

TO THE EMBASSY OF THE UNITED STATES AT MADRID.