



Cabinet Economic Development Committee

Minute of Decision

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Air Services Agreements: Ecuador, Rwanda and Sweden

Portfolio Transport

On 9 June 2021, the Cabinet Economic Development Committee:

Ecuador

- 1 **noted** that pursuant to a mandate from the Minister of Transport and the Minister of Foreign Affairs, officials have negotiated by correspondence the text of the *Air Services Agreement between the Government of New Zealand and the Government of the Republic of Ecuador* (the Ecuador Agreement);
- 2 **noted** that the Ecuador Agreement includes:
 - 2.1 no restrictions on capacity;
 - 2.2 route and traffic rights that permit the airlines of both sides a high degree of flexibility and opportunity;
 - 2.3 flexible airline ownership provisions;
 - 2.4 flexible tariff filing provisions;
 - 2.5 code-sharing provisions, including with third-country carriers, with unrestricted capacity and route rights;
 - 2.6 standard aviation safety and aviation security provisions;
- 3 **noted** that on 5 February 2020, the Minister of Foreign Affairs decided that the Ecuador Agreement is not a major bilateral treaty of particular significance and, therefore, need not be subject to the Parliamentary treaty examination process;
- 4 **noted** that the Ecuador Agreement will enter into force on the date of the last notification by which the Parties communicate to each other their compliance with the internal procedures required by their legislation;
- 5 **approved** the text of the Ecuador Agreement, attached as Attachment 1 to the paper under DEV-21-SUB-0126;
- 6 **noted** that the Ecuador Agreement will be prepared for signature in both English and Spanish;

- 7 **agreed** that New Zealand sign the Ecuador Agreement, subject to any minor and/or technical changes arising from the process of legal verification and/or translation;
- 8 **authorised** officials to conclude an exchange of diplomatic notes with Ecuador to provide for the entry into force of the Ecuador Agreement;

Rwanda

- 9 **noted** that pursuant to a mandate from the Minister of Transport and the Minister of Foreign Affairs, officials have negotiated by correspondence the text of the *Air Services Agreement between the Government of New Zealand and the Government of the Republic of Rwanda* (the Rwanda Agreement);
- 10 **noted** that the Rwanda Agreement includes:
- 10.1 no restrictions on capacity;
 - 10.2 route and traffic rights that permit the airlines of both sides a high degree of flexibility and opportunity;
 - 10.3 flexible airline ownership provisions;
 - 10.4 flexible tariff filing provisions;
 - 10.5 code-sharing provisions, including with third-country carriers, with unrestricted capacity and route rights;
 - 10.6 standard aviation safety and aviation security provisions;
- 11 **noted** that on 2 March 2020, the Minister of Foreign Affairs decided that the Rwanda Agreement is not a major bilateral treaty of particular significance and, therefore, need not be subject to the Parliamentary treaty examination process;
- 12 **noted** that the Rwanda Agreement will enter into force on signature;
- 13 **approved** the text of the Rwanda Agreement, attached as Attachment 2 to the paper under DEV-21-SUB-0126;
- 14 **agreed** that New Zealand sign the Rwanda Agreement, subject to any minor and/or technical changes arising from the process of legal verification;

Sweden

- 15 **noted** that pursuant to a Cabinet mandate of 2013, officials have negotiated a number of changes to New Zealand's Air Services Agreement with Sweden, most significantly, enabling Sweden to comply with European Union requirements on member countries, including provision for airlines owned by any European Union or European Free Trade Association country;
- 16 **noted** that the amendments are incorporated in the *Protocol to Amend the Air Services Agreement between New Zealand and the Kingdom of Sweden signed at Wellington on 7 February 2001* (the Protocol);
- 17 **noted** that on 2 March 2020, the previous Minister of Foreign Affairs decided that the Protocol is not a major bilateral treaty of particular significance and, therefore, need not be subject to the Parliamentary treaty examination process;

- 18 **noted** that the Protocol will enter into force at a later date with an exchange of diplomatic notes between New Zealand and Sweden notifying each other of the completion of internal procedures for entry into force;
- 19 **approved** the text of the Protocol, attached as Attachment 3 to the paper under DEV-21-SUB-0126;
- 20 **agreed** that New Zealand sign the Protocol, subject to any minor and/or technical changes arising from the process of legal verification;
- 21 **authorised** officials to conclude an exchange of diplomatic notes with Sweden to provide for the entry into force of the Protocol.

Janine Harvey
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Carmel Sepuloni
Hon Andrew Little
Hon David Parker
Hon Nanaia Mahuta
Hon Stuart Nash
Hon Dr David Clark
Hon Dr Ayesha Verrall
Hon Meka Whaitiri
Hon Phil Twyford
Rino Tirikatene, MP
Dr Deborah Russell, MP

Officials present from:

Office of the Prime Minister
Officials Committee for DEV