

关于空运服务的附件

1. 本附件适用于影响定期或不定期空运服务贸易及附属服务的措施。各方确认在本协定项下承担的任何具体承诺或义务不得减少或影响一成员在《WTO 协定》生效之日已生效的双边或多边协定项下的义务。

2. 本协定，包括其争端解决程序，不得适用于影响下列内容的措施：

(a) 业务权，无论以何种形式给予；或

(b) 与业务权的行使直接有关的服务，

但本附件第 3 款中的规定除外。

3. 本协定适用于影响下列内容的措施：

(a) 航空器的修理和保养服务；

(b) 空运服务的销售和营销；

(c) 计算机预订系统 (CRS) 服务。

4. 本协定的争端解决程序只有在有关成员已承担义务或具体承诺、且双边和其他多边协定或安排中的争端解决程序已用尽的情况下方可援引。

5. 服务贸易理事会应定期且至少每 5 年一次审议空运部门的发展情况和本附件的运用情况，以期考虑将本协定进一步适用于本部门的可能性。

6. 定义：

(a) “航空器的修理和保养服务”指在航空器退出服务的情况

下对航空器或其一部分进行的此类活动，不包括所谓的日常维修。

(b) “空运服务的销售和营销”指有关航空承运人自由销售和推销其空运服务的机会，包括营销的所有方面，如市场调查、广告和分销。这些活动不包括空运服务的定价，也不包括适用的条件。

(c) “计算机预订系统 (CRS) 服务”指由包含航空承运人的时刻表、可获性、票价和定价规则等信息的计算机系统所提供的服务，可通过该系统进行预订或出票。

(d) “业务权”指以有偿或租用方式，往返于一成员领土或在该领土之内或之上经营和/或运载乘客、货物和邮件的定期或不定期服务的权利，包括服务的地点、经营的航线、运载的运输类型、提供的能力、收取的运费及其条件以及指定航空公司的标准，如数量、所有权和控制权等标准。

Annex on Air Transport Services [back to top](#)

1. This Annex applies to measures affecting trade in air transport services, whether scheduled or non-scheduled, and ancillary services. It is confirmed that any specific commitment or obligation assumed under this Agreement shall not reduce or affect a Member's obligations under bilateral or multilateral agreements that are in effect on the date of entry into force of the WTO Agreement.
2. The Agreement, including its dispute settlement procedures, shall not apply to measures affecting:
 - (a) traffic rights, however granted; or
 - (b) services directly related to the exercise of traffic rights, except as provided in paragraph 3 of this Annex.
3. The Agreement shall apply to measures affecting:
 - (a) aircraft repair and maintenance services;
 - (b) the selling and marketing of air transport services;
 - (c) computer reservation system (CRS) services.
4. The dispute settlement procedures of the Agreement may be invoked only where obligations or specific commitments have been assumed by the concerned Members and where dispute settlement procedures in bilateral and other multilateral agreements or arrangements have been exhausted.
5. The Council for Trade in Services shall review periodically, and at least every five years, developments in the air transport sector and the operation of this Annex with a view to considering the possible further application of the Agreement in this sector.
6. Definitions:
 - (a) "Aircraft repair and maintenance services" mean such activities when undertaken on an aircraft or a part thereof while it is withdrawn from service and do not include so-called line maintenance.
 - (b) "Selling and marketing of air transport services" mean opportunities for the air carrier concerned to sell and market freely its air transport services including all aspects of marketing such as market research, advertising and distribution. These activities do not include the pricing of air transport services nor the applicable

conditions.

(c) "Computer reservation system (CRS) services" mean services provided by computerised systems that contain information about air carriers' schedules, availability, fares and fare rules, through which reservations can be made or tickets may be issued.

(d) "Traffic rights" mean the right for scheduled and non-scheduled services to operate and/or to carry passengers, cargo and mail for remuneration or hire from, to, within, or over the territory of a Member, including points to be served, routes to be operated, types of traffic to be carried, capacity to be provided, tariffs to be charged and their conditions, and criteria for designation of airlines, including such criteria as number, ownership, and control.