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**REPUBLIC OF CYPRUS**

**THE PROTECTION OF COMPETITION LAW  
(LAW 207 OF 1989)**

Order made by virtue of section 5(2)

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Order made by virtue of section 5(2)

The Council of Ministers, in the exercise of its powers conferred upon it by virtue of sub-section (2) of section 5 of the Protection of Competition Law of 1989, makes this Order. 207 of 1989.

1. This Order shall be cited as the Block Exemptions Short title.  
(Technical Co-operation in the Field of Air Transport) Order of 1997.

2. This Order shall apply to air transport between the Application.  
Republic and member-states of the European Union.

3.-(1) According to the provisions of subsection (1) of section Exemptions.  
5 of the Law and without prejudice to the provisions of this Order, subsection (1) of section 4 of the Law shall be declared inapplicable with regard to agreements among undertakings in the field of air transport, decisions of associations of such undertakings and their concerted practices that aim towards the achievement of technical improvements or technical co-operation and especially-

- (a) the introduction or uniform application of mandatory or recommended technical standards for aircraft, aircraft parts, equipment and aircraft supplies, where such standards are set by an organisation normally accorded international recognition, or by an aircraft or equipment manufacturer;

- (b) the introduction or uniform application of technical standards for fixed installations for aircraft, where such standards are set by an organisation normally accorded international recognition;
- (c) the exchange, leasing, pooling or maintenance of aircraft, aircraft parts, equipment or fixed installations for the purpose of operating air services and the joint purchase of aircraft parts, provided that such arrangements are made on a non-discriminatory basis;
- (d) the introduction, operation and maintenance of technical communication networks provided that such arrangements are made on a non-discriminatory basis;
- (e) the exchange, pooling or training of personnel for technical or operational purposes;
- (f) the organization and execution of substitute transport operations for passengers, mail and baggage, in the event of breakdown/delay of aircraft, either under charter or by provision of substitute aircraft according to contractual arrangements;
- (g) the organization and execution of successive or supplementary air transport operations, and the fixing and application of total rates and conditions for such operations;
- (h) the consolidation of individual consignments;
- (i) the establishment or application of uniform rules concerning the structure and the conditions governing

the application of transport tariffs, provided that such rules do not directly or indirectly fix transport fares and conditions;

- (j) the arrangements as to the sale, endorsement and acceptance of tickets between air carriers (interlining) as well as the refund of rates, in accordance with prorating and accounting schemes put into application for serving such arrangements;
- (k) the clearing and settling of accounts between air carriers by means of a clearing house, including such services as may be necessary or incidental thereto; the clearing and settling of accounts between air carriers and their appointed agents by means of a centralised and automated settlement plan or system, including such services as may be necessary or incidental thereto.

(2) The Commission may submit to the Council of Ministers proposals for amending the list of sub-paragraph (1) which is not exhaustive.

4.-(1) The Commission may, voluntarily or after a relevant complaint by any natural or legal person that has sufficient legal interest, lift the benefit of the block exemption if it ascertains that, in a particular case the agreement, decision or concerted practice, which is exempted by virtue of this Order, has, nevertheless, certain effects which are not compatible with the conditions set out in subsection (1) of section 5 of the Law.

Lifting of the benefit of the block exemption.

(2) The Commission may revoke or amend its above mentioned decision for lifting the benefit of the exemption or

prohibit specific acts by the parties where-

- (a) there has been a change of the facts which were basic to the making of the decision; or
  - (b) the parties concerned fail to comply with any obligation or condition the decision imposes; or
  - (c) the decision is a product of misleading the Commission, by the provision of inaccurate information or the hiding of the true ones.
- (3) In cases falling under sub-paragraphs (b) and (c), the decision may be revoked with retroactive effect.