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EXPLANATORY MEMORANDUM ON THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF GEORGIA CONCERNING AIR SERVICES

Title of treaty

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Georgia concerning air services.

Command Paper Number. 8575.....

Subject matter

The existing UK/Georgia Air Services Agreement (ASA) entered into force on 21 September 2004. That Agreement and the associated commercial rights are relatively restrictive. Moreover, the ASA contained no provisions on safety or security and was no longer compliant with EU law, and hence was in need of modernisation.

A draft new ASA and commercial rights were negotiated in June 2009. The new ASA includes essential provisions on safety and security and allows the UK to designate any EU airline and thus is compliant with EU law.

The new arrangements allow for the opening up of services to and from Georgia and, once the ASA enters into force on completion of both sides' constitutional requirements, will remove all remaining restrictions on air services.

This new Agreement will ultimately be replaced by the EU-Georgia Common Aviation Area Agreement, which was signed in 2010 but is not yet in force and was presented to Parliament as Cm 8055 in April 2011. Commercial rights in the bilateral UK-Georgia Agreement will be preserved where they are more generous than those under the EU-Georgia Agreement.

Ministerial responsibility

The Secretary of State for Transport has responsibility for the policy of the Agreement and for implementing its provisions. The Secretary of State for Foreign and Commonwealth Affairs has overall responsibility for policy relating to the UK's relations with Georgia.

Policy considerations

(i) General

The new Agreement updates the previous Agreement signed in 2003. It allows greater freedoms for airlines of both countries to operate air services.

(ii) Financial

There are no significant financial implications

(iii) Reservations and Declarations

None.

Implementation

No new legislation is required. The Agreement shall enter into force on the date of receipt of the later of the two written notifications by which the parties shall notify each other through diplomatic channels of the completion of respective internal and legal procedures required for entry into force of the Agreement.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line that extends to the right and then curves slightly downwards.

Simon Burns
Minister of State for Transport

January 2013