RECORD OF DISCUSSION

Delegations representing the Aeronautical Authorities of the Republic of Iceland and the Republic of Kenya (hereinafter referred to as "Delegations") met in Riyadh Saudi Arabia on 3rd December 2023 to negotiate and conclude the text of new Air Services Agreement (ASA) between their respective countries.

A list of the Delegations is attached as Appendix I.

The negotiations were held in a friendly and cordial atmosphere, underlying good relations between both countries.

As a result of these negotiations, the delegations have reached the following understanding:

1. Text of the Air Services Agreement

Acknowledging the development of the air transport market, delegations agreed on the text of new ASA which was initialed by the Heads of both delegations. The text of the ASA is attached as Appendix II.

Both Delegations will submit the text of the ASA to their competent authorities for approval in order to finalize an early signature and completion of their respective national requirements for the entry into force of the ASA, as soon as possible.

2. Passenger Capacity and Frequencies

Both Delegations confirmed that the designated airline(s) of each Contracting Party shall be permitted to operate up to seven (7) weekly passenger services in each direction on their respective routes with any type of aircraft with third and fourth freedom traffic rights.

3. All Cargo Services

Both Delegations confirmed that the designated airline(s) of each Contracting Party shall be permitted to operate up to fourteen (14) weekly all cargo services in each direction on their respective routes with any type of aircraft with third and fourth freedom traffic rights.

4. Fifth Freedom Traffic Rights

Both Delegations confirmed that exercising of fifth freedom traffic rights on the intermediate and/or beyond points by the designated airlines of each Contracting Party shall be agreed upon by the Aeronautical Authorities of both Contracting Parties.

5. Non-scheduled Air Services

Both Delegations further agreed that the aeronautical authorities of each Contracting Party shall extend favorable consideration to applications by airlines of the other Party, relating to the operation of cargo charter services between any point or points in the territory of the other Party and any point or points in a third country or countries, subject to approval. Such services shall fully comply with the laws and regulations in force in each Contracting Party.

6. Code-Sharing/ Cooperative arrangements

1. In operating or holding out the authorized services on the agreed routes, any designated airline of one Party may enter into cooperative marketing arrangements such as joint venture, blocked space or codeshare arrangements, with:

a) an airline or airlines of either Party; and

b) an airline or airlines of a third country.

provided that all airlines in such arrangements (i) hold the appropriate authority and (ii) meet the requirements normally applied to such arrangements.

2. The Parties agree to take the necessary action to ensure that consumers are fully informed and protected with respect to codeshare flights operating to or from their territory and that, as a minimum, passengers be provided with the necessary information in the following ways:

a) orally and, if possible, in writing at the time of booking;

b) in written form, on the ticket itself and/or (if not possible), on the itinerary document accompanying the ticket or on any other document replacing the ticket, such as a written confirmation, including information on whom to contact in case of a problem and a clear indication of which airline is responsible in case of damage or accident; and

c) orally again, by the airline's ground staff at all stages of the journey.

3. The airlines are required to file for approval any proposed cooperative arrangement with the aeronautical authorities of both Parties at least 30 days before its proposed introduction.

7. **Avoidance of Double Taxation**

   The Delegations agreed to urge their competent authorities to conclude an agreement for avoidance of double taxation on revenues, capital and profits arising from their respective airline's activities and income in the territory of the other Contracting Party.

Final Provision

This Record of discussion shall enter into effect on the date of its signature.

Done at Riyadh, Saudi Arabia, on December 2023.

For the Government of Iceland	For the Government of the Republic of Kenya
Head of Delegation	Head of Delegation

APPENDIX I

THE ICELAND DELEGATION

1. Mr. Pétur Thorsteinsson, Director
   Ministry for Foreign Affairs (Head of Delegation)

2. Ms. Kristín Helga Markúsdóttir, Deputy Director General,
   Icelandic Transport Authority (Delegate)

3. Ms. Valgerður B. Eggertsdóttir, Deputy Director,
   Ministry of Infrastructure (Delegate)

THE DELEGATION OF THE REPUBLIC OF KENYA

1.	Mr. Bodo Nicholas Otieno	Director, Air Transport Ministry of Roads and Transport **Head of Delegation**
2.	Ms. Rugut Angelah Cherotich	Assistant Director, Air Transport Ministry of Roads and Transport
3.	Ms. Mbugua Racheal Nyambura (Virtual)	Principal State Counsel Office of Attorney General and Department of Justice
4.	Ms. Elizabeth Choge (Virtual)	Chief State Counsel Ministry of Foreign & Diaspora Affairs
5.	Ms. Beth Mwakio	Senior Air Transport Officer Kenya Civil Aviation Authority
6.	Ms. Alexandra Muhaya	Legal Counsel Kenya Airports Authority
7.	Mr. Yagomba William	Aviation Expert Safari Express Cargo Ltd.
8.	Mr. Isaac Mwangi	Manager Government and Industry Affairs Kenya Airways PLC

9.	Mr. Mike Mutahi (Virtual)	Chief Operations Officers Astral Aviation Ltd.
10.	Mr. Brian Ouru (Virtual)	Operations Planning Astral Aviation Ltd.

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Both Delegations confirmed that the designated airline(s) of each Contracting Party shall be permitted to operate up to seven (7) weekly passenger services in each direction on their respective routes with any type of aircraft with third and fourth freedom traffic rights.

3. All Cargo Services

Both Delegations confirmed that the designated airline(s) of each Contracting Party shall be permitted to operate up to fourteen (14) weekly all cargo services in each direction on their respective routes with any type of aircraft with third and fourth freedom traffic rights. For further frequencies the aeronautical authorities will consider in a positive manner.

4. Fifth Freedom Traffic Rights

Both Delegations confirmed that exercising of fifth freedom traffic rights on the intermediate and/or beyond points by the designated airlines of each Contracting Party shall be agreed upon by the aeronautical authorities of both Contracting Parties.