

## § 221.3

## 14 CFR Ch. II (1–1–10 Edition)

### § 221.3 Definitions.

As used in this part, terms shall be defined as follows:

*Add-on* means an amount published for use only in combination with other fares for the construction of through fares. It is also referred to as “proportional fare” and “arbitrary fare”.

*Add-on tariff* means a tariff which contains add-on fares.

*Area No. 1* means all of the North and South American Continents and the islands adjacent thereto; Greenland; Bermuda; the West Indies and the islands of the Caribbean Sea; and the Hawaiian Islands (including Midway and Palmyra).

*Area No. 2* means all of Europe (including that part of the former Union of the Soviet Socialist Republics in Europe) and the islands adjacent thereto; Iceland; the Azores; all of Africa and the islands adjacent thereto; Ascension Island; and that part of Asia lying west of and including Iran.

*Area No. 3* means all of Asia and the islands adjacent thereto except that portion included in Area No. 2; all of the East Indies, Australia, New Zealand, and the islands adjacent thereto; and the islands of the Pacific Ocean except those included in Area No. 1.

*Bundled normal economy fare* means the lowest one-way fare available for unrestricted, on-demand service in any city-pair market.

*CRT* means a video display terminal that uses a cathode ray tube as the image medium.

*Capacity controlled fare* means a fare for which a carrier limits the number of seats available for sale.

*Carrier* means an air carrier or foreign air carrier subject to section 41504 of 49 U.S.C. subtitle VII.

*Charge* means the amount charged for baggage, in excess of the free allowance, accompanying or checked by a passenger or for any other service ancillary to the passenger’s carriage.

*Conditions of carriage* means those rules of general applicability that define the rights and obligations of the carrier(s) and any other party to the contract of carriage with respect to the transportation services provided.

*Contract of carriage* means those fares, rules, and other provisions applicable to the foreign air transportation

of passengers or their baggage, as defined in the statute.

*Department* means the Department of Transportation.

*Direct-service market* means an international market where the carrier provides service either on a nonstop or single-flight-number basis, including change-of-gauge.

*Electronic tariff* means an international passenger fares or rules tariff or a special tariff permission application transmitted to the Department by means of an electronic medium, and containing fares for the transportation of persons and their baggage, and including such associated data as arbitraries, footnotes, routings, and fare class explanations.

*Fare* means the amount per passenger or group of persons stated in the applicable tariff for the air transportation thereof and includes baggage unless the context otherwise requires.

*Field* means a specific area of a record used for a particular category of data.

*Filer* means an air carrier, foreign air carrier, or tariff publishing agent of such a carrier filing tariffs on its behalf in conformity with this subpart.

*Item* means a small subdivision of a tariff and identified by a number, a letter, or other definite method for the purpose of facilitating reference and amendment.

*Joint fare* means a fare that applies to transportation over the joint lines or routes of two or more carriers and which is made and published by arrangement or agreement between such carriers evidenced by concurrence or power of attorney.

*Joint tariff* means a tariff that contains joint fares.

*Local fare* means a fare that applies to transportation over the lines or routes of one carrier only.

*Local tariff* means a tariff that contains local fares.

*Machine-readable data* means encoded computer data, normally in a binary format, which can be read electronically by another computer with the requisite software without any human interpretation.

*On-line tariff database* means the remotely accessible, on-line version, maintained by the filer, of:

(1) The electronically filed tariff data submitted to the Department pursuant to this part and Department orders, and

(2) The Departmental approvals, disapprovals, and other actions, as well as any Departmental notation concerning such approvals, disapprovals, or other actions, that subpart R of this part requires the filer to maintain in its database.

*Original tariff* refers to the tariff as it was originally filed exclusive of any supplements, revised records or additional records.

*Passenger* means any person who purchases, or who contacts a ticket office or travel agent for the purpose of purchasing, or considering the purchase of, foreign air transportation.

*Passenger tariff* means a tariff containing fares, charges, or governing provisions applicable to the foreign air transportation of persons and their baggage.

*Publish* means to display tariff material in either electronic or paper media.

*Record* means an electronic tariff data set that contains information describing one (1) tariff price or charge, or information describing one (1) related element associated with that tariff price or charge.

*SFFL* means the Standard Foreign Fare Level as established by the Department of Transportation under 49 U.S.C. 41509.

*Statute* means subtitle VII of Title 49, United States Code.

*Statutory notice* means the number of days required for tariff filings in § 221.160(a).

*Tariff publication* means a tariff, a supplement to a tariff, or an original or revised record of a tariff, including an index of tariffs and an adoption notice (§ 221.161).

*Through fare* means the total fare from point of origin to destination. It may be a local fare, a joint fare, or combination of separately established fares.

*Ticket office* means a station, office or other location where tickets are sold or similar documents are issued, that is under the charge of a person employed exclusively by the carrier, or by it jointly with another person.

*Unbundled normal economy fare* means the lowest one-way fare available for on-demand service in any city-pair market which is restricted in some way, *e.g.*, by limits set and/or charges imposed for enroute stopovers or transfers, exclusive of capacity control.

*United States* means the several States, the District of Columbia, and the several Territories and possessions of the United States, including the Territorial waters and the overlying air space thereof.

*Warsaw Convention* means the Convention for the Unification of Certain Rules Relating to International Transportation by Air, 49 Stat. 3000.

#### § 221.4 English language.

All tariffs and other documents and material filed with the Department pursuant to this part shall be in the English language.

#### § 221.5 Unauthorized air transportation.

Tariff publications shall not contain fares or charges, or their governing provisions, applicable to foreign air transportation which the issuing or participating carriers are not authorized by the Department to perform, except where the Department expressly requests or authorizes tariff publications to be filed prior to the Department's granting authority to perform the foreign air transportation covered by such tariff publications. Any tariff publication filed pursuant to such express request or authorization which is not consistent with chapter 415 and this part may be rejected; any tariff publication so rejected shall be void.

### Subpart B—Who is Authorized To Issue and File Tariffs

#### § 221.10 Carrier.

(a) *Local or joint tariffs.* A carrier may issue and file, in its own name, tariff publications which contain:

(1) Local fares of such carrier only, and provisions governing such local fares, and/or

(2) Joint fares which apply jointly via such issuing carrier in connection with other carriers (participating in the tariff publications under authority of their concurrences given to the issuing