

APPENDIX A TO PART 222—CAB FORM 222

Appendix A

<p>CAB Form 222</p> <p>UNITED STATES OF AMERICA CIVIL AERONAUTICS BOARD</p> <p>FOREIGN AIR CARRIER APPLICATION FOR STATEMENT OF AUTHORIZATION FOR INTERMODAL CARGO SERVICES</p>	<p>DO NOT WRITE - FOR OFFICIAL USE ONLY</p>
<p>TO: CIVIL AERONAUTICS BOARD ATTENTION: Regulatory Affairs Division Bureau of International Aviation Washington, D.C. 20428</p>	
<p>Application is made for a Statement of Authorization to conduct intermodal cargo services under provisions of the applicants' foreign air carrier permit and Economic Regulation Part 222.</p> <p><input type="checkbox"/> Initial Application <input type="checkbox"/> Change of Name/Address/Nationality</p> <p><input type="checkbox"/> Application for Removal of conditions</p>	
<p>1. Name of Applicant:</p> <p>Nationality:</p>	<p>4. Area in the United States to be served by surface transportation</p>
<p>2. Send Authorization to: (Name and Address)</p>	
<p>3. (a) estimated annual tonnage of cargo to be shipped by surface transportation: _____</p> <p>(b) percentage of total air cargo to be shipped by surface transportation beyond 35-mile pick-up and delivery zone.</p>	

CERTIFICATION

I certify that the information contained in this application, and in the attachments hereto, is complete and accurate to the best of my knowledge.

Signature: _____

Date: _____ Name: _____
(please type)

Place: _____ Title: _____
(see note)

NOTE: Application must be signed by a responsible officer, such as the President, Vice President, Secretary, or Treasurer of a corporation, or a partner or owner of other non-corporate applicants.

FOR CAB USE ONLY

Special conditions or limitations/reasons for disapproval/rejection/findings.

PART 223—FREE AND REDUCED-RATE TRANSPORTATION

Subpart A—General Provisions

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AUTHORITY: Secs. 204, 403, 404, 405(j), 407, 416, Pub. L. 85–726, as amended, 72 Stat. 743, 758, 760, 766, 771, 49 U.S.C. 1325, 1373, 1374, 1375, 1377, 1386, sec. 2 of the Postal Reorganization Act, 84 Stat. 767, 39 U.S.C. 5007.

SOURCE: ER–1371, 48 FR 57118, Dec. 28, 1983, unless otherwise noted.

Subpart A—General Provisions

§ 223.1 Definitions.

As used in this part, unless the context otherwise requires:

An *affiliate* of a carrier means a person:

- (a) Who controls that carrier, or is controlled by that carrier or by another person who controls or is controlled by that carrier; and
- (b) Whose principal business in purpose or in fact is:
 - (1) The holding of stock in one or more carriers;
 - (2) Transportation by air or the sale of tickets therefor;
 - (3) The operation of one or more airports, one or more of which are used by that carrier or by another carrier who controls or is controlled by that carrier or that is under common control with that carrier by another person; or
 - (4) Activities related to the transportation by air conducted by that carrier

or by another carrier that controls or is controlled by that carrier or which is under common control with that carrier by another person.

Air carrier means the holder of a certificate of public convenience and necessity issued by the Board under section 401 of the Act authorizing the carriage of persons.

Attendant means any person required by a handicapped person in order to travel, whether or not that person's services are required while the handicapped passenger is in an aircraft.

Carrier means:

- (a) An air carrier;
- (b) An all-cargo air carrier operating under section 401 or section 418 of the Act;
- (c) A foreign air carrier;
- (d) An intrastate carrier;
- (e) An air taxi (including a commuter air carrier) operating under parts 294 or 298 of this chapter; and
- (f) Any person operating as a common carrier by air, or in the carriage of mail by air, or conducting transportation by air, in a foreign country.

Control, as used in this section, means the beneficial ownership of more than 40 percent of outstanding capital stock unless, ownership of more than 40 percent of outstanding capital stock unless, in a specific case, the Board determines under section 408 of the Act that control does not exist. Control may be direct or by or through one or more intermediate subsidiaries likewise controlled or controlling through beneficial ownership of more than 40 percent of outstanding voting capital stock.

Delivery flight means a flight from a point in the United States where a carrier has taken delivery of a newly manufactured aircraft to any point or points on its route system.

Foreign air carrier means the holder of a permit issued by the Board under section 402 of the Act authorizing the carriage of persons.

Free transportation means the carriage by an air carrier or foreign air carrier of any person or property (other than property owned by that carrier) in air transportation without compensation therefor.

Handicapped passenger means any person who has a physical or mental