

纪念《国际民用航空公约》签署七十周年暨
世界商业航空运营一百周年
法治论坛

Celebrating 70 Years of the Chicago Convention
and 100 Years of World Commercial Aviation
Law Forum

Conference Proceedings
会议材料



December 17-19, 2014 2014年12月17-19日

Xi'an, China 中国·西安

主办单位：中国西北政法大学
加拿大麦吉尔大学

Hosted by Northwest University of Political Science & Law, China
McGill University Institute of Air & Space Law, Canada

承办单位：西北政法大学航空法研究中心
西北政法大学国际法学院

Organized by the Institute of Air & Space Law, NWUPL
School of International Law, NWUPL

燕福民: 低空开放与通用航空立法若干问题初探	
YANG Fumin: A Preliminary Study of Several Issues relating to the Opening	
of Low Altitude Airspace and General Aviation Legislation.....	168
于 丹: 通用航空飞机托管之物权法律问题论析	
YU Dan: On the Legal Problems of Real Property Right in General Aviation	
Aircraft Custody.....	169
K 马托诺: 东盟多边航空协定下的印尼航空法	
Amad Sudiro and Dr. K. Martono: Indonesia's Aviation Law in the Framework of	
the ASEAN Multilateral Air Agreements.....	174
金斗焕: 2014年韩国修订商法典中新定航空运输法的主要内容与评论—与中国民用航空	
法的比较	
Doo Hwan Kim: Main Contents and Comments of the Air Transport Law Newly Enacted	
in the 2014 Korean Revised Commercial Code—Comparison with Civil Aviation	
Law of China.....	202

Indonesia's Aviation Law in the Framework of the ASEAN Multilateral Air
Agreements
东盟多边航空协定下的印尼航空法

阿迈德·苏迪若博士、K·马托诺教授

印度尼西亚塔鲁马那加拉大学

Dr. Amad Sudiro and Dr. K. Martono

Dean of the Law Faculty at Tarumanagara University, Jakarta, Indonesia

Professor, Tarumanagara University, Indonesia and Former Chief of the Legal Division of the
Directorate General of Civil Aviation at Indonesia's Ministry of Communications

Email: arahadian@hplaw.co.id; hendra.ong@hplaw.co.id

摘要: 本文主要讨论 2009 年《印度尼西亚民航法案》(CAA)，其中包括空中交通管制法规的历史背景，如旧新制度体制、改革时代、CAA 的主旨、国际间定期和不定期的航线服务、机场和开放领空政策；东盟多边航空服务协定，如飞机搜索和救援合作、关于商用包机服务的协定、关于航空服务的多边协定 (AMAAS) 及其定义、航空协议自由化、开放领空的定义、路线提供、授权、航线的指定和授权、服务起始、航线所有权和有效控制权、通知受托人、识别证书、航空安全、关税条款、商业活动、非歧视待遇、海关关税、法律和条例的应用、协商和修订、争端解决、与其他协定的关系、生效、协议的有效期等内容，并对此进行总结说明。

Abstract: This article deals with Civil Aviation Act of 2009 (CAA) includes historical background of air transport regulations such as the regime of old order, new order, reformation era, substance of CAA, international scheduled and non-scheduled air services, airports and open sky policy; ASEAN Multilateral Air Agreements such as ASEAN Cooperation on Aircraft Search and Rescue, ASEAN Multilateral Agreement on Commercial Non-Scheduled Services, ASEAN Multilateral Agreement on Air Services (AMAAS) such as definition, background of liberalization of air agreement, the notion of open skies, definition and routes provisions, grant of right, designation and authorization of airline, inauguration of services, ownership and effective control of airline, notification to the depositary, recognition of certificate, aviation security, tariff's provisions, commercial activities, non-discrimination treatment, customs duties, application of laws and regulations, consultations and amendment, settlement of disputes, relationship to other agreements, entry into force, duration of agreement, and conclusion as follows.

关键词: 航空法 东盟 多边航空协定

Key Words: Aviation law; ASEAN; Multilateral air agreements