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20 September 2012

Mr Christopher Samuel  
Senior Adviser  
International Air Services Commission  
PO Box 630  
Canberra ACT 2601

Dear Mr Samuel *Chris*

### **Application for Variation to Determination [2009] IASC 113 – Indonesia route**

As part of the strategic alliance between Virgin Australia and Delta Air Lines (Delta), Delta intends to offer code share services on selected flights operated by Virgin Australia on the Indonesia route. This alliance has been authorised by both the Australian Competition and Consumer Commission and the United States Department of Transportation.

#### **Variation sought**

Virgin Australia requests a variation to Determination [2009] IASC 113 (as varied by Decisions [2010] IASC 206, [2011] IASC 214 and [2012] IASC 204) held by Virgin Australia International Airlines Pty Ltd to permit the utilisation of capacity for code share services with Delta on the Indonesia route.

Your office holds a signed copy of Virgin Australia's confidential code share agreement with Delta.

#### **IASC Act and Minister's Policy Statement considerations**

We request that the Commission consider this application against the general criteria for assessing the benefit to the public in Paragraph 4 of the Minister's Policy Statement.

The Paragraph 4 criteria provide that the use of entitlements by an Australian carrier under a bilateral air services agreement is of benefit to the public, provided that the carrier is reasonably capable of obtaining the necessary approvals and implementing the proposal.

Should you require any further information, please do not hesitate to contact Lee-Anne Tomkins on (02) 8093 7114.

Yours sincerely

Lee-Anne Tomkins  
Manager, Government and International Relations