



13 February 2014

Ms Marlene Tucker  
Executive Director  
International Air Services Commission  
GPO Box 630  
Canberra ACT 2601

Dear Ms Tucker *Marlene*

**Application for Capacity – New Zealand**

Qantas is seeking a new allocation of unlimited passenger and freight capacity on the New Zealand route in order to include new conditions and enable the consolidation of multiple Decisions.

Allocation sought

Qantas holds the following Determination under section 8 of the International Air Services Commission Act 1992 (the Act):

- Determination [2006] IASC 109 as varied by Decisions [2008] IASC 211, [2009] IASC 202 and [2013] IASC 223.

Qantas is applying for a new Determination allocating it unlimited passenger and freight capacity per week (as currently held under the above Determination) in each direction between Australia and New Zealand. This new Determination is intended to replace the above Determination.

The following new conditions are requested to be included in the new Determination:

- the capacity may be used by Qantas to provide services jointly with Japan Airlines (as requested in our application dated 3 February 2013);
- the capacity may be used by Qantas to provide services jointly with China Southern Airlines; and
- the capacity may be used by Jetstar to provide services jointly with American Airlines.

A copy of the confidential code share agreements have been provided separately to the Commission.



Qantas Airways Limited ABN 16 009 661 901  
Qantas Centre 10 Bourke Road Mascot NSW 2020 Australia  
Telephone 61 (2) 9691 3636

**qantas.com**

In addition to the above, the Determination is sought on the following basis:

- the allocation is requested for a period of ten years from the date of the determination;
- the capacity may be utilised by Qantas or another Australian carrier which is a wholly-owned subsidiary of Qantas;
- the capacity may be used by Qantas to provide joint services with any wholly-owned subsidiary and by any wholly owned subsidiary of the Qantas Group to provide joint services with Qantas;
- the capacity may be used by Qantas to provide services jointly with Emirates;
- the capacity may be used by Qantas to provide services jointly with China Eastern;
- the capacity may be used by Qantas to provide services jointly with British Airways;
- the capacity may be used by Qantas to provide services jointly with LAN Chile;
- the capacity may be used by Qantas to provide services jointly with American Airlines; and
- the capacity may be used by Qantas to provide services jointly with Air Tahiti Nui.

Within 10 working days of the Determination being issued for the requested capacity, Qantas will seek revocation of Determination 109/2006.

#### IASC Act and Policy Statement Considerations

This application should be considered against the general criteria for assessing the benefit to the public in paragraph 4 of the Minister's Policy Statement.

These state that the use of entitlements by an Australian carrier under a bilateral arrangement is of benefit to the public, provided that it is reasonably capable of obtaining the necessary approvals and implementing the proposal.

We would be pleased to provide any further information the Commission may require.

Yours sincerely



**Tony Wheelens**  
Executive Manager  
Government and International Relations