



Australian Government

International Air Services Commission

DECISION

Decision: [2017] IASC 205
Variation of: [2015] IASC 110
The Route: Indonesia
The Applicant: Virgin Australia International Airlines Pty Ltd
(Virgin Australia)
ABN 63 125 580 823
Public Register: IASC/APP/201714

1 The application

1.1 Virgin Australia applied to the Commission on 7 April 2017 to reduce its capacity allocation in Determination [2015] IASC 110 (the Determination) which allocates 2,800 seats of capacity per week on the Indonesia route. The request is to reduce the capacity allocation by 2,520 weekly seats, leaving 280 seats of capacity allocated under the Determination.

2 Delegate's consideration

2.1 In accordance with section 27AB of the Act and regulation 3A of the International Air Services Commission Regulations 1992, the delegate of the Commission may consider the application by Virgin Australia. (For purposes of this instrument, all references to the Commission include the delegate of the Commission).

2.2 Under section 21 of the *International Air Services Commission Act 1992* (the Act), an Australian carrier, to whom a determination allocating capacity is issued, may at any time request the Commission to vary the determination.

2.3 Subsection 22(1A) of the Act does not require public notification of a request for variation that has the effect of reducing the capacity allocation. In light of this, Virgin Australia's request for reduction of its capacity allocation on the Indonesia route was not subjected to public consultation or notification.

2.4 Subsection 24(3) of the Act provides, in part, that the Commission must vary the determination as requested if the only effect of the variation would be to reduce the capacity allocated to the carrier.

3 Decision varying Determination [2015] IASC 110 allocating capacity to Virgin Australia on the Indonesia route [2017] IASC 205

3.1 In accordance with section 24 of the Act, the Commission's delegate reduces the capacity allocated in Determination [2015] IASC 110 by 2,520 weekly seats, leaving 280 seats per week in each direction of capacity allocated under the said Determination.

3.2 The decision is effective from the date this instrument is made.

Dated: 10 April 2017



Marlene Tucker
Executive Director
Delegate of the IASC Commissioners