

6 September 2016

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Ms Marlene Tucker  
Executive Director  
International Air Services Commission  
PO Box 630  
CANBERRA ACT 2601

Dear Ms <sup>Marlene</sup> Tucker**Application for Variation to Determination [2007] IASC 118 – New Zealand route**

Virgin Australia and Air Berlin plan to extend their commercial cooperation to encompass code share services on flights operated by Virgin Australia on the New Zealand route.

We will shortly provide your office with an amended copy of the confidential code share agreement between Virgin Australia and Air Berlin. We request that this document is not placed on the public register.

**Variation sought**

We request a variation to Determination [2007] IASC 118 (as varied by Decisions [2009] IASC 201, [2010] IASC 208, [2011] IASC 201, [2011] IASC 210 and [2012] IASC 219) held by Virgin Australia Airlines (SE Asia) Pty Ltd, to permit the utilisation of capacity for code share services with Air Berlin on the New Zealand route.

**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 me on (02) 8093 7114.

Yours sincerely



Lee-Anne Tomkins  
**Head of Government and International Relations**