



# INTERNATIONAL AIR SERVICES COMMISSION

## DECISION

**DECISION:** [2001] IASC 208  
**VARIATION OF:** IASC/DET/9622  
**THE ROUTE:** NEW ZEALAND  
**THE APPLICANT:** QANTAS AIRWAYS LIMITED  
(QANTAS) (ACN 009 661 991)  
**PUBLIC REGISTER:** IASC/APP/200108

### 1 The application

1.1 On 7 February 2001, Qantas applied to the Commission to vary determination IASC/DET/9622 (the determination) allocating capacity on the New Zealand route to reflect recent changes to the air services arrangements between Australia and New Zealand.

1.2 The determination allocates to Qantas unlimited passenger and freight capacity between Australia and New Zealand. Decision IASC/DEC/9909 which varied the determination allocates a maximum of 9.344 B747 equivalents per week beyond New Zealand. Qantas has other allocations of capacity beyond New Zealand.

1.3 Under the revised arrangements, which have interim effect pending ratification, capacity for Australian carriers beyond New Zealand is now unlimited, as are code sharing rights. Australian carriers are also permitted to perform sixth freedom passenger and freight operations and seventh freedom freight operations between New Zealand and third countries.

1.4 The Commission published a notice on 15 February 2001 inviting submissions from interested parties about the Qantas application. No submissions were received.

1.5 All non-confidential material supplied by the applicant is filed on the Register of Public Documents. Any confidential material supplied by the applicant is filed on the Commission's confidential register.

### 2 Commission's assessment

2.1 Under paragraph 6.3 of the Minister's Policy Statement, in the absence of submissions about or opposing an application, the Commission is required only to apply the criteria in paragraph 4 of the Policy Statement. Under paragraph 4 the use of Australian entitlements by a carrier that is reasonably capable of obtaining the necessary approvals and of implementing its proposals is of benefit to the public. For an established international carrier such as Qantas, this means that there is public

benefit arising from the use of the entitlements.

### **3 Decision [2001] IASC 208**

3.1 In accordance with section 24 of the Act, the Commission varies Determination IASC/DET/9622 as varied by IASC/DEC/9818, 9825, 9907, 9909 and [2000] IASC 210 as requested by Qantas by:

*removing* the following condition, added by IASC/DEC/9909, that Qantas operate:

- “a maximum of 9.344 B747 equivalents per week beyond New Zealand”.

*removing* the following words from paragraph 9.2:

- “between Australia and New Zealand under the Australia - New Zealand Air Services Agreement”.

*adding* the following words to paragraph 9.2:

- “for operation in accordance with the terms of the revised Australia – New Zealand air services arrangements”.

Dated: 5 March 2001

Ross Jones  
Chairman

Michael Lawriwsky  
Member

Stephen Lonergan  
Member