



DECISION

DECISION: [2002] IASC 211
VARIATION OF: [2001] IASC 107, [2001] IASC 116 AND [2002] IASC 104
THE ROUTE: JAPAN
THE APPLICANT: QANTAS AIRWAYS LIMITED
(ACN 009 661 991) (QANTAS)
PUBLIC REGISTER: IASC/APP/200208

1 The application

1.1 On 27 March 2002, Qantas applied to the Commission to vary determinations [2001] IASC 107, [2001] IASC 116 and [2002] IASC 104 as varied by [2002] IASC 207 (the Determinations) to allocate the capacity for a period of five years rather than for a period of three years. In each case Qantas was seeking capacity to operate to the new Narita B runway at Tokyo's Narita airport.

1.2 In making the Determinations the Commission noted that there was, at the time, some uncertainty about the allocation of slots necessary to operate the capacity allocated. Accordingly, the Commission issued three year determinations. At the time the Commission noted that once the slot allocation process for Narita B had concluded it would move quickly to consider extending all relevant Japan determinations from three to five years.

1.3 Qantas has now informed the Commission that it has been allocated all necessary slots to operate the capacity allocated by the Determinations to the new Narita B runway.

1.4 On 12 April 2002, the Commission published a notice inviting submissions from interested parties about the application. No submissions were received.

2 Commission's assessment

2.1 Under Section 18 of the *International Air Services Commission Act 1992* (the Act) the Commission must start its consideration of the renewal of an interim determination as soon as practicable after the determination is made. Under Section 18(3) if no applications are made in relation to the interim determination, the Commission must issue a notice stating that:

- (a) no such applications were made; and
- (b) the determination is no longer to be treated as an interim determination.

2.2 The Commission will vary the determinations as requested.

3 Decision [2002] IASC 211

3.1 In accordance with section 18 of the Act, the following Determinations [2001] IASC 107, [2001] IASC 116 and [2002] IASC 104 are no longer to be treated as interim determinations. The expiry dates are now as follows:

3.2 [2001] IASC 107 28 May 2006;

3.3 [2001] IASC 116 6 November 2006; and

3.4 [2002] IASC 104 13 February 2007.

Dated: 22 April 2002

Ross Jones
Chairman

Stephen Lonergan
Member

Michael Lawriwsky
Member