



Australian Government

International Air Services Commission

DECISION

Decision: [2007] IASC 202
Variation of: [2005] IASC 110
The Route: Canada
The Applicant: Qantas Airways Limited (Qantas)
(ACN 009 661 901)
Public Register: IASC/APP/200701

1 The application

1.1 On 5 January 2007, Qantas applied for a variation to Determination [2005] IASC 110 to increase the capacity allocated to it on the Canada route by 36 seats to a total of 1065 seats.

1.2 During peak seasons, Qantas proposes to operate one of its three weekly services using an aircraft with 36 seats more than the aircraft used on the other two services.

1.3 The Commission published a notice on 16 January 2007, inviting submissions about the application. No submissions were received. All material supplied by the applicant is filed on the Register of Public Documents.

2 Provisions of relevant air services arrangements

2.1 Under the Australia – Canada air services arrangements, the designated airlines of Australia may operate services between points in Australia and specified points in Canada. Between the beginning of the last week in November until end of the first week in February; and between 1 January and 31 August, there are 1,971 seats of available capacity. Outside these periods, there are 3,000 seats of available capacity.

3 Delegate's consideration

3.1 In accordance with section 27AB of the *International Air Services Commission Act 1992* (the Act) and regulation 3A of the *International Air Services Commission Amendment Regulations 2003 (No.1)*, the delegate of the Commission considers the Qantas application.

3.2 The Explanatory Statement to the Minister's policy statement provides guidance to the Commission in relation to requests to vary determinations to add minor increases in capacity. A minor increase in capacity would not generally exceed one B747 equivalent frequency per week. The additional 36 seats sought by Qantas is significantly less than a B747 equivalent per week.

3.3 The delegate, on behalf of the Commission, will vary the determination as requested by Qantas.

4 Decision [2007] IASC 202

4.1 In accordance with section 24 of the Act, the delegate, on behalf of the Commission, varies Determination [2005] IASC 110, which allocates capacity on the Canada route by

(a) *removing* the following from paragraph 3.1 of Determination [2005] IASC 110

- “allocating 1,029 seats of capacity per week in each direction on the Canada route”

replacing it with

- “allocating 1,065 seats of capacity per week in each direction on the Canada route”

Dated: 29 January 2007

Michael Bird
Executive Director
Delegate of the IASC Commissioners