



**Australian Government**  

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**International Air Services Commission**

**DECISION**

**Decision:** [2012] IASC 205  
**Revocation of:** [2006] IASC 124, [2008] IASC 126 and  
[2008] IASC 127  
**Variation of:** [2006] IASC 117  
**The Route:** Japan  
**The Applicant:** Qantas Airways Limited  
(ACN 009 661 901) (Qantas)  
**Public Register:** IASC/APP/201210

## **1 The application**

1.1 Qantas applied to the Commission on 26 March 2012 to make the following changes to capacity allocations to Qantas under the Australia – Japan air services arrangements:

- (a) Revocation of Determinations [2006] IASC 124 (and the Renewal Determination [2011] IASC 129 which commences on 22 April 2012), [2008] IASC 126 and [2008] IASC 127, which allocate to Qantas a total of 4.6 units of capacity; and
- (b) Variation of Determination [2006] IASC 117 (and the Renewal Determination [2011] IASC 128 which commences on 1 July 2012) to reduce the capacity allocated to Qantas by 2.2 units to 43.4 units.

1.2 The application follows a review by Qantas of its capacity needs on the Japan route in light of the recent conclusion of revised air services arrangements between Australia and Japan, which removed restrictions on capacity and frequency for services other than to Narita and Haneda airports.

1.3 Material supplied by the applicant is filed on the Register of Public Documents.

## **2 Commission consideration**

2.1 If an Australian carrier requests the Commission to revoke a determination allocating capacity, the Commission must make a decision revoking the determination (section 27AA(3) of the *International Air Services Commission Act 1992* (the Act)).

2.2 If an Australian carrier applies for a variation of a determination it holds, and the only effect of the variation would be to reduce the capacity allocated to the carrier, the Commission is not required to invite submissions (section 22(1A) of the Act) and must vary the determination as requested in the application (section 24(3)).

### **3 Decision ([2012] IASC 205**

3.1 In accordance with section 27AA(3) of the Act, the Commission revokes Determinations [2006] IASC 124 (and Renewal Determination [2011] IASC 129 which commences on 22 April 2012), [2008] IASC 126 and [2008] IASC 127.

3.2 In accordance with section 24(3) of the Act, the Commission varies Determination [2006] IASC 117 (and Renewal Determination [2011] IASC 128 which commences on 1 July 2012) to reduce the capacity allocated under the Determination to 43.4 units.

Dated: March 2012



Jill Walker  
Chairwoman



Stephen Bartos  
Member