



Australian Government

International Air Services Commission

DECISION

Decision: [2013] IASC 217
Revocation of: [2008] IASC 101, [2010] IASC 106, [2010] IASC 108,
[2010] IASC 111, [2011] IASC 103, [2011] IASC 107
[2011] IASC 133
The Applicant: Strategic Airlines Pty Ltd (In Liquidation)
ACN 131 128 571 (Strategic Airlines)
Public Register: IASC/APP/201320

The Commission's delegate revokes all determinations issued in favour of Strategic Airlines due to the carrier being in liquidation.

1 The application

1.1 On 29 April 2013, the Commission received a letter from KordaMentha dated 19 April 2013, applying, on behalf of Strategic Airlines, to revoke, pursuant to section 27AA of the *International Air Services Commission Act 1992* (the Act), the following determinations:

- [2008] IASC 101 which allocates 408 seats of capacity per week between Perth, Sydney, Melbourne and Brisbane and points in Indonesia. The determination was originally issued to Ozjet and was varied to increase the capacity to 408 seats by Decision [2008] IASC 214. It was subsequently transferred to Strategic Airlines under Decision [2009] IASC 222;
- [2010] IASC 106 which allocates unrestricted passenger capacity on the Indonesia route between points in Australia, except Sydney, Melbourne, Brisbane and Perth, and authorised points in Indonesia;
- [2010] IASC 108 which allocates 1,514 seats of passenger capacity on the Indonesia route to and from Sydney, Melbourne (including Avalon), Brisbane and Perth;
- [2010] IASC 111 which allocates 4.2 B747 equivalent services of passenger capacity per week in each direction on the Thailand route;
- [2011] IASC 107 which allocates 1,911 seats of passenger capacity per week on the China route to and from Sydney, Melbourne (including Avalon), Brisbane and Perth;

- [2011] IASC 103 which allocates unlimited passenger and cargo capacity on the United States route; and
- [2011] IASC 133 which allocates four frequencies per week of capacity on the Vietnam route to and from Sydney, Melbourne (including Avalon), Brisbane and Perth and unlimited capacity to and from all other points in Australia.

1.2 KordaMentha has sought the revocation of the determinations due to the liquidation of Strategic Airlines.

1.3 KordaMentha's application is filed in the Commission's Public Register and was notified to relevant stakeholders.

2 Delegate's consideration

2.1 In accordance with section 27AB of the Act and regulation 3A of the International Air Services Commission Regulations 1992, the delegate of the Commission may consider the application by KordaMentha on behalf of Strategic Airlines. (For purposes of this instrument, all references to the Commission include the delegate of the Commission).

2.2 Under subsection 27AA(1) of the Act, an Australian carrier, to whom a determination allocating capacity is issued, may at any time request the Commission to revoke the determination. In this instance, the carrier has gone into liquidation and KordaMentha is making the request on behalf of the carrier, Strategic Airlines.

2.3 Upon receipt of an application to revoke a determination, the Commission must make a decision revoking the determination pursuant to subsection 27AA(3).

3 Decision ([2013] IASC 217)

In accordance with section 27AA of the Act, the Commission's delegate revokes Determinations [2008] IASC 101, [2010] IASC 106, [2010] IASC 108, [2010] IASC 111, [2011] IASC 103, [2011] IASC 107, and [2011] IASC 133 with effect from the date this instrument is made.

Dated: 30 April 2013



Marlene Tucker
Executive Director
Delegate of the IASC Commissioners