



**Australian Government**  

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**International Air Services Commission**

**DECISION**

**Decision:** [2023] IASC 208  
**Variation of:** [2017] IASC 130  
[2023] IASC 107  
**The Route:** Indonesia  
**The Applicant:** Qantas Airways Limited  
(ABN 16 009 661 901) (Qantas)  
**Public Register:** IASC/APP/202343

**1 The application**

1.1 On 13 June 2023, Qantas applied to the International Air Services Commission (the Commission) to vary Determination [2017] IASC 130 on the Indonesia route, as renewed by Determination [2023] IASC 107. The Determination allocates to Qantas 14,468 seats per week for the exercise of third and fourth freedom rights on the Indonesia route and 2,148 seats for the exercise of beyond traffic rights with 12 frequencies per week, seven of which may be used beyond Indonesia from Denpasar, subject to certain conditions.

1.2 The request is to reduce the capacity allocation by 2,148 seats for the exercise of beyond traffic rights with 12 frequencies per week, seven of which may be used beyond Indonesia from Denpasar.

**2 Commission's consideration**

2.1 In accordance with section 27AB of the *International Air Services Commission Act 1992* (the Act), the delegate of the Commission may consider the application by Qantas.

2.2 Under section 21 of the Act, an Australian carrier to whom a determination allocating capacity is issued, may at any time request that the Commission varies the determination.

2.3 Subsection 22(1A) of the Act does not require public notification of a request for variation that has the effect of reducing the capacity allocation. In light of this, Qantas'

request for reduction of its capacity allocation on the Indonesia route was not subjected to public consultation or notification.

2.4 Subsection 24(3) of the Act provides, in part, that the Commission must vary the determination as requested if the only effect of the variation would be to reduce the capacity allocated to the carrier.

**3 Decision varying Determinations [2017] IASC 130 and [2023] IASC 107 which allocate capacity to Qantas Airways Limited on the Indonesia route ([2023] IASC 208)**

3.1 In accordance with section 24 of the Act, the Commission's Delegate varies Determinations [2017] IASC 130 and [2023] IASC 107, reducing the capacity allocated by 2,148 seats for the exercise of beyond traffic rights with 12 frequencies per week, seven of which may be used beyond Indonesia from Denpasar.

3.2 There remains 14,468 seats of capacity for the exercise of third and fourth freedom rights allocated under the determinations.

3.3 The decision is effective from the date this instrument is made.

Dated: 23 June 2023

A handwritten signature in black ink, reading "Jasmina Ackar". The signature is written in a cursive, flowing style.

Jasmina Ackar  
Director  
Delegate of the IASC Commissioners