



Australian Government

International Air Services Commission

DECISION

Decision: [2014] IASC 232
Revocation of: [2011] IASC 128
The Route: Japan
The Applicant: Qantas Airways Limited (Qantas)
ABN 16 009 661 901
Public Register: IASC/APP/201474

1 The application

Qantas applied to the Commission on 14 November 2014 to revoke Determination [2011] IASC 128 (as varied by Decisions [2012] IASC 205, [2012] IASC 220 and [2013] IASC 227), which allocates seven B767-200 equivalent units of capacity for fifth freedom services into Narita Airport on the Japan route.

2 Delegate's consideration

2.1 In accordance with section 27AB of the *International Air Services Commission Act 1992* (the Act) and regulation 3A of the *International Air Services Commission Regulations 1992*, the delegate of the Commission may consider the application by Qantas. (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.

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).

2.4 Pursuant to subsection 22(1A), the Commission is not required to notify the public and invite submissions about the review of the determination if the only effect of the variation would be to reduce the capacity allocated to the carrier. Section 4 provides that 'to reduce' in relation to capacity means reduce to nil. Under subsection 24(3), 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 [2014] IASC 232

3.1 In accordance with section 27AA of the Act, the delegate, on behalf of the Commission, revokes Determination [2011] IASC 128 (as varied) with effect from the date this instrument is made.

Dated: 21 November 2014



Marlene Tucker
Executive Director
Delegate of the IASC Commissioners