



INTERNATIONAL AIR SERVICES COMMISSION

DECISION

DECISION: [2001] IASC 214
VARIATION OF: IASC/DET/9710
THE ROUTE: NEW ZEALAND
THE APPLICANT: ANSETT INTERNATIONAL LIMITED
(ANSETT INTERNATIONAL)
(ACN 060 622 460)
PUBLIC REGISTER: IASC/APP/200113

1 The application

1.1 On 6 April 2001, Ansett International applied to the Commission to vary determination IASC/DET/9710 (the determination) allocating capacity on the New Zealand route to reflect recent changes to the air services arrangements between Australia and New Zealand.

1.2 Under the revised arrangements, which have interim effect pending ratification, capacity for Australian carriers beyond New Zealand is now unlimited, as are code sharing rights. Australian carriers are also permitted to perform sixth freedom passenger and freight operations and seventh freedom freight operations between New Zealand and third countries.

1.3 The determination allocates to Ansett International unlimited passenger and freight capacity between Australia and New Zealand. Ansett International has another determination (IASC/DET/9915) allocating capacity beyond New Zealand. Ansett International is seeking a variation of the determination to incorporate all rights available to Ansett International on the New Zealand route into the one determination. It has sought to have determination IASC/DET/9915 revoked.

1.4 The Commission published a notice on 30 April 2001 inviting submissions from interested parties about the Ansett International application. No submissions were received.

1.5 All non-confidential material supplied by the applicant is filed on the Register of Public Documents. Any confidential material supplied by the applicant is filed on the Commission's confidential register.

2 Commission's assessment

2.1 Under paragraph 6.3 of the Minister's Policy Statement, in the absence of submissions about or opposing an application, the Commission is required only to apply the criteria in paragraph 4 of the Policy Statement. Under paragraph 4 the use of

Australian entitlements by a carrier that is reasonably capable of obtaining the necessary approvals and of implementing its proposals is of benefit to the public. For an established international carrier such as Ansett International, this means that there is public benefit arising from the use of the entitlements.

3 Decision [2001] IASC 214

3.1 In accordance with section 24 of the Act, the Commission varies Determination IASC/DET/9710 as requested by Ansett International by:

removing the following words from paragraph 9.2:

- “between Australia and New Zealand under the Australia - New Zealand Air Services Agreement”.

adding the following words to paragraph 9.2:

- “for operation in accordance with the terms of the revised Australia – New Zealand air services arrangements”.

Dated: 21 May 2001

Ross Jones
Chairman

Michael Lawriwsky
Member

Stephen Lonergan
Member