

Attached is a copy of a self explanatory Resolution adopted on 19 May by the International Air Services Commission.

In summary, to remove any possible doubt about the validity of any of the Commission's Decisions taken since 1 December 2003, the Commission has reviewed each of its Decisions listed in the Schedule to this Decision taken between 1 December 2003 and immediately prior to this Decision. ("Scheduled Decisions")

Following the above review, the Commission is satisfied that each of the Scheduled Decisions was made consistent with the requirements of the *International Air Services Commission Act 1992* and with the applicable policy statements. The Commission considers that each of the Scheduled Decisions is valid and on that basis has accordingly resolved to ratify each of the Scheduled Decisions.

The Commission acted to give certainty to all parties affected by Commission decisions made since 1 December 2003 by verifying each of its decisions under Policy Statement No 3 which was in effect on 19 May 2004.

The Department of Transport and Regional Services has advised the Commission that Policy Statement No5 came into effect on 26 May 2004, the date it was published in Gazette Number 21 of 26 May 2004. The Commission is further advised that the Policy Statement has been lodged for tabling with both Houses of Parliament and will be subject to disallowance for 15 sitting days in each House. The instrument has effect from its date of gazettal, unless and until it is disallowed.

Updated 2 June 2004

1. On 11 December 2003 the Commission was advised that Minister's Policy Statement No 4, made pursuant to section 11 of the *International Air Services Commission Act 1992*, was in effect on and from 1 December 2003. This Policy Statement was expressed to replace the policy statement made by instrument dated 23 April 1997 (as amended on 9 March 1999) ('the applicable policy statements').
2. The Commission has been advised that Policy Statement No 4 was neither tabled in the House of Representatives nor notified in the Gazette (as required by section 11(5) of the *International Air Services Commission Act 1999* and sections 46A and 48(1) of the *Acts Interpretation Act 1901*). The Commission has been advised that, in consequence, Policy Statement No 4 has never become effective and, since 1 December 2003, the applicable policy statements have continued to be effective.
3. In view of the above and to remove any possible doubt about the validity of any of the Commission's Decisions taken since 1 December 2003, the Commission has reviewed each of its Decisions listed in the Schedule to this Decision taken between 1 December 2003 and immediately prior to this Decision. ("Scheduled Decisions")
4. Following the above review, the Commission is satisfied that each of the Scheduled Decisions was made consistently with the requirements of the *International Air Services Commission Act 1992* and with the applicable policy statements. The Commission considers that each of the Scheduled Decisions is valid and on that basis has accordingly resolved to ratify each of the Scheduled Decisions.

John Martin
Chairman

Michael Lawriwsky
Member

Stephen Lonergan
Member

19 May 2004

Schedule to Resolution [2004] IASC R03

Determinations and Decisions made since 1 December 2003

Determinations and Decisions	Decision Date	Route(s)	Carrier
[2003] IASC 123	12 Dec 2003	Papua New Guinea	Pacific Air Express
[2003] IASC 124	12 Dec 2003	Papua New Guinea	Heavy Lift
[2003] IASC 125	12 Dec 2003	Nauru	Heavy Lift
[2003] IASC 126	12 Dec 2003	New Caledonia	Heavy Lift
[2003] IASC 127	12 Dec 2003	Solomon Islands	Heavy Lift
[2003] IASC 128	12 Dec 2003	Vanuatu	Heavy Lift
[2003] IASC 129	12 Dec 2003	New Caledonia	Virgin Blue
[2004] IASC 101	2 Mar 2004	China	Qantas
[2004] IASC 102	1 Apr 2004	United Kingdom	Qantas
[2003] IASC 215	12 Dec 2003	Solomon Islands, Nauru, New Caledonia and Vanuatu	Transpac Express
[2003] IASC 216	17 Dec 2003	Thailand	Qantas
[2003] IASC 217	17 Dec 2003	Italy	Qantas
[2003] IASC 218	17 Dec 2003	Taiwan	Qantas
[2004] IASC 201	1 Apr 2004	New Caledonia, Fiji and Vanuatu	Virgin Blue
[2004] IASC 202	27 Apr 2004	Japan	Qantas