



## Australian Government

### International Air Services Commission

#### DECISION

**Decision:** [2015] IASC 203  
**Variation of:** [2013] IASC 126  
**The Route:** Nauru  
**The Applicant:** Pacific Air Express (Australia) Pty Ltd  
(ACN 074 265 553) (Pacific Air Express)  
**Public Register File:** IASC/APP/201505

**The Commission's delegate varies [2013] IASC 126 to reduce the capacity allocated to Pacific Air Express on the Nauru route to one service of freight capacity per week in each direction.**

#### 1 The application

1.1 On 23 April 2016, Pacific Air Express requested the Commission to reduce its capacity allocation in Determination [2013] IASC 126 (the Determination) which allocates three services of freight capacity per week in each direction on the Nauru route.

1.2 Under section 22 of the *International Air Services Commission Act 1992* (the Act), the Commission is not required to notify the public and invite submissions about the review if the only effect of the variation of the Determination would be to reduce the capacity allocated to the carrier.

#### 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 of Pacific Air Express. (For purposes of this determination, all references to the Commission include the delegate of the Commission).

2.2 Under subsection 24(3) of the Act, if an Australian carrier to which a determination allocates capacity applies to the Commission to vary the determination and the only effect of the variation would be reduce the capacity allocated to the carrier, the Commission must vary the determination as requested.

### **3 Decision [2015] IASC 203 varying Determination [2013] IASC 126**

In accordance with section 24 of the Act, the delegate, on behalf of the Commission, reduces the capacity allocated to Pacific Air Express under the Determination to one service of freight capacity per week in each direction on the Nauru route, in accordance with the Australia – Nauru air services arrangements.

Dated: 13 May 2015



Marlene Tucker  
Executive Director  
Delegate of the IASC Commissioners