



Australian Government

International Air Services Commission

DECISION

Decision: [2018] IASC 201
Variation of: [2013] IASC 116 and [2017] IASC 132
The Route: Indonesia
The Applicant: Virgin Australia International Airlines Pty Ltd
(Virgin Australia)
ABN 63 125 580 823
Public Register: IASC/APP/201801

1 The application

1.1 Virgin Australia applied to the Commission on 21 December 2017 to reduce its capacity allocation under Determination [2013] IASC 116, as varied, and its subsequent renewal under Determination [2017] IASC 132 which allocate 1,980 seats of capacity per week on the Indonesia route. The request is to reduce the capacity allocation by 1,288 weekly seats, leaving 692 seats of capacity allocated under the Determination.

2 Commission's consideration

2.1 Under section 21 of the *International Air Services Commission Act 1992* (the Act), an Australian carrier, to whom a determination allocating capacity is issued, may at any time request the Commission to vary the determination.

2.2 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, Virgin Australia's request for reduction of its capacity allocation on the Indonesia route was not subjected to public consultation or notification.

2.3 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 [2013] IASC 116 and [2017] IASC 132 allocating capacity to Virgin Australia on the Indonesia route [2018] IASC 201

3.1 In accordance with section 24 of the Act, the Commission reduces the capacity allocated in Determination [2013] IASC 116 and [2017] IASC 132 by 1,288 weekly seats, leaving 692 seats per week in each direction of capacity allocated under the said Determinations.

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

Dated: 2 January 2018



IAN DOUGLAS
Chairperson



JAN HARRIS
Commissioner



KAREN GOSLING
Commissioner