



Australian Government

International Air Services Commission

DECISION

Decision: [2023] IASC 214
Variation of: [2019] IASC 129
The Route: Hong Kong
The Applicant: Qantas Airways Limited (Qantas)
(ABN 16 009 661 901)
Public Register: IASC/APP/202373

1 The application

1.1 On 10 November 2023, as part of its utilisation report, Qantas applied to the International Air Services Commission (the Commission) requesting to reduce its capacity allocation on the Hong Kong route.

1.2 The request is to reduce the capacity allocation by 5 frequencies, leaving 23 frequencies per week allocated under the Determination.

2 Commission's consideration

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

2.2 Under section 21 of the Act, an Australian carrier to whom a determination allocating capacity is issued, may at any time request that the Commission varies the determination.

2.3 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, Qantas' request for reduction of its capacity allocation on the Hong Kong route was not subjected to public consultation or notification.

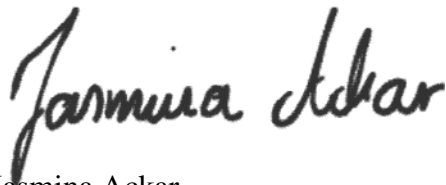
2.4 Subsection 24(3) of the Act provides, in part, that the Commission must vary the determination as requested if the only effect of the variation would be to reduce the capacity allocated to the carrier.

3 Decision varying Determination [2019] IASC 129 which allocates capacity to Qantas Airways Limited on the Hong Kong route ([2023] IASC 214)

3.1 In accordance with section 24 of the Act, the Commission's Delegate varies Determination [2019] IASC 129, reducing the capacity allocated by 5 frequencies per week, leaving 23 frequencies per week allocated under the Determination.

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

Dated: 30 November 2023

A handwritten signature in black ink, reading "Jasmina Ackar". The signature is written in a cursive, flowing style.

Jasmina Ackar
Director