



Australian Government
International Air Services Commission

RENEWAL DETERMINATION

Determination: [2026] IASC 108
Renewal of: [2022] IASC 101
The Route: Italy
The Applicant: Qantas Airways Limited
(ABN 16 009 661 901)
Public Register File: IASC/APP/202611

The Commission makes a fresh determination allocating to Qantas Airways Limited three (3) frequencies per week on the Italy route, subject to certain conditions. The determination is valid for five years from 13 January 2027.

1. The application

1.1 On 13 January 2022, the International Air Services Commission (the Commission) issued Determination [2022] IASC 101 (the Determination) allocating to Qantas Airways Limited (Qantas) 3 frequencies per week in each direction of passenger capacity on the Italy route.

1.2 Section 17 of the *International Air Services Commission Act 1992* (the Act) requires the Commission to start its consideration of the renewal of a determination at least 12 months before the expiry of the original determination. The Determination is due to expire on 12 January 2027. In view of this, the Commission sent, on 19 February 2026, a letter to Qantas inviting it to apply for renewal if it wished to renew the Determination.

1.3 On 29 April 2026, Qantas applied to the Commission for a renewal of the Determination for a further 5-year period from 13 January 2027 and requested the retention of all existing conditions.

1.4 In accordance with sections 12 and 17 of the Act, the Commission published, on 30 April 2026, a notice on its website and subsequently sent a notification by email to stakeholders inviting other applications for capacity on the route. No other applications were received.

1.5 All non-confidential material supplied by the applicant is available on the Commission's website (www.iasc.gov.au).

2. Air services arrangements

2.1 Paragraph 7(2)(aa) of the Act provides that the Commission must not allocate available capacity contrary to any restrictions on capacity contained in a bilateral arrangement(s).

2.2 According to the Register of Available Capacity, there is no capacity available for allocation to Australian designated airlines to operate passenger services between Australia and Italy.

3. Commission's consideration

3.1 Section 8 of the Act provides that the Commission may, at any time while a determination is in force, make a fresh determination allocating the capacity to which the original determination relates. Subsection 8(2) provides in part that the fresh determination must make the same allocation of capacity as the original determination unless the Commission is satisfied that the allocation is no longer of benefit to the public. In assessing the benefit to the public of an allocation of capacity, the Commission must apply the criteria set out for that purpose in the policy statement made by the Minister under section 11 of the Act.

3.2 Pursuant to section 11 of the Act, the Minister issued the International Air Services Commission Policy Statement 2018 (the Policy Statement) which came into effect on 28 March 2018. The Policy Statement sets out the criteria which the Commission is required to apply in assessing the benefit to the public of allocations of capacity.

3.3 Section 14 of the Policy Statement applies where the Commission is proposing to make a fresh determination under section 8 of the Act, and is considering whether the allocation of capacity in the original determination is no longer of benefit to the public for the purpose of section 8(2)(a)(i) of the Act.

3.4 Section 14(2) of the Policy Statement provides that, without limiting the matters to which the Commission may have regard, an allocation is generally no longer of benefit to the public if:

- the carrier has failed to service the route effectively (s 14(2)(a)); and
- there are other applications for some or all of the capacity (s 14(2)(b)); and
- the Commission is satisfied that a different allocation of capacity would be of greater benefit to the public, having regard to the criteria set out in sections 8 and 9 of the Policy Statement (s 14(2)(c)).

3.5 The Commission notes that, under subsection 14(2) of the Policy Statement, an allocation will generally no longer be of benefit to the public where all of the above conditions are satisfied.

3.6 In considering whether to reallocate capacity, there is also a presumption in favour

of renewal of the allocation to the incumbent carrier. The presumption may, however, be rebutted where the Commission finds the allocation is generally no longer of benefit to the public.

3.7 In assessing the current Qantas application for renewal, the Commission considered whether the carrier has failed to service the route effectively.

3.8 The Commission does not have information that suggests that Qantas has failed to service the route effectively. In its application, Qantas stated that the carrier continues to operate seasonal services between Australia and Rome using capacity allocated under the Determination. The Commission also notes that in the Northern Summer 2026 IATA scheduling season, Qantas operates up to 7 services (daily) per week between Perth and Rome (vv)¹. Additionally, there are no other applications for some or all of the capacity to which the determination in question relates.

3.9 The Commission has also considered the ‘reasonable capability criterion’ in section 8 of the Policy Statement, i.e. the extent to which all Australian carriers that are, or would be, permitted to use the capacity allocated under a determination are reasonably capable of: (a) obtaining any licences, permits or other approvals required to operate on and service the route to which the determination relates; and (b) using the capacity allocated under the determination and did not find it necessary to apply the additional criteria in section 9.

3.10 Qantas is an established carrier that currently operates scheduled international services between Australia and several international points, including on the Italy route on a seasonal basis. The Commission therefore finds that the carrier is reasonably capable of obtaining the necessary regulatory approvals to operate and service the Italy route and of using the capacity allocated under the Determination.

3.11 There is no other information before the Commission that it considers to be relevant or material to its assessment of Qantas’ application. Based on its findings above, the Commission is not satisfied that the allocation of capacity in the original determination is no longer of benefit to the public for the purposes of section 8(2)(a)(i) of the Act. Therefore, the Commission is required to make the same allocation of capacity as the original determination (see section 8(2)(a) of the Act).

3.12 The Commission will continue to monitor the utilisation of capacity by Qantas on this route.

3.13 Under section 19 of the Act, the Commission “must include the same terms and conditions as the original determination to which it relates” (subsection 19(1)(c)), but “may make such changes (if any) to the terms and conditions included in the original determination (including adding or deleting terms and conditions) as it is satisfied that are warranted because of changes in circumstances since the original determination was made” (subsection 19(3)).

¹ [Qantas application for capacity, 26 March 2026](#)

3.14 The Commission has decided to issue this determination subject to the conditions set out in item 4 below.

4. Determination allocating capacity on the Italy route to Qantas Airways Limited ([2026] IASC 108)

4.1 In accordance with section 7 of the Act, the Commission makes a fresh determination in favour of Qantas Airways Limited, allocating 3 frequencies per week in each direction on the Italy route, in accordance with the Australia – Italy air services arrangements.

4.2 The determination is valid for five years from 13 January 2027.

4.3 The determination is subject to the following conditions:

- a) Qantas Airways Limited is required to fully utilise the capacity from the date the determination comes into effect or from such other date approved by the Commission.
- b) Only Qantas Airways Limited is permitted to use the capacity.
- c) Qantas Airways Limited is not permitted to utilise the capacity to provide services jointly with another Australian carrier or any other person unless approved by the Commission.
- d) Changes in relation to the ownership and control of Qantas Airways Limited are permitted except to the extent that any change:
 - results in the designation of the airline as an Australian carrier under the Australia – Italy air services arrangements being withdrawn; or
 - has the effect that another Australian carrier, or a person (or group of persons) having substantial ownership or effective control of another Australian carrier, would take substantial ownership of Qantas Airways Limited or be in a position to exercise effective control of Qantas Airways Limited, without the prior consent of the Commission.

Dated: 3 June 2026



GENEVIEVE BUTLER
Chairperson



JANE MCKEON
Commissioner