Australian Government

International Air Services Commission

Annual Report 2025–26

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About this annual report:

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Australian Government

International Air Services Commission

The Hon Catherine King MP
Minister for Infrastructure, Transport, Regional Development and Local Government
Parliament House
CANBERRA ACT 2600

Dear Minister,

We are pleased to submit the thirty-fourth Annual Report of the International Air Services Commission, for the year ended 30 June 2026.

Our report is submitted to you in accordance with subsection 53(1) of the *International Air Services Commission Act 1992* (the Act) and is for presentation to each House of the Parliament in accordance with subsection 53(2) of the Act.

Yours sincerely

Genevieve Butler

Genevieve Butler
Chairperson

Jane McKeon

Jane McKeon
Commissioner

31 July 2026

The International Air Services Commission is an independent statutory authority, established under the *International Air Services Commission Act 1992*. It allocates capacity available under Australia's air services arrangements with other countries and economies to existing and prospective Australian international airlines by making formal determinations. Applications are assessed against public benefit criteria set out in a policy statement issued to the Commission by the Minister for Infrastructure, Transport, Regional Development and Local Government.

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Photo © Qantas Airways Limited

PART 1
The Year in Review by the Chairperson, Genevieve Butler

This annual report marks the thirty-fourth year of operation of the International Air Services Commission (the Commission). It is my pleasure to provide an overview of the Commission's activities over the last 12 months.

Regional conflicts in the Middle East affected the international aviation sector during the financial year, resulting in airspace restrictions, operational disruptions, and volatility in jet fuel markets. International airlines responded by rerouting services, adjusting schedules, reallocating fleet capacity, and strengthening fuel risk management strategies to maintain operational resilience and ensure the safety of passengers and crew.

Despite these challenges, airlines demonstrated flexibility in responding to changing market conditions while maintaining connectivity across global networks. Australian international carriers adapted by modifying flight routes and reallocating resources across their networks. Notably, the Qantas Group expanded its international operations by increasing services to Europe and entering new markets, including the launch of passenger flights to Colombo, Sri Lanka. The commencement of Virgin Australia's Canberra-Bali service was a notable milestone during the year, demonstrating the continued recovery and growth of international aviation and delivering additional travel choices for Australian passengers.

Applications and decisions

During the 2025–26 financial year the Commission dealt with 22 applications resulting in 42 determinations and decisions. Some applications required additional consideration by the Commission. One such case involved a Qantas application to operate an additional passenger service on the Solomon Islands route. The proposal attracted an opposing submission, which was considered as part of the Commission's assessment process.

In the same period, Qantas returned its allocation of capacity on the China route, having ceased passenger services in 2024. Qantas also revoked some capacity on the Singapore and Japan routes in line with operational requirements and anticipated usage.

The Commission issued 11 determinations allocating new capacity and 7 determinations renewing capacity allocations. Among these, Qantas was allocated additional passenger capacity on the Cook Islands, France, Italy, Philippines and Singapore routes. Tasman Cargo Airlines was granted unrestricted freight capacity on the New Zealand route.

Virgin Australia renewed its capacity allocations on the France and Indonesia routes, and Qantas sought and received renewal of its capacity allocations on the Italy, Timor-Leste and Vietnam routes.

The Commission conducted 14 reviews of determinations at the request of airlines, varying 20 determinations to authorise code sharing with foreign airline partners. Two determinations were varied at the request of Qantas to reduce its capacity allocations on the Korea and Palau routes.

International arrangements

Following agreement reached in October 2024, the aeronautical authorities of Australia and Canada liberalised their air services arrangements from the commencement of the Northern Summer 2026 period. Qantas subsequently applied to the Commission in March 2026 for unlimited capacity on the Canada route.

In September 2025, the aeronautical authorities of Australia and the Philippines agreed to expand their air services arrangements, converting the passenger capacity available to Australian designated airlines from seats to services per week and increasing total capacity from 35 to 70 services per week by late 2026.

Stakeholder engagement

The Commission held a total of 11 meetings during the financial year; some conducted face-to-face in Canberra and others by teleconference. Engagement with our airline stakeholders remains a central part of the Commission's work, and during the reporting period we held face-to-face meetings with senior executives and officers from Qantas, Virgin Australia and AERgO.

I would like to acknowledge my fellow Commissioner, Jane McKeon, for her valuable industry expertise, insight, and contribution to the work of the Commission throughout the year, and for her ongoing support and collegiality.

I also extend my sincere thanks to the Secretariat staff – Director Jasmina Morling and Senior Adviser Anna Ovari – whose professionalism, dedication, and commitment have ensured the effective and efficient operation of the Commission.

Genevieve Butler
Chairperson

PART 2
Overview of the International Air Services Commission

The role and functions of the Commission

The Commission is an independent statutory authority established under the *International Air Services Commission Act 1992* (IASC Act). The object of the IASC Act is to enhance the welfare of Australians by promoting economic efficiency through competition in the provision of international air services by Australian carriers, resulting in:

a) increased responsiveness by airlines to the needs of consumers, including an increased range of choices and benefits

b) growth in Australian tourism and trade

c) the maintenance of Australian carriers capable of competing effectively with airlines of foreign countries.

The Commission's primary responsibility is to serve the object of the IASC Act by allocating capacity entitlements to Australian airlines for the operation of international passenger and freight services. The capacity allocated by the Commission comes from entitlements available to Australian international airlines under air services arrangements between Australia and other countries and economies. In particular, the functions of the Commission are to:

a) make determinations allocating capacity to Australian carriers in both contested and uncontested situations;

b) renew determinations on application by Australian carriers;

c) conduct reviews of determinations; and

d) provide advice to the Minister about any matter referred to the Commission by the Minister concerning international air operations.

The IASC Act is complemented by a Policy Statement from the Minister. *The International Air Services Commission Policy Statement 2018* (the Policy Statement) is a legislative instrument under section 11 of the IASC Act. It sets out criteria to be applied by the Commission in various circumstances; including how the Commission is to assess the benefit to the public of an allocation of capacity.

Reasonable capability criterion and the additional criteria

There are two sets of criteria that the Commission is to have regard to in assessing whether an application is of benefit to the public: the 'reasonable capability criterion' under section 8 of the Policy Statement and the 'additional criteria' under section 9. When and how the Commission is to have regard to the criteria is set out in Part 3 of the Policy Statement.

Under the 'reasonable capability criterion', the Commission is to assess 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.

Section 9 of the Policy Statement lists the 'additional criteria' which the Commission may have regard to in assessing an application. The additional criteria include competition, consumer benefit, tourism and trade, as well as relevant information obtained from other Australian Government agencies and authorities. The list is not exhaustive and subsection 9(l) explicitly provides that the Commission may consider 'any other matter or consideration that the Commission considers to be relevant'.

The Commission has published administrative guidelines to assist applicants in submitting their applications and interested persons in making submissions about applications to the Commission. A summary of these procedures is at Appendix 5. The aim of the procedures is to ensure that applicants and other interested parties understand the requirements for making applications or submissions, are familiar with the Commission's decision-making processes, and are aware of their rights and obligations.

Duration and types of determinations

Determinations allocating capacity are usually made for a period of 5 years for routes where capacity entitlements or route rights are limited (restricted) under the relevant air services arrangements. In cases where capacity entitlements and route rights are not limited (that is, there is no limit or restriction on the amount of capacity that can be operated by carriers), the determinations are made for 99 years.

For routes that have restricted capacity, if an applicant carrier requests that a determination be made for a shorter period, the Commission will fix the period as requested.[1]

In exceptional circumstances, the Commission may issue an interim determination which is valid for a period of no more than 3 years. Interim determinations are normally made when capacity is being allocated to a new Australian carrier.

1 Section 20, Policy Statement

Renewal of determinations

The Commission is required to start its consideration of the renewal of a determination at least 12 months before it expires. The Commission initiates such a review by formally asking the Australian carrier to whom the determination allocates capacity whether they wish to apply to seek a renewal of the determination. Except for interim determinations, there is a presumption in favour of making the same allocation of capacity to the carrier seeking the renewal, unless the Commission is satisfied that the (same) allocation is no longer of benefit to the public.[2] The allocation is generally no longer of benefit to the public if:

a) the carrier seeking renewal has failed to service the route effectively; and
b) there are other applications for some or all of the capacity; and
c) the Commission having regard to the reasonable capability criterion and any of the additional criteria that it considers relevant, is satisfied that a different allocation of the capacity would be of greater benefit to the public.[3]

Review of determinations: transfer applications, variations on application and review for cause

From time to time, Australian carriers apply to the Commission to vary determinations held by them. There can be a number of reasons for an airline to seek a variation. For example, a carrier may request to transfer a capacity allocation to another entity within the same airline group, or it may seek authorisation for a wholly-owned subsidiary to utilise the capacity allocation.[4]

The most common application for variation received by the Commission seeks authorisation to enable an Australian carrier to use its allocated capacity to offer code share services with another airline, including foreign airlines. The Commission conducts a review of the determination, and as required by the IASC Act, invites submissions about the application.

In relation to an application for variation other than a transfer application[5] (as discussed in the paragraph below), if the Commission does not receive submissions opposing the variation requested, then in assessing the application, the Commission is to have regard to the reasonable capability criterion and need not have regard to any other matter, although it may in certain circumstances. If, however, the Commission receives one or more submissions opposing the application for variation, the Commission is to have regard to the reasonable capability criterion, and may have regard to any of the additional criteria it considers to be relevant.[6]

2 Subparagraph 8(2)(a)(i), *IASC Act*
3 Section 14, Policy Statement
4 Section 22, *IASC Act*
5 As defined in section 4 of the *IASC Act*
6 Section 17, Policy Statement

As noted above, most of the applications for variation of existing determinations received by the Commission relate to an Australian carrier seeking authorisation to utilise existing capacity allocations for code sharing with another airline or airlines. This type of variation application is a transfer application as so defined in section 4 of the IASC Act. In assessing whether a transfer application would not be of benefit to the public, the Commission is to have regard to:

a) the reasonable capability criterion;
b) the undesirability of approving a transfer where doing so will, or is reasonably likely to, permit or encourage any form of speculative activity, including trading in capacity allocations for commercial benefit; and
c) the undesirability, other than in exceptional cases, of approving a transfer application by a carrier that has never used an allocation, or has only used an allocation for less than 6 months.

The Commission may also have regard to any of the additional criteria it considers relevant, as set out in section 9 of the Policy Statement.[7] If the Commission finds that a transfer application would not be of benefit to the public, the Commission must not vary the determination as requested.[8]

The Commission may itself initiate a review of a determination if it is concerned that a carrier might be in breach of a condition of the determination.[9] This can occur, for example, where a carrier has been allocated capacity, but has not fully used that capacity by the time it was required to do so by the Commission. Where the Commission has commenced a review because an Australian carrier has not complied with a condition that capacity be fully used, the Commission may have regard to the following matters:

a) whether at the time of the review, there is an application from another Australian carrier for an allocation of capacity on the route, and the unused capacity prevents a competing applicant from being allocated capacity entitlements;
b) whether there is seasonal variation in demand on the route in question; and
c) any other matter that the Commission considers to be relevant.[10]

Having conducted such a review, the Commission may confirm, vary, suspend or revoke the determination.[11]

7 Section 18, Policy Statement
8 Section 25, *IASC Act*
9 See subsection 10(1) and section 23, *IASC Act*
10 Section 24, Policy Statement
11 Subsection 23(1), *IASC Act*

Executive profile

The IASC Act provides for a Chairperson and 2 Members of the Commission. At 30 June 2026, the Commission was comprised of a Chairperson Genevieve Butler and Member Jane McKeon.

Genevieve Butler Chairperson
First appointed: 5 August 2021 (part-time)
Re-appointed: 1 August 2024 (part-time)

Genevieve Butler is an experienced Chair and Non-Executive Director with expertise in administrative law and aviation law. As a senior lawyer with the Australian Transport Safety Bureau, she provided legal advice regarding the search for the missing Malaysia Airlines Flight MH370 and on coronial inquiries into aviation accidents. Genevieve has also advised Senators and Members of Parliament on a range of legislative matters, and has conducted litigation and provided legal advice for the ACT Government Solicitor.

Reflecting her commitment to risk governance, Genevieve serves on the Institute of Strategic Risk Management's NSW/ACT Committee. In the arts and entertainment sector, she holds governance positions as a Board Member and Chair of the Finance and Audit Committee of Screen Canberra and Board Member of Megalo Print Studio.

Genevieve is a former national Board Member of the Association of Corporate Counsel Australia (ACC), and has previously held ACT Government statutory appointments as Chair of the Animal Welfare Advisory Committee and as a member of the Brand Strategic Advisory Board. She is also a former Non-Executive Director and Audit and Risk Committee member of Community Services #1. Genevieve served on the ACT Law Society's Government Law Committee for many years and is a former editor of the Aviation Law Association of Australia and New Zealand's periodical.

Genevieve's international career in public affairs took her to Europe, the United States and Africa. She was an External Affairs Officer for the United Nations Department of Peacekeeping Operations in New York, Eritrea and Ethiopia, where she also chaired a Board of Inquiry. She was previously Public Affairs Manager for the Australian Embassy to Belgium and Mission to the European Union and NATO. Earlier in her career, she worked as a foreign correspondent and producer for CNN, CNBC, BBC World and Reuters in London, Paris, Berlin, Frankfurt, Brussels and Stockholm.

Genevieve holds a Bachelor of Laws (Hons) and a Bachelor of Arts from the Australian National University (ANU), a Graduate Diploma of Legal Practice from the NSW College of Law, and a Master of Journalism from the University of Queensland. She is admitted as a practitioner of the Supreme Court of NSW.

Jane McKeon Commissioner
First appointed: 16 December 2021 (part-time)
Re-appointed: 16 December 2024 (part-time)

Jane McKeon has experience in stakeholder engagement, regulatory affairs and governance.

Jane is an independent non-executive director of Crown Sydney and chairs the board's Risk, Compliance and Responsible Gaming Committee. She also provides advisory consulting services to the private and public sectors, with former clients including Zurich Cover-More Travel Insurance and Western Sydney Airport Co Ltd. She has previously served on the Board of the Australian Government's Council of Australia Latin America Relations and as a Commissioner of Tourism Western Australia.

Jane had a long executive career in the airline industry, joining Ansett Australia as a management trainee in the 1990s, and subsequently working with Qantas Airways (2002 to 2010) and Virgin Australia (2010 to 2018).

As General Manager – Government and International Relations, Jane was responsible for promoting the Qantas Group's interests in the development of Australia's aviation, tourism and trade policy settings and managed economic regulatory activities for Qantas' international passenger and freighter services and the launch of Jetstar as an Australian international carrier.

As Group Executive – Government Relations for Virgin Australia and a member of the Executive Committee, Jane led the airline's engagement and advocacy with governments, regulators and industry bodies in Australia and internationally. From 2014 to 2017 she was Chair of the airline's joint venture with the Samoan Government, Virgin Samoa.

Jane holds Bachelor of Arts (First Class Honours) and Bachelor of Science degrees from the University of Melbourne and is a Graduate of the Australian Institute of Company Directors.

Commissioners' attendance at meetings in 2025–26

Commissioner	Number of meetings possible	Number of meetings attended
Genevieve Butler	11	11
Jane McKeon	11	11

L-R: Jane McKeon (Commission Member), Genevieve Butler (Chairperson)

The Secretariat

The Commission is assisted in its work by a small Secretariat. The Secretariat is comprised of officers of the department. The Secretariat is headed by a Director, supported by a Senior Adviser. The Secretariat provides advice and assistance to the Commissioners on all aspects of the Commission's operations.

L-R: Anna Ovari (Senior Adviser) and Jasmina Morling (Director, IASC Secretariat)

Communications with interested parties

There are many stakeholders with a direct or indirect interest in what the Commission does. They include:

- the Minister;
- current and prospective Australian international airlines;
- the broader aviation industry, including airport owners and operators, providers of services to airlines and employee associations;
- the international tourism and freight industries, including Australian exporters;
- Australian and State Government departments and agencies;
- aviation industry investors, analysts and journalists;
- the travelling public.

The Commission places great importance on maintaining effective relationships with those stakeholders. The Commission takes into account the views of stakeholders in its decision-making processes, as appropriate to particular cases. Interested members of the public and stakeholders who have requested to be included in the Commission's notification list are regularly notified, by email, of applications received and the Commission's determinations and decisions. The Commission's website is regularly updated to inform the public of applications made by airlines and determinations and decisions made by the Commission.

The role of the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

The Commission works closely with the department. The department is responsible for the negotiation and administration of air services arrangements between Australia and other countries and economies. An important part of the negotiating process is to provide opportunities for Australian carriers to expand their services between Australia and other countries and international markets.

Register of Available Capacity

In accordance with the IASC Act, the department maintains a publicly accessible Register of Available Capacity for Australian international airlines, which records the capacity and route entitlements available under each set of air services arrangements.

An Australian carrier may apply to the Commission for an allocation of capacity recorded on the register as available for immediate allocation. The entitlements on the register are adjusted as determinations allocating capacity are made by the Commission, as carriers hand back capacity and/or when the department negotiates new or revised capacity entitlements on behalf of the Australian Government. There is regular communication between the department and the Commission on these matters.

Another area where the roles of the Commission and the department intersect involves applications from prospective new Australian international airlines wishing to operate scheduled international passenger and/or freight services.

Before allocating capacity to an applicant airline, the Commission must be satisfied that the applicant airline is:

a) reasonably capable of obtaining any licences, permits and other regulatory approvals necessary to operate on and service the route to which the determination relates; and
b) using the capacity allocated under the determination.

The department is responsible for designating and licensing Australian airlines to operate regular scheduled international services. As part of its assessment, the Commission consults with the department to determine whether an airline is reasonably capable of securing the required regulatory approvals to operate on the relevant route.

Importantly, an airline must first receive a capacity allocation from the Commission before the department can make operational decisions regarding that capacity, including issuing licences and approving airline timetables for scheduled international services.

Photo © Tasman Cargo

PART 3
Report on performance

Overview

The Commission's performance report is based on an assessment of its results for the year using a range of criteria. Three sets of criteria have been adopted by the Commission to enable a thorough assessment of all aspects of its operations. Broadly, the criteria encompass:

- how well the object of the IASC Act has been met by the Commission's decision making;
- how fair and effective the Commission has been in dealing with applicants and interested parties; and
- how efficient the Commission has been in the use of financial resources available to it.

The Commission's assessment of its performance against each of these criteria is set out below.

Serving the object of the IASC Act

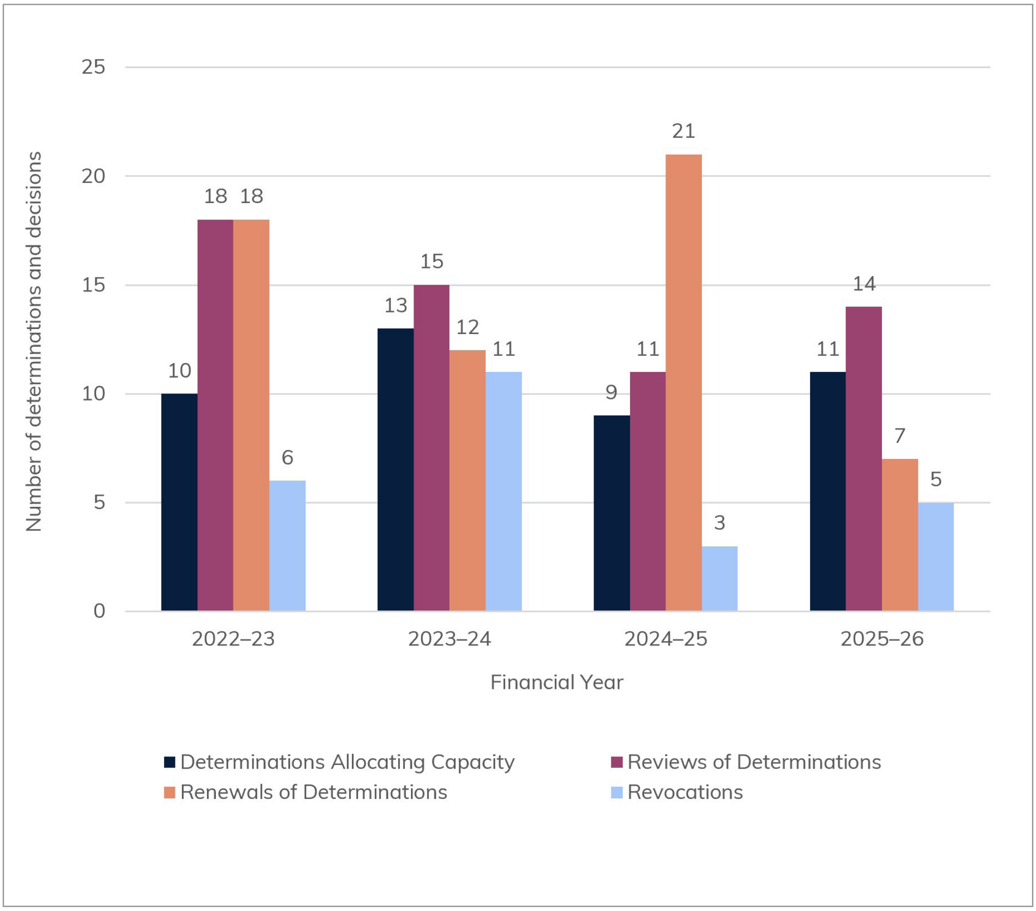
The object of the IASC Act is to enhance the welfare of Australians by promoting economic efficiency through competition in the provision of international air services. Under the IASC Act, the Commission's functions are to make determinations; review determinations; and provide advice to the Minister about any matter referred to the Commission by the Minister concerning international air operations. In fulfilling its functions, the IASC Act requires the Commission to comply with policy statements made by the Minister under section 11 of the IASC Act and to have regard to Australia's international obligations concerning the operation of international air services.

The Commission records annually the number of determinations and decisions (involving reviews and variations of determinations) it has made during the financial year. The volume of activity varies from year to year, and the Commission's work is dictated by the number of applications made by airlines. The allocation of new (or additional) capacity is similarly directly related to the response of Australian carriers to the demand for air services. In the financial year 2025–26, a total of 42 determinations and decisions were issued by the Commission, including 11 determinations allocating new capacity.

The Commission varied 20 determinations at the request of airlines to authorise code sharing with foreign airline partners. The Commission also issued 5 resolutions, extending the date of utilisation of capacity and to recognise the change in capacity type due to changes made to air services arrangements. In addition, 7 determinations approaching their expiry date were renewed and 5 determinations were revoked at the request of the airline holding the capacity.

The graph below shows comparative data for the current reporting period with the 3 preceding years.

Historical numbers of determinations and decisions



A brief summary of all determinations and decisions for 2025–26 is at Appendix 1. A more detailed description of each case is set out in Appendix 2.

The Commission's full determinations and decisions in these cases are available on its website www.iasc.gov.au.

Allocations of capacity

In 2025-26, Qantas applied for and was granted additional capacity across a number of routes, including an additional 3 weekly frequencies on the Philippines route, 4 weekly frequencies on the Italy route, 0.5 units on the France route, 97 seats on the Solomon Islands route, and 4 frequencies on the Canada route.

The additional capacity allocated on the Canada route was subsequently revoked and replaced with an allocation of unlimited passenger capacity. This followed amendments to the air services arrangements agreed between the Governments of Australia and Canada in 2024, which remove capacity constraints on Australian designated carriers for passenger services between the 2 countries, effective from the Northern Summer 2026 IATA scheduling season.

On the Cook Islands route, Qantas was also granted additional capacity for its wholly-owned subsidiary, Jetstar, to commence services between Brisbane and Rarotonga. Services are scheduled to operate 3 times per week from 18 May 2026 using Airbus A321neo LR aircraft configured with 232 seats.

Qantas was further granted 3 weekly frequencies on the Sri Lanka route for Jetstar to commence services between Melbourne and Colombo. The services are scheduled to operate from 25 August 2026 using Boeing 787 Dreamliner aircraft configured with 335 seats.

Renewal of existing capacity allocations

Virgin Australia applied for and was granted renewal of its capacity allocations on the France and Indonesia routes. Qantas also applied for and was granted renewal of its capacity allocations on the Italy, Timor-Leste, United Kingdom and Vietnam routes.

For freight services, Tasman Cargo applied for and was granted renewal of its capacity allocation on the New Zealand route.

Variations of determinations

Code share applications remained a significant part of the Commission's workload during the reporting period. Qantas sought and was granted a number of variations to existing determinations to allow for expanded and new code share arrangements. These included a variation to a determination on the Chile route to permit code sharing with China Eastern Airlines. Qantas was also granted variations to 4 determinations on the Indonesia route, and one determination each on the New Zealand, Singapore and Thailand routes, to permit its wholly-owned subsidiary, Jetstar, to use the allocated capacity for code sharing with IndiGo.

Additional variations to determinations on the Indonesia route were made to permit Jetstar to use the allocated capacity for code sharing with Finnair, Emirates and KLM Royal Dutch Airlines. Qantas' determination on the New Zealand route was also varied to permit it to utilise the capacity to code share with IndiGo and Malaysia Airlines.

Virgin Australia applied for and was granted variation to one determination on the New Zealand route and 3 determinations on the Vanuatu route to permit the use of the allocated capacity for code sharing with China Southern Airlines.

Qantas also varied its capacity allocation on the Korea route to hand back 300 seats and on the Palau route to hand back 6 seats.

Revocation of capacity allocations

Qantas applied to revoke a number of its existing passenger capacity allocations. These included its unlimited capacity allocation on the China route, 300 seats per week on the Singapore route for exercise of own-stopover rights to Colombo, and an allocation of one daily frequency on the Japan route, for services to Tokyo-Haneda. Qantas also sought to revoke its capacity allocation on the Canada route. This allocation has been superseded by the introduction of unlimited capacity on the route.

Virgin Australia requested the revocation of its capacity allocation on the Samoa route.

Resolutions

On 14 August 2025, the Commission issued Resolution [2025] IASC R04 in relation to Determination [2023] IASC 117, which allocated capacity on the Papua New Guinea route to AERgO. The resolution extended the date for utilisation of the allocated capacity to 3 May 2026, to allow the airline additional time to secure the remaining approvals from foreign authorities required to operate scheduled freight services. Determination [2023] IASC 117 was not renewed by the carrier and subsequently expired on 3 May 2026.

On 22 September 2025, the Commission issued 4 resolutions ([2025] IASC R05, [2025] IASC R06, [2025] IASC R07 and [2025] IASC R08) to give effect to, and interpret, changes to the type of capacity available to Australian designated carriers for passenger services to Manila and Bulacan. These changes, agreed between the Government of Australia and Philippines in September 2025, replaced capacity expressed in seats with capacity expressed in services, and were applied to Determinations [2025] IASC 106, [2025] IASC 104, [2024] IASC 118 and [2023] IASC 106 which allocate capacity to Qantas.

Serving applicants and interested parties

The Commission is committed to performing its functions in a professional, efficient and fair manner. Our Client Service Charter sets out the nature and level of service standards the public can expect from the Commission and its staff.

The Commission ensures that it consults with its stakeholders ahead of making major decisions that would change the way it operates or would impact stakeholders in a significant manner. The Commission and its staff meet regularly with its key stakeholders, including airlines that hold capacity allocations issued by the Commission.

Compliments and complaints

We publish information on our website about how to make a complaint or provide feedback on the Commission's performance. Feedback can be provided at any time via email to the Commission's Director or by completing the Feedback on service performance form available on the Commission's website. The Commission uses any feedback to identify service problems and potential improvements. In 2025–26, the Commission did not receive any complaints.

Decision times

The Commission records the time taken to make each of its decisions and considers timeliness to be an important performance benchmark. The Commission's Service Charter sets out the target timeframes for its decision-making processes, which apply where all necessary information has been received from airlines and other stakeholders.

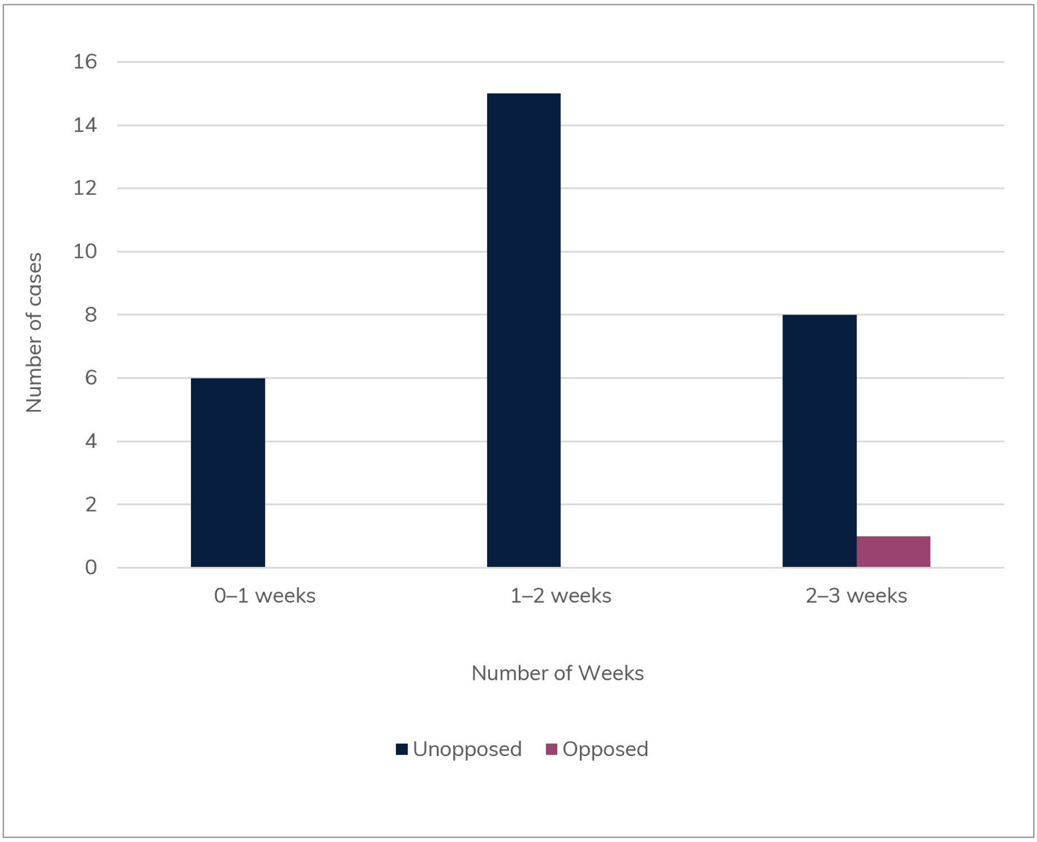
The Commission seeks to finalise decisions on uncontested and unopposed applications, including renewals, within 4 weeks after the end of the notification period. For contested or opposed applications, the Commission aims to make decisions within 12 weeks after the end of the notification period. Where additional time is required, the Commission will notify the relevant airlines and provide reasons.

For contested renewal applications, the Commission aims to make decisions at least 6 months prior to the expiry of the relevant determination, circumstances permitting. The Commission also notifies applicants of its decisions by email within one business day and informs other interested parties by email and through publication on its website as soon as practicable thereafter.

While the Commission seeks to make decisions promptly, the nature and complexity of some matters require consultation processes and the collection and consideration of additional information from applicant carriers and other stakeholders, including government agencies.

In 2025–26, longer decision timeframes were experienced in some instances where the Commission was awaiting necessary information and supporting documentation from airlines and government agencies. Once all required information was received, the Commission generally finalised decisions within 2 weeks.

Detailed information about the Commission's timeliness performance is contained in the following chart.



*Timeframes recorded from the date of receipt of all necessary information for the Commission to make a decision

Capacity allocated to Australian International Airlines as at 30 June 2026

Passenger capacity

Route	Capacity limit[1] under bilateral air services arrangements	Total capacity allocated	Qantas Group allocation	Virgin Australia allocation	Shelf capacity available for allocation
Bangladesh	5 frequencies	5 frequencies	–	5 frequencies	0 frequencies
Canada	Open	Unlimited	Unlimited	–	Unlimited
Chile	35 frequencies	7 frequencies	7 frequencies	–	28 frequencies
Cook Islands	3,000 seats	2,508 seats	2,508 seats	–	492 seats
Fiji	Majors^: 6,900 seats Others: Open	Majors: 6,899 seats –	Majors: 2,499 seats Others: Unlimited	Majors: 4,400 seats Others: Unlimited	Majors: 1 seat Others: Unlimited
France (Route 1)	3.0 units 400 one–way code share seats	2.5 units 400 one–way code share seats	2.5 units 250 one–way code share seats	– 150 one–way code share seats	0.5 units 0 one–way code share seats
New Caledonia	2,400 seats	1,044 seats	1,044 seats	–	1,356 seats
Hong Kong	Majors~: 91 frequencies Others: Open	Majors: 14 frequencies –	Majors: 14 frequencies –	—	Majors: 77 frequencies Others: Unlimited
India	Open[2]	Unlimited	Unlimited	–	Unlimited
Indonesia	Majors*: 25,000 seats Others: Open ERP[3]: 2,500 seats Beyond[4]: 5,016 seats/16 frequencies	25,000 seats Unlimited ERP: 2,320 seats Beyond: 1,624 seats/7 frequencies	Majors: 20,076 seats Others: Unlimited ERP: 2,320 seats Beyond: 1,624 seats/7 frequencies	Majors: 4,924 seats Others: Unlimited – –	Majors: 0 seats Others: Unlimited ERP: 180 seats Beyond: 3,392 seats/9 frequencies
Italy	7 frequencies 1,700 code share seats[5]	7 frequencies 1,600 code share seats	7 frequencies 1,000 code share seats	– 600 code share seats	0 frequencies 100 code share seats
Japan	Open Tokyo – Haneda Airport: 21 frequencies	Unlimited Haneda: 14 frequencies	Unlimited Haneda: 14 frequencies	– –	Unlimited Haneda: 7 frequencies

Route	Capacity limit[1] under bilateral air services arrangements	Total capacity allocated	Qantas Group allocation	Virgin Australia allocation	Shelf capacity available for allocation
Korea	Majors^: 9,500 seats Others: Open	4,633 seats –	3,633 seats –	1,000 seats –	Majors: 4,867 seats Others: Unlimited
New Zealand	Open	Unlimited	Unlimited	Unlimited	Unlimited
Palau	1,200 seats	168 seats	168 seats	–	1,032 seats
Papua New Guinea	3,520 seats	1,566 seats	1,566 seats	–	1,954 seats
Philippines	Majors[6]: 60 frequencies Others: Open	Majors: 17 frequencies Unlimited	Majors: 17 frequencies Unlimited	– –	Majors: 43 frequencies Others: Unlimited
Qatar	Majors~: 35 frequencies[7] Others: Open	28 frequencies –	– –	28 frequencies –	Majors: 7 frequencies Others: Unlimited
Samoa	2,000 seats	1,044 seats	1,044 seats	–	956 seats
Singapore	Open Stopover rights to Colombo: 1,200 seats	Unlimited Stopover rights to Colombo: 700 seats	Unlimited Stopover rights to Colombo: 300 seats	– Stopover rights to Colombo: 400 seats	Unlimited Stopover rights to Colombo: 500 seats
Solomon Islands	Majors^: 2,000 seats Others: Open	Majors: 485 seats –	Majors: 485 seats –	– –	Majors: 1,515 seats Others: Unlimited
South Africa	Majors[8]: 21 frequencies Others: Open	Majors: 10 frequencies –	Majors: 10 frequencies –	– –	Majors: 11 frequencies Others: Unlimited
Sri Lanka	Majors~: 42 frequencies Others: Open	Majors: 3 frequencies –	Majors: 3 frequencies –	– –	Majors: 39 frequencies Others: Unlimited
Thailand	45x B747 weekly services Limited to 7x third country code share frequencies per carrier[9]	35.6x B747 weekly services 33x third country code share frequencies	35.6x B747 weekly services 26x third country code share frequencies	0x B747 weekly services 7x third country code share frequencies	9.4x B747 weekly services 7x third country code share frequencies per carrier

Route	Capacity limit[1] under bilateral air services arrangements	Total capacity allocated	Qantas Group allocation	Virgin Australia allocation	Shelf capacity available for allocation
Timor-Leste	21 frequencies	7 frequencies	7 frequencies	–	14 frequencies
Tonga	1,600 seats	522 seats	522 seats	–	1,078 seats
United Kingdom	Open	Unlimited	Unlimited	–	Unlimited
United States	Open	Unlimited	Unlimited	–	Unlimited
Vanuatu	Majors*: 4,000 seats Others: Open	Majors: 3,982 seats –	Majors: 1,798 seats –	Majors: 2,184 seats –	Majors: 18 seats Others: Unlimited
Vietnam	Majors~: 84 frequencies[10] Others: Open	Majors: 7 frequencies –	Majors: 7 frequencies –	– _	Majors: 77 frequencies Others: Unlimited

1 Refers to weekly capacity limit for Australian international airlines under relevant bilateral air services arrangements.

^ To/from major gateways: Sydney, Melbourne, Brisbane and Perth.

~ To/from major gateways: Sydney, Western Sydney, Melbourne, Brisbane and Perth.

* To/from major gateways: Sydney, Melbourne (including Avalon), Brisbane and Perth.

2 Unlimited seats, with any type of aircraft, to and from any points in Australia to Mumbai, New Delhi, Kolkata, Chennai, Bangalore and Hyderabad.

3 The Enhanced Regional Package (ERP) provides additional capacity in agreed markets (up to a limit) for services that operate via or beyond to a point in Australia other than Sydney, Melbourne, Brisbane and Perth.

4 Beyond Jakarta, Denpasar and two (2) points in Indonesia west of Denpasar, to beyond point in Singapore, points in Malaysia and a point in Thailand, provided that no more than 7 per week in each direction using any aircraft type may be operated beyond Denpasar.

5 Unlimited code share seats between Australian and Italian airlines. Limit of up to 1,700 seats per week each direction for Australian and third country airlines.

6 To/from Manila and Bulacan.

7 An additional 7 frequencies per week may be operated with any aircraft type between Qatar and Brisbane, Melbourne, Perth, Sydney and Western Sydney provided such services operate via or beyond to a point in Australia other than Brisbane, Melbourne, Perth, Sydney and Western Sydney.

8 To/from Johannesburg, Cape Town and/or Durban.

9 In addition to the limit of 7 weekly code share services per carrier, any capacity which is not operated may be converted into available additional code share services on the basis of one unused B747 equivalent service weekly in each direction equals one third party code share frequency weekly in each direction.

10 An additional 14 frequencies per week may be operated with any aircraft type between points in Vietnam and Brisbane, Melbourne, Perth, Sydney and Western Sydney provided that such services operate via or beyond to a point in Australia that is not Brisbane, Melbourne, Perth, Sydney and Western Sydney.

Freight capacity

Route	Capacity limit under bilateral air services arrangements	Total capacity allocated	Qantas Group allocation	Virgin Australia Allocation	Tasman Cargo Airlines allocation	Shelf capacity available for allocation
China	Open	Unlimited	Unlimited	–	–	Unlimited
Hong Kong	Open	Unlimited	Unlimited	–	Unlimited	Unlimited
New Zealand	Open	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Singapore	Open	Unlimited	Unlimited	–	Unlimited	Unlimited
Thailand	Open	Unlimited	Unlimited	–	–	Unlimited
United States	Open	Unlimited	Unlimited	–	–	Unlimited

Financial information

The Commission's operations are supported through resources provided by the department. Expenditure relating to the Commission is administered by departmental officials and reported through the department's financial statements. The Commission does not prepare separate financial statements.

PART 4
Management and accountability

Corporate governance practices

As the Commission is a small organisation, it requires less complex corporate governance structures than those of larger bodies such as Government departments. The Commission considers its corporate governance arrangements to be appropriate for its small size and consistent with its statutory role and responsibilities. There are 2 parts to the governance arrangements. The first of these addresses the Commission's responsibilities under the IASC Act. The second part of the governance structure concerns staffing of the Commission's Secretariat and the expenditure of the Commission's budget.

Part 4 of the IASC Act sets out procedures with which the Commission must comply. The Commission considers that it meets these requirements in full. The most significant of the requirements concerns the holding of meetings. The Commission usually meets at its offices in Canberra. However, when urgent issues arise and it is not practicable to have a face-to-face meeting in Canberra, the Commission conducts meetings by video or teleconference. The use of electronic media for conducting meetings reduces travel costs associated with face-to-face meetings, representing a saving to the Commission's budget. A quorum of 2 members is present at all meetings and minutes are kept of proceedings at all meetings.

During its meetings, the Commission discusses the applications from carriers and makes determinations and decisions in accordance with the IASC Act and the Policy Statement. Additionally, administrative issues such as staffing, financial and risk management issues, as appropriate, are discussed at these meetings. Commissioners and the Secretariat maintain regular contact about matters requiring the Commission's attention in the periods between meetings.

Part 4 of the IASC Act enables the Commission to hold hearings at its discretion. No hearings were held this year.

Part 5 of the IASC Act deals with the membership of the Commission.

The Chairperson and members are appointed by the Governor-General. A member may be appointed on a full-time or part-time basis, and the Minister may determine the terms and conditions of appointment on matters not provided under the IASC Act.

Genevieve Butler was appointed by the Governor-General as Chairperson of the Commission for a 3-year term commencing on 5 August 2021. On 1 August 2024, she was re-appointed for a further period of 2 years from 5 August 2024.

Jane McKeon was appointed by the Governor-General as Commissioner, pursuant to section 40 of the IASC Act, for a 3-year term commencing 16 December 2021. On 1 August 2024, she was re-appointed for a further period of 4 years from 16 December 2024.

The Remuneration Tribunal sets the Chair and Members' remuneration and travel entitlements pursuant to the *Remuneration Tribunal Act 1973*.

Section 47 of the IASC Act requires members to disclose any interest that could conflict with the performance of their functions in relation to proceedings conducted by the Commission. Commissioners disclose potential conflicts of interest at every Commission meeting.

Section 53 of the IASC Act requires the Commission to prepare and give to the Minister a report of its operations for the financial year. The Commissioners review drafts of the annual report during its preparation. The final report is cleared and signed off by all Commissioners and is provided to the Minister in accordance with the requirements of the IASC Act. The report is tabled in both Houses of Parliament.

The second part of the Commission's corporate governance arrangements arises from the Commission's relationship with the department. Secretariat staff members are officers of the department and are subject to the same responsibilities and obligations applying to all departmental staff. The Commission's Director is responsible for the day-to-day management of the Secretariat, in accordance with these obligations and responsibilities.

External scrutiny

There was no formal external scrutiny of the Commission and no determinations or decisions made by it were the subject of judicial (or administrative) review.[12]

Management of human resources

As at 30 June 2026, the Secretariat was comprised of one full-time Executive Level 2 officer as Director of the Secretariat and one full-time APS Level 6 officer as Senior Adviser. As officers of the department, Secretariat staff members are subject to the *Australian Public Service Values* and the *Australian Public Service Code of Conduct* (as set out in the *Public Service Act 1999*) and all other relevant public service terms and conditions.

Asset management

Asset management is not a prominent aspect of the business of the Commission and is managed in accordance with departmental policies and procedures.

Purchasing

The Commission made no significant purchases during the year.

Consultants, contractors and competitive tendering

During the reporting period, the Commission did not engage the services of consultants or contractors, and it did not engage in a competitive tender process.

12 Decisions made by the Commission are not subject to merits review by the Administrative Review Tribunal.

Photo © Virgin Australia

APPENDIX 1
Determinations and decisions

This table summarises briefly the determinations and decisions issued during 2025–26.

A full summary is at Appendix 2. Individual determinations, decisions and renewals may be viewed on the Commission's website at www.iasc.gov.au.

Route	Airline	IASC Number	Date Issued	Capacity Allocated (per week)	Comment
Canada	Qantas	[2025] IASC 108	14 Aug 25	4 frequencies	Determination allocating capacity
Canada	Qantas	[2026] IASC 104	24 Apr 26	Unlimited passenger capacity	Determination allocating capacity
Canada	Qantas	[2026] IASC 206	04 May 26	–	Revocation of Determinations [2023] IASC 133 and [2025] IASC 108
Chile	Qantas	[2025] IASC 214	19 Aug 25	–	Variation of Determination [2024] IASC 125 to permit the use of the capacity for code sharing between Qantas and China Eastern Airlines
China	Qantas	[2026] IASC 204	29 Apr 26	–	Revocation of Determination [2017] IASC 104
Cook Islands	Qantas	[2025] IASC 109	9 Sep 25	696 seats	Determination allocating capacity
France	Virgin Australia	[2025] IASC 110	15 Sep 25	150 one–way code share seats	Renewal of Determination [2019] IASC 124
France	Qantas	[2026] IASC 106	24 Apr 26	0.5 units of capacity	Determination allocating capacity
Indonesia	Qantas	[2025] IASC 211	14 Aug 25	–	Variation of Determinations [2023] IASC 107, [2024] IASC 113 and [2024] IASC 128 to permit the use of the capacity for code sharing between Jetstar and IndiGo

Route	Airline	IASC Number	Date Issued	Capacity Allocated (per week)	Comment
Indonesia	Qantas	[2025] IASC 216	15 Sep 25	–	Variation of Determinations [2024] IASC 128 and [2023] IASC 107 to permit the use of the capacity for code sharing between Jetstar and Finnair
Indonesia	Virgin Australia	[2025] IASC 114	03 Oct 25	120 seats	Renewal of Determination [2020] IASC 105
Indonesia	Qantas	[2025] IASC 221	11 Dec 25	–	Variation of Determination [2024] IASC 128 to permit the use of the capacity for code sharing between Jetstar and Emirates, and Determination [2024] IASC 113 to permit the use of the capacity for code sharing between Jetstar and KLM Royal Dutch Airlines
Indonesia	Qantas	[2026] IASC 201	30 Jan 26	–	Variation of Determination [2023] IASC 131 to permit the use of the capacity for code sharing between Jetstar and Finnair, and Jetstar and IndiGo
Italy	Qantas	[2025] IASC 113	23 Sep 25	1 frequency	Determination allocating capacity
Italy	Qantas	[2026] IASC 105	24 Apr 26	3 frequencies	Determination allocating capacity
Italy	Qantas	[2026] IASC 108	03 Jun 26	3 frequencies	Renewal of Determination [2022] IASC 101
Japan	Qantas	[2025] IASC 218	11 Nov 25	–	Revocation of Determination [2024] IASC 122
Korea	Qantas	[2025] IASC 220	24 Nov 25		Variation of Determination [2023] IASC 116 to reduce capacity allocated by 300 seats
New Zealand	Qantas	[2025] IASC 210	06 Aug 25	–	Variation of Determination [2023] IASC 123 to permit the use of the capacity for code sharing between Qantas and IndiGo
New Zealand	Qantas	[2025] IASC 212	14 Aug 25	–	Variation of Determination [2023] IASC 123 to permit the use of the capacity for code sharing between Jetstar and IndiGo

Route	Airline	IASC Number	Date Issued	Capacity Allocated (per week)	Comment
New Zealand	Tasman Cargo	[2025] IASC 115	21 Oct 25	Unlimited freight capacity	Renewal of Determination [2015] IASC 112
New Zealand	Qantas	[2025] IASC 217	21 Oct 25	–	Variation of Determination [2023] IASC 123 to permit the use of the capacity for code sharing between Qantas and Malaysia Airlines
New Zealand	Virgin Australia	[2026] IASC 203	5 Mar 26	–	Variation of Determination [2017] IASC 113 to permit the use of the capacity for code sharing between Virgin Australia and China Southern Airlines
Palau	Qantas	[2026] IASC 205	29 Apr 26		Variation of Determination [2024] IASC 127 to reduce capacity allocated by 6 seats
Papua New Guinea	AERgO	[2025] IASC R04	14 Aug 25	–	Resolution extending utilisation date of Determination [2023] IASC 117
Philippines	Qantas	[2025] IASC R08	22 Sep 25	1 frequency	Resolution to recognise the change in capacity from seats to services per week for Determination [2023] IASC 106
Philippines	Qantas	[2025] IASC R07	22 Sep 25	4 frequencies	Resolution to recognise the change in capacity from seats to services per week for Determination [2024] IASC 118
Philippines	Qantas	[2025] IASC R06	22 Sep 25	3 frequencies	Resolution to recognise the change in capacity from seats to services per week for Determination [2025] IASC 104
Philippines	Qantas	[2025] IASC R05	22 Sep 25	6 frequencies	Resolution to recognise the change in capacity from seats to services per week for Determination [2025] IASC 106
Philippines	Qantas	[2025] IASC 111	23 Sep 25	1 frequency	Determination allocating capacity
Philippines	Qantas	[2026] IASC 110	15 Jun 26	2 frequencies	Determination allocating capacity

Route	Airline	IASC Number	Date Issued	Capacity Allocated (per week)	Comment
Samoa	Virgin Australia	[2026] IASC 207	12 Jun 26	–	Revocation of Determination [2021] IASC 117
Singapore	Qantas	[2025] IASC 215	21 Aug 25	–	Variation of Determination [2017] IASC 131 to permit the use of the capacity for code sharing between Jetstar and IndiGo
Singapore	Qantas	[2025] IASC 219*	18 Nov 25	–	Revocation of Determination [2022] IASC 108
Singapore	Qantas	[2026] IASC 103	27 Mar 26	Unlimited freight capacity	Determination allocating capacity
Solomon Islands	Qantas	[2026] IASC 102	13 Mar 26	97 seats	Determination allocating capacity
Sri Lanka	Qantas	[2026] IASC 101	05 Mar 26	3 frequencies	Determination allocating capacity
Thailand	Qantas	[2025] IASC 213	14 Aug 25	–	Variation of Determination [2021] IASC 110 to permit the use of the capacity for code sharing between Jetstar and IndiGo
Timor–Leste	Qantas	[2026] IASC 107	03 Jun 26	5 frequencies	Renewal of Determination [2022] IASC 112
United Kingdom	Qantas	[2025] IASC 116	7 Nov 25	Unlimited capacity and frequency	Renewal of Determination [2015] IASC 108
Vanuatu	Virgin Australia	[2026] IASC 202	4 Mar 26	–	Variation of Determinations [2023] IASC 109, [2023] IASC 110 and [2024] IASC 111 to permit the use of the capacity for code sharing between Virgin Australia and China Southern Airlines
Vietnam	Qantas	[2026] IASC 109	03 Jun 26	7 frequencies	Renewal of Determination [2021] IASC 105

* Indicates a determination or decision made by the Commission's delegate.

APPENDIX 2
Route-by-route summary of Commission determinations, decisions and resolutions in 2025–26

This appendix provides a summary of the Commission's determinations and decisions for 2025–26. Full determinations and decisions can be viewed on the Commission's website at www.iasc.gov.au.

Canada

Qantas

On 14 August 2025, the Commission issued **Determination [2025] IASC 108**, allocating to Qantas 4 frequencies per week, subject to certain conditions. The capacity may be used by Qantas to provide code share services with American Airlines and WestJet Airlines The determination is valid for 5 years from 14 August 2025. On 4 May 2026, the Commission issued **Decision [2026] IASC 206**, revoking Determinations [2023] IASC 133 and [2025] IASC 108, as requested by Qantas.

On 24 April 2026 the Commission issued **Determination [2026] IASC 104**, allocating to Qantas unlimited passenger capacity, subject to certain conditions. The capacity may be used by Qantas to provide code share services with American Airlines and WestJet Airlines. The determination is valid for 99 years from 24 April 2026.

Chile

Qantas

On 19 August 2025, the Commission issued **Decision [2025] IASC 214**, varying Determination [2024] IASC 125 to permit Qantas to utilise the capacity to provide code share services with China Eastern Airlines, subject to certain conditions. The permission is valid for the duration of the determination commencing from 19 August 2025.

China

Qantas

On 29 April 2026, the Commission issued **Decision [2026] IASC 204**, at the request of Qantas, revoking Determination [2017] IASC 104.

Cook Islands

Qantas

On 9 September 2025, the Commission issued **Determination [2025] IASC 109**, allocating to Qantas 696 seats per week, subject to certain conditions. The capacity may be used by Qantas, or its wholly-owned subsidiary, Jetstar. The determination is valid for 5 years from 9 September 2025.

France

Qantas

On 24 April 2026 the Commission issued **Determination [2026] IASC 106**, allocating to Qantas 0.5 units of capacity on Route 1, subject to certain conditions. The determination is valid for 5 years from 24 April 2026.

Virgin Australia

On 15 September 2025, the Commission issued **Renewal Determination [2025] IASC 110**, allocating to Virgin Australia 150 one-way seats of capacity per day (averaged over 12 months) on Route 1. The capacity may be used by Virgin Australia to provide code share services with Qatar Airways, subject to certain conditions.
The determination is valid for 5 years from 25 October 2025.

Indonesia

Qantas

On 14 August 2025, the Commission issued **Decision [2025] IASC 211**, which varies Determinations [2023] IASC 107, [2024] IASC 113 and [2024] IASC 128 to permit Jetstar to utilise the capacity to provide code share services with IndiGo, subject to certain conditions. The permission is valid for the duration of the determinations commencing from 14 August 2025.

On 15 September 2025, the Commission issued **Decision [2025] IASC 216**, varying Determinations [2024] IASC 128 and [2023] IASC 107, to permit Jetstar to utilise the capacity to provide code share services with Finnair, subject to certain conditions. The permission is valid for the duration of the determinations commencing from 15 September 2025.

On 11 December 2025, the Commission issued **Decision [2025] IASC 221**, which varies Determination [2024] IASC 128 to permit Jetstar to utilise the capacity to provide code share services with Emirates, subject to certain conditions, and Determination [2024] IASC 113 to permit Jetstar to utilise the capacity to provide code share services with KLM Royal Dutch Airlines, subject to certain conditions. Each permission is valid for the duration of the determinations commencing from 11 December 2025.

On 30 January 2026, the Commission issued **Decision [2026] IASC 201**, varying Determination [2023] IASC 131 to permit Jetstar to utilise the capacity to provide code share services with Finnair and IndiGo, subject to certain conditions. The permission is valid for the duration of the determination commencing from 30 January 2026.

Virgin Australia

On 3 October 2025, the Commission issued **Renewal Determination [2025] IASC 114**, allocating to Virgin Australia 120 seats of passenger capacity, subject to certain conditions. The determination is valid for 5 years from 29 August 2026.

Italy

Qantas

On 23 September 2025, the Commission issued **Determination [2025] IASC 113**, allocating to Qantas one frequency per week, subject to certain conditions. The capacity may be used by Qantas, or its wholly-owned subsidiary, Jetstar. The determination is valid for 5 years from 23 September 2025.

On 24 April 2026 the Commission issued **Determination [2026] IASC 105**, allocating to Qantas 3 frequencies per week, subject to certain conditions. The determination is valid for 5 years from 24 April 2026.

On 3 June 2026, the Commission issued **Renewal Determination [2026] IASC 108**, allocating to Qantas 3 frequencies per week, subject to certain conditions. The determination is valid for 5 years from 13 January 2027.

Japan

Qantas

On 11 November 2025, the Commission issued **Decision [2025] IASC 218**, revoking Determination [2024] IASC 122, as requested by Qantas.

Korea

Qantas

On 24 November 2025, the Commission issued **Decision [2025] IASC 220**, reducing the capacity allocated under Determination [2023] IASC 116 by 300 seats, leaving 100 seats per week allocated.

New Zealand

Qantas

On 6 August 2025, the Commission issued **Decision [2025] IASC 210**, varying Determination [2023] IASC 123, to permit Qantas to utilise the capacity to provide code share services with IndiGo, subject to certain conditions. The permission is valid for the duration of the determination commencing from 6 August 2025.

On 14 August 2025, the Commission issued **Decision [2025] IASC 212**, varying Determination [2023] IASC 123 to permit Qantas' wholly-owned subsidiary Jetstar to utilise the capacity to provide code share services with IndiGo, subject to certain conditions. The permission is valid for the duration of the determination commencing from 14 August 2025.

On 21 October 2025, the Commission issued **Decision [2025] IASC 217**, varying Determination [2023] IASC 123, to permit Qantas to utilise the capacity to provide code share services with Malaysia Airlines, subject to certain conditions. The permission is valid for the duration of the determination commencing from 21 October 2025.

Tasman Cargo

On 21 October 2025, the Commission issued **Renewal Determination [2025] IASC 115**, allocating to Tasman Cargo Airlines unlimited freight capacity, subject to certain conditions. The determination is valid for 99 years from 28 August 2026.

Virgin Australia

On 5 March 2026, the Commission issued **Decision [2026] IASC 203**, varying Determination [2017] IASC 113 to permit Virgin Australia to utilise the capacity to provide code share services with China Southern Airlines, subject to certain conditions. The permission is valid for the duration of the determination, commencing from 6 March 2026.

Palau

Qantas

On 29 April 2026, the Commission issued **Decision [2026] IASC 205**, reducing the capacity allocated by Determination [2024] IASC 127 by 6 seats, leaving 168 seats per week allocated.

Papua New Guinea

AERgO

On 14 August 2025, the Commission issued **Resolution [2025] IASC R04**, extending the utilisation date of capacity allocated by Determination [2023] IASC 117 to 3 May 2026, due to the carrier continuing to work with relevant foreign authorities to finalise remaining approvals necessary for it to operate the scheduled freight services on the route.

Philippines

Qantas

On 22 September 2025, the Commission issued the following resolutions to recognise and interpret the change in the capacity from seats to services available to Australian airlines for operation of passenger services to Manila and Bulacan, as follows:

- **Resolution [2025] IASC R05**, to acknowledge the change in capacity from 1,927 seats per week to 6 frequencies per week allocated by Determination [2025] IASC 106.
- **Resolution [2025] IASC R06**, to acknowledge the change in capacity from 696 seats per week to 3 frequencies per week allocated by Determination [2025] IASC 104.
- **Resolution [2025] IASC R07**, to acknowledge the change in capacity from 1,188 seats per week to 4 frequencies per week allocated by Determination [2024] IASC 118.
- **Resolution [2025] IASC R08**, to acknowledge the change in capacity from 152 seats per week to one frequency per week allocated by Determination [2023] IASC 106.

On 23 September 2025, the Commission issued **Determination [2025] IASC 111**, allocating to Qantas one frequency per week, subject to certain conditions. The capacity may be used by Qantas, or its wholly-owned subsidiary, Jetstar. The determination is valid for 5 years from 23 September 2025.

On 15 June 2026 the Commission issued **Determination [2026] IASC 110**, allocating to Qantas 2 frequencies per week, subject to certain conditions. The capacity may be used by Qantas, or its wholly-owned subsidiary, Jetstar. The determination is valid for 5 years from 15 June 2026.

Samoa

Virgin Australia

On 12 June 2026, the Commission issued **Decision [2026] IASC 207**, revoking Determination [2021] IASC 117, as requested by Virgin Australia, effective 1 September 2026.

Singapore

Qantas

On 21 August 2025, the Commission issued **Decision [2025] IASC 215**, varying Determination [2017] IASC 131, to permit Jetstar to utilise the capacity to provide code share services with IndiGo, subject to certain conditions. The permission is valid for the duration of the determination commencing from 21 August 2025.

On 18 November 2025, the Commission's Delegate issued **Decision [2025] IASC 219**, revoking Determination [2022] IASC 108, as requested by Qantas.

On 27 March 2026, the Commission issued **Determination [2026] IASC 103**, allocating to Qantas unlimited freight capacity, subject to certain conditions. The capacity may be used by Qantas, or its wholly-owned subsidiary, Jetstar. The determination is valid for 99 years from 27 March 2026.

Solomon Islands

Qantas

On 13 March 2026, the Commission issued **Determination [2026] IASC 102**, allocating to Qantas 97 seats of passenger capacity per week, subject to certain conditions. The determination is valid for 5 years from 13 March 2026.

Sri Lanka

Qantas

On 5 March 2026, the Commission issued **Determination [2026] IASC 101**, allocating to Qantas 3 frequencies per week, subject to certain conditions. The capacity may be used by Qantas, or its wholly-owned subsidiary, Jetstar. The determination is valid for 5 years from 5 March 2026.

Thailand

Qantas

On 14 August 2025, the Commission issued **Decision [2025] IASC 213**, varying Determination [2021] IASC 110 to permit Jetstar to utilise the capacity to provide code share services with IndiGo, subject to certain conditions. The permission is valid for the duration of the determination, commencing from 14 August 2025.

Timor-Leste

Qantas

On 3 June 2026, the Commission issued **Renewal Determination [2026] IASC 107**, allocating to Qantas 5 frequencies per week, subject to certain conditions. The determination is valid for 5 years from 11 March 2027.

United Kingdom

Qantas

On 7 November 2025, the Commission issued **Renewal Determination [2025] IASC 116**, allocating to Qantas unlimited capacity and frequency, subject to certain conditions. The determination is valid for 99 years from 1 September 2026.

Vanuatu

Virgin Australia

On 4 March 2026, the Commission issued **Decision [2026] IASC 202**, varying Determinations [2023] IASC 109, [2023] IASC 110 and [2024] IASC 111, to permit China Southern Airlines to code share on Virgin Australia operated services. The permission is valid for the duration of each determination, commencing from 4 March 2026.

Vietnam

Qantas

On 3 June 2026, the Commission issued **Renewal Determination [2026] IASC 109**, allocating to Qantas 7 frequencies per week, subject to certain conditions. The capacity may be used by Qantas, or its wholly-owned subsidiary, Jetstar. The determination is valid for 5 years from 21 March 2027.

APPENDIX 3
Other information

Freedom of information

The Commission is an agency subject to the *Freedom of Information Act 1982* (the FOI Act).

Part II of the FOI Act requires the Commission to comply with the Information Publication Scheme (IPS). Accordingly, the Commission has established an Information Publication Plan, which includes the following information:

- the Commission's organisational structure;
- the membership of the Commission including biographical notes of the current Members of the Commission;
- functions of the Commission including decision-making powers and other powers affecting the public;
- annual reports;
- legislative framework, guidelines and procedures;
- determinations and decisions;
- applications, including any submissions in relation to the applications;
- contact details of the Commission and its Director; and
- the Commission's operational information [13]

The Commission publishes its FOI Disclosure log on its website. The Commission received no requests under the FOI Act during the reporting period.

The information contained in this report meets the requirements of the FOI Act. Refer to Appendix 4 for further details.

13 Operational information refers to the information held by the Commission to assist it in performing or exercising its functions or powers in making decisions or recommendations affecting the public.

Workplace health and safety

As the staff members of the Secretariat are employees of the department, they are subject to the same workplace health and safety arrangements as departmental officers. Details of these arrangements are set out in the department's annual report.

Advertising and market research

The Commission does not advertise its functions and services. During the reporting period, the Commission did not pay any person for advertising or for performing any market research.

The Commission maintains its own website which includes details about its functions, the applications it receives and determinations / decisions it has issued and legislative framework and procedures. The Commission updates its website on a regular basis.

Ecologically sustainable development and environmental performance reporting

The Commission's offices and Secretariat staff are located within the department's buildings and as such are covered by the department's processes in this area.

APPENDIX 4
Freedom of information schedule

Item	Information
Access facilities	In many cases, application for information under the FOI Act might not be required because information or documents may be readily available on the Commission's website. Formal requests under the FOI Act must be made in writing to the Director, FOI contact officer, of the Commission. The Commission maintains a dedicated FOI page on its website which sets out the information required to be published under section 8 of the FOI Act.
Arrangements for public involvement	Formal participation and consultation can be arranged by contacting the Director of the Commission whose details are listed below. The Commission welcomes views and comments from members of the public and bodies outside the Commonwealth concerning its functions.
Commission powers	The Commission exercises decision-making powers under the IASC Act. It has the power to do everything necessary or convenient to be done for, or in connection with, performing those functions. The Commission has a range of specific powers that include convening public hearings and summoning witnesses.
Decision process	The general power to grant or refuse access to Commission documents under the FOI Act is held by the Chairperson of the Commission.

Item	Information
Documents available for inspection	The Commission keeps a Register of Public Documents containing public versions of applications, submissions and comments for each case before the Commission. The register is available for public scrutiny. A Register of Confidential Documents that contains material from applications and submissions deemed to be confidential by the Commission or its delegate is also maintained. The Commission applies those standards based on the FOI Act for the protection of documents relating to business affairs. Consistent with the transparency of its processes, the Commission encourages applicants and submitters to keep requests for confidential treatment of documents to a minimum. The Commission has published a series of guidelines that describe its procedures and processes in relation to allocating capacity. These guidelines are available on request or from the Commission's website. Documents may also be obtained from the Secretariat of the Commission via email. Operational files are maintained on all the Commission's activities and are stored at the office of the Commission. These files are not open to public access.
Functions of the Commission and how it is organised	The functions of the Commission, as set out in section 6 of the IASC Act, are to: (a) make determinations; (b) conduct reviews of those determinations; and (c) provide advice to the Minister about any matter referred to the Commission by the Minister concerning international air operations. The organisation of the Commission is described in Part 2 of this report.
FOI Contact Officer	The Director, and in his/her absence, the Senior Adviser is the Commission's FOI contact officer. Any request or query on FOI matters may be directed to contact@iasc.gov.au or (02) 6267 1100.

APPENDIX 5
Commission procedures

The Commission has published procedures for making determinations allocating available capacity. The procedures are designed to be consistent with the requirements of the IASC Act, its implementing regulations, administrative law principles and the Policy Statement which complement the IASC Act. The Commission's procedures are intended to ensure procedural fairness for both the applicants and other interested parties; ensure the Commission's processes are open and transparent; and provide guidance to anyone wishing to apply for, or make submissions about, matters being considered by the Commission. The Secretariat provides further individual guidance to applicants for capacity and other stakeholders when requested.

The Commission's procedures incorporate the following main steps:

- All public documents are published on the Commission's website and are distributed electronically to all stakeholders in its mailing list. Any member of the public may request to be included in the Commission's mailing list.
  The Commission requires a public version of all applications for, and submissions about, an allocation of capacity to be made available. A small amount of information received by the Commission is of a commercial-in-confidence or confidential nature and is held on the Commission's confidential register.
- The Commission will publish a notice inviting other applications for capacity in response to an initial application for capacity, and submissions about applications where required by the IASC Act and the Policy Statement.
- The Commission will assess the application in accordance with the relevant criteria set out in the Policy Statement. More complex public benefit criteria may be applied in cases where there are 2 carriers seeking the same limited amount of capacity, compared with an uncontested application from a well-established carrier, and where cooperative commercial arrangements between carriers are contemplated.
- Where relevant, the Commission will invite the applicant(s) to submit further information addressing public benefit criteria.
- The Policy Statement requires the Commission to ensure that the applicant is reasonably capable of obtaining the approvals necessary to operate and of using the capacity if so granted.

- A hearing may be conducted by the Commission if further information is needed to establish the nature and extent of a proposal's public benefit and, in the case of 2 or more competing applications, decide which application would be of the greatest benefit to the public.
- The Commission will publish a draft determination in the case of competing applications or if it is proposed to reject an application, or where non-standard conditions are being proposed. This provides applicants and other interested parties with an opportunity to comment on the Commission's proposal prior to the issuing of a final determination. In other cases the Commission will proceed directly to a final determination.

The Commission regularly updates its procedures. They are available from the Commission's website at www.iasc.gov.au, or upon request to the Commission.

APPENDIX 6
Policy Statement

NOTE: The following policy statement was issued on 20 March 2018 by the then Deputy Prime Minister and Minister for Infrastructure and Transport and it came into force and effect from 28 March 2018.

International Air Services Policy Statement 2018

made pursuant to section 11 of the

International Air Services Commission Act 1992

Part 1—Preliminary

1. Name

This instrument is the *International Air Services Commission Policy Statement 2018*.

2. Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3. Authority

This instrument is made under section 11 of the *International Air Services Commission Act 1992*.

4. Definitions

Note: A number of expressions used in this instrument are defined in section 4 of the Act, including the following:

(a) Australian carrier;
(b) available capacity;
(c) bilateral arrangement;
(d) capacity;
(e) code sharing;
(f) Commission;
(g) determination;
(h) interim determination;
(i) joint international air services;
(j) transfer application.

In this instrument:

ACCC means the Australian Competition and Consumer Commission.

Act means the *International Air Services Commission Act 1992*.

additional criteria: see section 9.

applicant means an Australian carrier that has applied to the Commission for a determination allocating capacity, or for the renewal or review of such a determination.

reasonable capability criterion: see section 8.

route relates to the full set of entitlements available to Australian carriers under a particular bilateral arrangement. All combinations of origin, destination, intermediate and beyond points available to Australian carriers under the bilateral arrangement constitute a single route.

5. Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6. Object

(1) This instrument is a policy statement intended to provide guidance about the way in which the Commission is to perform its functions.

(2) The Commission is to perform its functions in a way that will achieve the object of the Act (that is, to promote economic efficiency through competition in the provision of international air services) by fostering, encouraging and supporting competition in the provision of international air services by Australian carriers.

Part 2—Criteria for assessing benefit to the public

7. Explanatory outline of this Part

The Act requires the Commission to assess the **benefit to the public** of allocations of capacity when deciding whether to make, renew or vary a determination. This Part sets out criteria that the Commission is to have regard to in assessing the benefit to the public of allocations of capacity in particular circumstances.

There are two main sets of criteria that the Commission is to have regard to in assessing the benefit to the public: the 'reasonable capability criterion' and the 'additional criteria'. When and how the Commission is to have regard to the criteria is set out in Part 3.

In certain circumstances specified in Part 3, the Commission is to have regard to other criteria which are not set out in this Part. These include, for example, the matters referred to in paragraph 18(2)(b) or subsection 16(2) of this instrument.

The criteria set out in this Part apply equally in assessing the benefit to the public of allocations to be exercised through own aircraft operations, code share arrangements and other joint international air services.

8. Reasonable capability criterion

Reasonable capability criterion means 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.

Note: To avoid doubt, this criterion relates to all carriers that are, or would be, permitted to use the capacity allocated under a determination, including all carriers that would be entitled to use the capacity because of a condition imposed by the Commission pursuant to paragraph 15(2)(ea) of the Act.

9. Additional criteria

Additional criteria means the following criteria:

Competition criteria

(a) the desirability of fostering an environment in which Australian carriers can effectively compete with each other and with foreign carriers on the route in question;

(b) the number of carriers operating on the route in question and the existing distribution of capacity among Australian carriers (including through code sharing and other joint international air services);

(c) the likely impact on consumers of the proposed allocation, including on costs of airfares, customer choice, product differentiation, stimulation of innovation by incumbent carriers, and frequency of service;

(d) the desirability of fostering own aircraft operations by Australian carriers over code share or other joint international air services involving the marketing, by an Australian carrier, of seats on flights operated by foreign carriers;

(e) the benefits presented by allocating the capacity to a given applicant over other competing applicants, having regard to any commercial arrangements that may be in place with other carriers;

(f) any determinations, decisions or notifications made by the ACCC, or any determinations made by the Australian Competition Tribunal, in relation to an Australian carrier using capacity in all or part of the route;

(g) any determinations, decisions or notifications made by a foreign agency that performs a comparable function to the ACCC or the Australian Competition Tribunal, or by a foreign aeronautical authority, in relation to a carrier using entitlements under a bilateral arrangement on all or part of the route;

Tourism and trade criteria

(h) the level of promotion, market development and investment proposed by each of the applicants;

(i) route service possibilities to and from points beyond Australian or foreign gateways;

(j) the availability of frequent, low cost, reliable air freight movements for Australian importers and exporters;

Relevant information obtained from Government agencies

(k) any information that the Commission has obtained from Australian Government agencies or statutory authorities that the Commission considers to be relevant;

Any other relevant consideration

(l) any other matter or consideration that the Commission considers to be relevant.

Part 3—How the Commission is to assess benefit to the public

Division 1—Outline

10. Explanatory outline of this Part

This Part sets out how the Commission is to assess the benefit to the public of allocations of capacity in particular circumstances.

There are broadly 3 types of decision that the Commission can make under the Act:

- Making a determination allocating available capacity (see section 7 and Division 1 of Part 3 of the Act);
- Renewing a determination by making a fresh determination (see section 8 and Division 2 of Part 3 of the Act);
- Varying a determination (see section 10 and Division 3 of Part 3 of the Act).

Depending on which type of decision is being made, and the circumstances of the decision, the Commission is to apply the criteria set out in Part 2, and certain criteria specified in this Part, differently.

Division 2 sets out the criteria applicable where the Commission is proposing to make a determination that allocates available capacity under section 7 of the Act:

- Where there is unlimited available capacity, the Commission is to have regard to the reasonable capability criterion and need not have regard to any other matter (section 11);
- Where there is sufficient available capacity for all applications and the Commission does not receive any adverse submissions, the Commission is to have regard to the reasonable capability criterion and need not have regard to any other matter (subsection 12(2));
- However, where the Commission receives one or more adverse submissions, the Commission is to have regard to the reasonable capability criterion and may have regard to relevant additional criteria (subsection 12(3));
- In all other cases, the Commission is to have regard to the reasonable capability criterion and to relevant additional criteria (section 13).

Division 3 sets out the criteria applicable where the Commission is considering renewing a determination that allocates capacity under section 8 of the Act:

- Paragraph 8(2)(a) of the Act provides a presumption in favour of renewing a determination. However, the Commission may decline to do so if it is satisfied that the determination is no longer of benefit to the public.
  In deciding this, the Commission is to have regard to the matters set out in section 14 of this instrument;
- If the Commission declines to renew a determination, it may make a different determination. In doing so, it is to have regard to the reasonable capability criterion and to relevant additional criteria (section 15).

Division 4 sets out the criteria applicable where the Commission is considering whether to vary a determination in a way that varies, or has the effect of varying, an allocation of capacity:

- If the Commission has initiated the review, and the reason for variation relates to the condition that allocated capacity be fully used, the Commission is to have regard to the criteria set out in paragraphs 24(3)(a)-(d) and need not have regard to any other matter (subsection 16(2));
- If the Commission has initiated the review for any other reason, and the Commission does not receive any adverse submissions, the Commission is to have regard to the reasonable capability criterion and need not have regard to any other matter (subsection 16(3));
- In all other cases where the Commission has initiated the review, the Commission is to have regard to the reasonable capability criterion and may have regard to relevant additional criteria (subsection 16(4));
- If the carrier has applied for a variation, and the Commission does not receive any adverse submissions, the Commission is to have regard to the reasonable capability criterion and need not have regard to any other matter (subsection 17(2));
- In all other cases where the carrier has applied for a variation, the Commission is to have regard to the reasonable capability criterion and may have regard to relevant additional criteria (subsection 17(3));
- Where a carrier has submitted a transfer application, the Commission is to have regard to the reasonable capability criterion and to the matters set out in paragraph 18(2)(b) (as relevant), and may have regard to relevant additional criteria (section 18).

The provisions in this Part apply equally in assessing the benefit to the public of allocations to be exercised through own aircraft operations, code share arrangements and other joint international air services.

Division 2—Determinations allocating capacity

11. Available capacity not limited

(1) This section applies where the Commission proposes to make a determination allocating available capacity on a route under section 7 of the Act, and available capacity on the route is not limited under the relevant bilateral arrangement.

(2) In assessing the benefit to the public of the allocation of available capacity under the proposed determination, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) need not have regard to any other matter.

12. One or more applicants and sufficient available capacity

(1) This section applies where:

(a) the Commission has received one or more applications for determinations allocating available capacity on a route under section 7 of the Act; and

(b) there is sufficient available capacity on the route for the Commission to make the determinations sought in all of the applications; and

(c) section 11 of this instrument does not apply.

(2) If the Commission does not receive any submissions:

(a) opposing the allocation of the capacity under any of the determinations sought in the applications; or

(b) requesting or opposing the inclusion of a specified condition in any of the determinations;

then, in assessing the benefit to the public of an allocation of available capacity under the determinations, the Commission:

(c) is to have regard to the reasonable capability criterion; and

(d) need not have regard to any other matter.

(3) In all other cases, in assessing the benefit to the public of an allocation of available capacity under a proposed determination, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) may have regard to any of the additional criteria that it considers to be relevant.

13. All other cases (including two or more applicants and insufficient capacity)

(1) This section applies where:

(a) the Commission proposes to make a determination allocating available capacity on a route under section 7 of the Act; and

(b) sections 11 and 12 of this instrument do not apply.

Note: For example, this section will apply where the Commission has received two or more applications for determinations allocating available capacity under section 7 of the Act, and there is insufficient available capacity for the Commission to make the determinations sought in all of the applications.

(2) In assessing the benefit to the public of an allocation of capacity under a proposed determination, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) is to have regard to any of the additional criteria that it considers to be relevant.

Division 3—Renewal of determinations

14. Presumption in favour of making the same allocation of capacity

(1) This section applies where:

(a) the Commission is proposing, while a determination is in force, to make a fresh determination allocating the capacity to which the original determination relates under section 8 of the Act; and

(b) the Commission is considering whether the allocation of capacity in the original determination is no longer of benefit to the public for the purpose of subparagraph 8(2)(a)(i) of the Act.

(2) Without limiting the matters to which the Commission may have regard, an allocation is generally no longer of benefit to the public if:

(a) the carrier seeking renewal has failed to service the route effectively; and

(b) there are other applications for some or all of the capacity; and

(c) the Commission, having regard to the reasonable capability criterion and any of the additional criteria that it considers relevant, is satisfied that a different allocation of the capacity would be of greater benefit to the public.

Note: In accordance with paragraph 8(2)(a) of the Act, the Commission must make the same allocation of capacity as the original determination unless it is satisfied that the allocation is no longer of benefit to the public. This operates as a presumption in favour of the incumbent carrier.

15. Making a different allocation of capacity

(1) This section applies where, in the course of considering the renewal of a determination, the Commission is satisfied, for the purposes of subparagraph 8(2)(a)(i) of the Act, that the allocation of capacity in the original determination is no longer of benefit to the public.

(2) In assessing whether an allocation of capacity made by a fresh determination is of benefit to the public for the purpose of subsection 8(3) of the Act, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) is to have regard to any of the additional criteria that it considers to be relevant.

Division 4—Review of determinations

16. Variations on review for cause

(1) This section applies where:

(a) the Commission has conducted a review for cause in relation to a determination pursuant to section 10 of the Act; and

(b) the Commission is considering making a decision to vary the determination under paragraph 23(1)(b) of the Act in a way that varies, or has the effect of varying, an allocation of capacity.

(2) If the grounds on which the review was initiated relate to a condition imposed under paragraph 15(2)(c) of the Act, in assessing whether the allocation, as so varied, would be of benefit to the public for the purpose of subsection 23(3) of the Act, the Commission:

(a) may have regard to the criteria set out in paragraphs 24(3)(a) to (d) of this instrument; and

(b) need not have regard to any other matter.

Note: Paragraph 15(2)(c) of the Act allows for the imposition of a condition that capacity be fully used.

(3) If the review was initiated on any other grounds, and the Commission does not receive submissions opposing the variation being considered by the Commission, then in assessing whether the allocation, as so varied, would be of benefit to the public for the purpose of subsection 23(3) of the Act, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) need not have regard to any other matter.

(4) In all other cases, in assessing whether the allocation, as so varied, would be of benefit to the public for the purpose of subsection 23(3) of the Act, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) may have regard to any of the additional criteria that it considers to be relevant.

17. Variations on application

(1) This section applies where:

(a) the Commission has conducted a review to decide an application (other than a transfer application) for a determination to be varied; and

(b) the Commission is considering making a decision to vary the determination under paragraph 24(1)(b) of the Act in a way that varies, or has the effect of varying, an allocation of capacity.

(2) If the Commission does not receive submissions opposing the variation requested in the application then, in assessing whether the allocation, as so varied, would be of benefit to the public for the purpose of subsection 24(2) of the Act, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) need not have regard to any other matter.

(3) In all other cases, in assessing whether the allocation, as so varied, would be of benefit to the public for the purpose of subsection 24(2) of the Act, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) may have regard to any of the additional criteria that it considers to be relevant.

18. Transfer applications

(1) This section applies where:

(a) the Commission has conducted a review to decide a transfer application; and

(b) the Commission is considering making a decision to vary the determination concerned in a way that gives effect to the variation requested in the transfer application; and

(c) the Commission's decision to vary the determination would vary, or have the effect of varying, an allocation of capacity.

(2) In assessing whether the allocation, as so varied, would not be of benefit to the public for the purpose of subsection 25(2) of the Act, the Commission:

(a) is to have regard to the reasonable capability criterion; and

(b) is to have regard to the following matters to the extent that they are relevant to the variation under consideration:

(i) the undesirability of approving a transfer where doing so will, or is reasonably likely to, permit or encourage any form of speculative activity, including trading in capacity allocations for commercial benefit;

(ii) the undesirability, other than in exceptional cases, of approving a transfer application made by a carrier that has never exercised an allocation, or has only exercised an allocation for a period of less than six months; and

(c) may have regard to any of the additional criteria that it considers to be relevant.

Part 4—Duration and types of determinations

19. Explanatory outline of this part

This Part sets out how the Commission is to fix the periods during which determinations are to be in force, and in what circumstances the Commission should make interim determinations.

20. Fixing periods during which determinations to be in force

(1) This section sets out how the Commission is to fix the period during which a determination is to be in force.

(2) If a determination would allocate capacity on a route where capacity is not limited under the relevant bilateral arrangement, the period during which the determination is to be in force should be fixed at 99 years.

(3) If a determination relates to an application in which a carrier has requested that the period during which the determination is to be in force be fixed at:

(a) if the determination is an interim determination—less than 3 years; or

(b) if the determination is not an interim determination—less than 5 years;

the period during which the determination is to be in force should be fixed at the period requested in the carrier's application.

(4) In all other cases, the period during which a determination is to be in force should be fixed at:

(a) if the determination is an interim determination—3 years; or

(b) if the determination is not an interim determination—5 years.

21. Interim determinations to be made only in exceptional circumstances

The Commission should make interim determinations only in exceptional circumstances.

Part 5—Inclusion, variation and revocation of conditions in determinations

22. Explanatory outline of this part

This Part sets out matters relating to the inclusion of conditions in determinations, and the variation or revocation of such conditions.

Section 23 deals with additional conditions the Commission should include in a determination if it intends to include a condition that allows joint international air services.

Section 24 deals with how the Commission should impose conditions relating to the full use of capacity, and how the Commission should proceed if it has undertaken a review of a determination on the grounds that an Australian carrier has not complied with such a condition.

23. Conditions relating to joint international air services

If the Commission intends to include a condition in a determination that allows joint international air services pursuant to paragraph 15(2)(e) of the Act, the Commission should also include a condition requiring the Australian carrier to take reasonable steps to ensure that passengers are informed at the time of booking that one or more other carriers may operate the flight.

24. Conditions relating to the full use of capacity

(1) For the purpose of specifying a period during which capacity need not be fully used pursuant to subparagraph 15(2)(c)(i) of the Act, the Commission:

(a) should specify as short a period as is reasonably possible, having regard to the full range of things necessary to be done by the Australian carrier in order to commence operating under the determination; and

(b) should not specify a period of more than two years other than in exceptional circumstances.

(2) Where the Commission has commenced a review process under sections 10 and 23 of the Act because an Australian carrier has not complied with a condition that capacity be fully used, the Commission may have regard to the criteria set out in subsection (3) for the following purposes:

(a) deciding whether to confirm, vary, suspend or revoke the determination under subsection 23(1) of the Act;

(b) assessing whether the allocation, as varied, is of benefit to the public under subsection 23(3) of the Act, in accordance with subsection 16(2) of this instrument.

(3) The criteria which the Commission may have regard to for the purposes specified in subsection (2) are:

(a) whether, at the time of the review, there exists an application from another Australian carrier for an allocation of capacity on the route, and the unused portion of the capacity allocated under the reviewed determination prevents the making of a determination in favour of the competing applicant; and

(b) whether there is seasonal variation in demand on the route in question; and

(c) whether the carrier was prevented from fully using the capacity by circumstances that could not reasonably have been foreseen; and

(d) any other matter that the Commission considers to be relevant.

Part 6—Application and Transitional provisions

25. Explanatory outline of this part

> This Part sets out application and transitional provisions.
>
> Section 26 deals with the application of this instrument and sets out transitional provisions relating to applications received by the Commission prior to the commencement of this instrument.

26. Application and transitional provisions

(1) The Commission is to apply this instrument in deciding:

(a) an application for a determination allocating capacity; or

(b) an application for renewal of a determination; or

(c) an application for variation of a determination;

that is received by the Commission on or after the commencement of this instrument.

(2) Despite the repeal of the International Air Services Policy Statement No.5 by Schedule 1, the Commission is to apply that Policy Statement in deciding

(a) an application for a determination allocating capacity; or

(b) an application for renewal of a determination; or

(c) an application for variation of a determination;

that is received by the Commission before the commencement of this instrument as if that repeal had not happened.

Schedule 1—Repeals

International Air Services Policy Statement No.5

1. The whole of the instrument

Repeal the instrument

APPENDIX 7
Commission office holders since 1992

The following tables set out the Chairpersons and Members of the Commission since the Commission was established in 1992.

Chairpersons	Period
Stuart Fowler	July 1992 to April 1993
James Bain	July 1993 to June 1998
Russell Miller	July 1998 to January 2000
Michael Lawriwsky and Stephen Lonergan (Members presiding at alternate meetings)	January 2000 to August 2000
Ross Jones	August 2000 to August 2003
John Martin	November 2003 to November 2009
Philippa Stone and Ian Smith (Members presiding at alternate meetings)	November 2009 to June 2010
Ian Smith and Stephen Bartos (Members presiding at alternate meetings)	July 2010 to February 2011
Jill Walker	9 February 2011 to 11 August 2014
Ian Douglas and John King (Members presiding at alternate meetings)	August 2014 to November 2015
Ian Douglas (Acting)	8 November 2015 to May 2016
Ian Douglas	5 May 2016 to 5 August 2021
Genevieve Butler	5 August 2021 to present

Members	Period
Brian Johns	July 1992 to June 1997
Russell Miller	July 1992 to June 1998
Michael Lawriwsky	December 1997 to February 2007
Stephen Lonergan	August 1998 to August 2004
Vanessa Fanning	November 2004 to November 2007
Philippa Stone	July 2007 to July 2010
Ian Smith	November 2007 to February 2011
Stephen Bartos	1 July 2010 to 30 June 2013
Ian Douglas	8 November 2012 to 8 November 2015
John King	1 July 2013 to 31 December 2016
Jan Harris	24 November 2016 to 1 September 2019
Karen Gosling	1 November 2017 to 29 October 2021
Genevieve Butler	14 May 2021 to 5 August 2021
Jane McKeon (Acting)	1 October 2021 to 16 December 2021
Jane McKeon	16 December 2021 to present

APPENDIX 8
Glossary of terms

IASC Act	in this report, means the *International Air Services Commission Act 1992*, as amended.
AERgO	means AERgO International Australia.
Air services arrangement	is a set of treaty and/or lower level understandings or arrangements between Australia and another country/economy which permits the carriage by air of passengers or freight or both on agreed routes.
Allocation	a finding by the Commission, included in a determination, that an Australian carrier is permitted to use a specified amount of capacity.
Australian carrier	means a person who conducts, or proposes to conduct, an international airline service to and from Australia; and under the air services arrangements to which the capacity applies, may be permitted to carry passengers or freight, or both passengers and freight, under that arrangement as an airline designated, nominated or otherwise authorised by Australia.
Available capacity	means that an operational decision is not in force in relation to an amount of capacity available under air services arrangements, so an Australian carrier may seek an allocation of some or all of that capacity.
Benefit to the public	occurs if the Australian carrier to whom the capacity is allocated uses that capacity.

Capacity	is an amount of space available on an aircraft for the carriage of passengers and/or freight. It may be expressed within air services arrangements in various ways, such as in number of seats, units of capacity, or frequency of service, usually per week, in each direction on a route.
Code sharing	is a form of joint service between 2 carriers. It involves an arrangement under which one carrier sells capacity under its own name on flights operated by another airline.
Commission	means the International Air Services Commission.
Commissioner	means a member of the Commission including the Chairperson.
Contested application	involves 2 or more applicants seeking an allocation of the same limited amount of capacity.
Decision	affects an existing determination, either by confirming, varying, suspending or revoking it.
Delegate	refers to the Director of the Commission who has been given delegation to perform certain functions of the Commission.
Determination	allocates capacity to an Australian carrier, usually for a period of 5 years, but in some cases for 3 years (an interim determination), or for 10 or 99 years (where capacity is not limited under the air services arrangements in question).
Frequency	refers to the number of flights that may be or are being operated, usually on a weekly basis.
Hand back	where a carrier decides it no longer wishes to use allocated capacity and applies to return some or all of the capacity.
IASC	means the International Air Services Commission.
IATA	means the International Air Transport Association.

Interim determination	is a determination that is in force for 3 years, rather than the 5, 10, or in some cases 99 years for a standard determination. It does not carry the rebuttable presumption in favour of an incumbent carrier that usually attaches to a standard determination at the renewal stage.
Jetstar	means Jetstar Airways Pty Ltd.
Joint service	an arrangement entered into by an Australian carrier with another carrier to operate services on a joint basis. It may take different forms such as one or more of code sharing, joint pricing, or revenue and/or cost sharing or pooling. Australian carriers must receive approval from the Commission before using allocated capacity in joint services.
Member	means a member of the Commission.
Minister	is the Minister for Infrastructure, Transport, Regional Development and Local Government.
Policy statement	is a written instrument made by the then Minister for Transport and Regional Services on 20 March 2018 under subsection 11(1) of the Act. It sets out the way in which the Commission is to perform its functions under the Act.
Opposed application	a situation in which an interested party makes a submission arguing that an application from a carrier should not be granted by the Commission.
Qantas	means Qantas Airways Limited.
Qantas Group	means Qantas Airways Limited and Jetstar Airways Pty Ltd.
Register of available capacity	sets out the amount of capacity under each of Australia's air services arrangements available for allocation, after deducting any allocations already made by the Commission. The department maintains the Register and is publicly available on its website.

Renewal determination	a new determination that renews an allocation of capacity made under a determination that is approaching its expiry. It may include updated terms and conditions at the Commission's discretion.
Review	involves an examination of an existing determination, either at the request of a carrier which wishes to vary the determination, or on the Commission's initiative if it is concerned that a carrier has or will breach a condition of the determination. In the case of a carrier-initiated review, the Commission may either vary the determination as requested by the carrier or confirm the determination. For a Commission-initiated review, the Commission may decide to confirm, vary, suspend or revoke the determination.
Revocation	a decision by the Commission to revoke (cancel) a determination.
Route	is the combination of origin, destination, intermediate and beyond points (cities) which an Australian carrier may serve under an air services arrangement.
The department	means the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts.
Tasman Cargo	means Tasman Cargo Airlines.
Variation	a decision amending a determination, including conditions attached to it.
Virgin Australia	refers to Virgin Australia International Airlines Pty Ltd and/ or Virgin Australia Airlines (SE Asia) Pty Ltd.

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