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**Australian Government**  

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**International Air Services Commission**

**International Air Services Commission Delegation  
Instrument 2024 (No. 1)**

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We, **GENEVIEVE BUTLER** and **JANE MCKEON**, Commissioners of the International Air Services Commission, make this instrument under section 27AB of the *International Air Services Commission Act 1992*.

Date: 19 December 2024

Handwritten signature of Genevieve Butler in cursive script.

**Genevieve Butler**

Chairperson

Handwritten signature of Jane McKeon in cursive script.

**Jane McKeon**

Commissioner

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## 1 Name of Instrument

This instrument is the *International Air Services Commission Delegation Instrument 2024 (No.1)*.

## 2 Commencement

This instrument commences when it is signed.

## 3 Authority

This instrument is made under section 27AB of the *International Air Services Commission Act 1992*.

## 4 Definitions

In this instrument:

**APS** means the Australian Public Service.

**APS 6** means an APS employee in the Department who is classified as an APS Level 6 employee under the Classification Rules.

**Classification Rules** means the rules issued under section 23 of the *Public Service Act 1999*.

**Director of the IASC** means an EL 2 in the Department with responsibility for overseeing the operations and functions of the IASC section and the IASC office.

**EL 2** means an APS employee in the Department who is classified as an Executive Level 2 employee under the Classification Rules.

**IASC** means the International Air Services Commission established under the *International Air Services Commission Act 1992*.

**Senior Adviser of the IASC** means an officer in the Department who is at the APS 6 level or above, and whose duties include supporting the Director of the IASC section.

## 5 References to section or regulation

(1) Unless a contrary intention appears, a reference to a section (or subordinate part of a section) in an item in the Schedule is a reference to the section (or subordinate part of a section) in the Act or regulations referred to in the heading immediately preceding that item.

## 6 References to business division, branch, office or centre

(1) Unless the contrary intention appears, a reference in the Schedule to a business division, branch, office or centre is a reference to such an organisational structure within the IASC.

## 7 Delegations

- (1) The delegation in each item in the Schedule is made under the delegation power referred to in column 1 of that item.
  - (2) The *delegates* in each item are:
    - (a) the persons specified in column 4 of that item or persons acting in a position usually occupied by a person specified in column 4 of that item; and
    - (b) the persons for the time being holding, occupying or performing the duties of the positions specified in column 4 of that item.
- Note* Delegations may be described in the Schedule by employee classification (e.g. “SES 1”) or by position description (e.g. “Deputy Secretary”). Section 34AA and subsection 46(1) (where applicable) of the *Acts Interpretation Act 1901* permit delegations as set out in this instrument to persons acting in positions.
- (3) The delegates in each item are delegated the function or power of the IASC under the section mentioned in column 2 of that item.
  - (4) However, each delegation is made only to the corresponding limit (if any) or subject to the directions (if any) specified in column 2 of the relevant item.
  - (5) The description of a function or power in column 3 of the Schedule is for information only. Delegates must refer to the legislative source of the function or power as specified in column 2 of the Schedule before exercising the delegated function or power.

## 8 Revocations

- (1) Subject to the next subsection, all previous delegations of the International Air Services Commission’s powers or functions under the *International Air Services Commission Act 1992* and the *International Air Services Commission Regulations 2018* are revoked.
- (2) For the avoidance of doubt this instrument does not revoke any instrument which:
  - (a) authorises or appoints a person to be an authorised person or authorised office under any Act or regulation mentioned in the Schedule; or
  - (b) states that it authorises a person to do a thing under an Act or regulation.

**Schedule Delegations**

**1. International Air Services Commission Act 1992**

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Delegation source</b>	<b>Power(s) or function(s) delegated</b>	<b>Summary of power or function (for information only)</b>	<b>Delegate(s)</b>
1.01	Subsection 27AB(1)(b)	Subsection 12(1)	Before making a determination allocating available capacity, must, by notice invite: <ul style="list-style-type: none"> <li>- applications for a determination allocating available capacity; and</li> <li>- if the regulations so require - submissions about the allocation of the capacity.</li> </ul>	Director of the IASC. Senior Adviser of the IASC.
1.02	Subsection 27AB(1)(a)	Section 16	As soon as practicable after the making of a determination, must make copies of a determination allocating capacity available to the public and publish a notice.	Director of the IASC. Senior Adviser of the IASC.
1.03	Subsection 27AB(1)(b)	Subsection 17(1)	Must start consideration of the renewal of a determination (other than an interim determination) at least 12 months before the end of the period during which the determination is in force.	Director of the IASC. Senior Adviser of the IASC.
1.04	Subsection 27AB(1)(a)	Section 20	As soon as practicable after the making of a determination, must make copies of a renewal of a determination allocating capacity and the reasons for the determination available to the public and publish a notice.	Director of the IASC. Senior Adviser of the IASC.
1.05	Subsection 27AB(1)(b)	Subsection 22(1)	Before conducting a review under s 10, must invite, by notice, submissions about the review of a determination.	Director of the IASC. Senior Adviser of the IASC.

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1.06	Subsection 27AB(1)(a)	Section 27	As soon as practicable after the making of a decision of a determination, make copies of the decision and its reasons for the decision available to the public and publish a notice.	Director of the IASC. Senior Adviser of the IASC.
1.07	Subsection 27AB(1)(a)	Section 27AA	Must make a decision revoking a determination, upon receipt of a properly made request of an Australian carrier to whom a determination allocates capacity.	Director of the IASC. Senior Adviser of the IASC.