Air Navigation Amendment Regulations 2000 (No. 3)

Statutory Rules 2000 No. 2

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Air Navigation Act 1920.

Dated 13 DEC 2000 2000

WILLIAM DEANE
Governor-General

By His Excellency's Command

JOHN ANDERSON
Minister for Transport and Regional Services
1 Name of Regulations
These Regulations are the *Air Navigation Amendment Regulations 2000 (No.3)*.

2 Commencement
These Regulations commence on gazettel.

3 Amendment of *Air Navigation Regulations 1947*
Schedule 1 amends the *Air Navigation Regulations 1947*.

**Schedule 1 Amendments**
(regulation 3)

[1] Regulation 3, after definition of *stores*

> insert

**tick** means:
(a) the price for the carriage of passengers, baggage or cargo, other than mail; and
(b) the conditions governing the availability of the price.
Part 6, Division 2

substitute

Division 2

Tariffs

19 Submitting tariffs for approval

(1) The holder of an international airline licence issued under this Part may submit a tariff to the Secretary for approval.

(2) The Secretary may, by notice in writing, direct the holder of an international airline licence to submit its tariff, or part of its tariff, to the Secretary for approval.

(3) A notice under subregulation (2):
   (a) must state a period, not shorter than 14 days, within which the licence holder must submit its tariff to the Secretary for approval; and
   (b) may state a form in which the tariff must be submitted.

(4) If the Secretary gives a direction to a licence holder under subregulation (2), the licence holder must comply with the direction.

19A Approval of tariffs

(1) If a licence holder submits a tariff to the Secretary under regulation 19, the Secretary may:
   (a) approve the tariff; or
   (b) approve the tariff subject to conditions; or
   (c) refuse to approve the tariff.
(2) In making a decision under subregulation (1), the Secretary must take into account:
(a) the public interest; and
(b) any relevant agreement or arrangement relating to or including international air services; and
(c) the need for public air transport services to operate on a satisfactory economic basis in an environment where there is due regard for the interests of consumers of those services.

(3) If the Secretary makes a decision under subregulation (1) about a tariff, the Secretary must give to the licence holder who submitted the tariff a notice setting out:
(a) the decision; and
(b) reasons for the decision.

(4) If the Secretary does not make a decision under subregulation (1) about a tariff within 7 days after the tariff is submitted to the Secretary under regulation 19, the tariff is taken to have been approved under paragraph (1) (a) at the end of that period.

19B Additional information

(1) The Secretary may, in writing, ask a licence holder who has submitted a tariff under regulation 19 to give the Secretary additional information to assist the Secretary to make a decision under regulation 19A.

(2) If the Secretary makes a request under subregulation (1) in relation to a tariff, the period mentioned in subregulation 19A (4) in relation to the tariff is suspended from the day when the request is made until the end of the day when the Secretary receives the information.
19C Application of tariffs

(1) If the Secretary refuses to approve a tariff under subregulation 19A (1) (c), the licence holder who submitted the tariff must not apply the tariff or allow the tariff to be applied.

(2) If the Secretary approves a tariff subject to conditions under subregulation 19A (1) (b), the licence holder who submitted the tariff must not apply the tariff or allow the tariff to be applied unless the conditions are met.

Notes


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