



Air Navigation Amendment Regulations 2000 (No. 3)¹

Statutory Rules 2000 No. ²

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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. 1)*.

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2 Commencement

These Regulations commence on gazettal.

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

tariff 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.

[2] 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

1. These Regulations amend Statutory Rules 1947 No. 112, as amended by 1947 No. 162; 1948 No. 69; 1949 Nos. 6 and 70; 1950 No. 69; 1952 Nos. 30, 46 and 87; 1953 No. 44; 1954 Nos. 26, 32 and 119; 1955 No. 29; 1956 No. 16; 1957 No. 12; 1958 No. 77; 1960 Nos. 21, 96 and 99; 1961 No. 102; 1964 Nos. 61 and 128; 1965 No. 33; 1966 No. 5; 1967 No. 65; 1969 No.4; 1970 Nos. 21 and 214; 1971 No. 31; 1972 No. 166; 1973 Nos. 182 and 247; 1974 Nos. 36, 54 and 96; 1975 No. 32; 1976 Nos. 67, 77, 11 and 124; 1977 No. 124; 1978 No. 140; 1980 Nos. 67, 106, 136, 187, 204, 247 and 269; 1981 Nos. 32, 77, 253 and 308; Act No. 76, 1981; Statutory Rules 1982 No. 270; 1983 Nos. 39, 149 and 202; 1984 Nos. 208 and 314; 1985 Nos. 203, 276, 300 and 329; 1986 Nos. 141, 284 and 357; 1987 Nos. 207 and 278; 1988 Nos. 159 and 378; 1989 No. 400; 1990 Nos. 255, 299 and 432; 1991 Nos. 74 and 193; 1992 Nos. 104, 153, 221 and 316; 1993 Nos. 265, 318 and 369; 1994 Nos. 148 and 384; 1995 Nos. 29, 342 and 443; 1996 Nos. 113 and 340; 1997 Nos. 336 and 413; 1998 No. 321; 1999 No. 351; 2000 Nos. 96 and 217.
2. Notified in the *Commonwealth of Australia Gazette* on *L* 2000. *20 December*