

## Form FB

Commonwealth of Australia  
*Trade Practices Act 1974 --- Sub-section 91B(1)*

### APPLICATION FOR REVOCATION OF A NON-MERGER AUTHORISATION

To the Australian Competition and Consumer Commission:

Application is hereby made under subsection 91B(1) of the *Trade Practices Act 1974* for the revocation of an authorisation.

#### 1. Applicant

A91056

##### (a) Name of applicant:

Qantas Airways Limited, on behalf of its wholly owned subsidiary: Express Freighters Australia Pty Limited (ABN 73 003 613 465), formerly Australia Asia Airlines Limited.

##### (b) Description of business carried on by the applicant:

Operation of international and domestic air travel and related services.

##### (c) Address in Australia for service of documents on the applicant:

Brett Johnson  
General Counsel  
Qantas Airways Limited  
Building A, Level 9  
203 Coward Street  
Mascot NSW 2020

#### 2. Revocation of Authorisation

##### (a) Description of authorisation, for which revocation is sought, including but not limited to the registration number assigned to that authorisation:

Qantas is seeking revocation of authorisation 90525.

In the 1990s, Qantas operated flights to Taiwan under a subsidiary airline, Australia Asia Airlines Limited (AAA), which used a separate Air Operators Certificate (or AOC) for those flights.

Authorisation 90525 was lodged by Qantas in September 1991 on behalf of AAA and relates to "...an agreement reached outside IATA on tariffs and related conditions between AAA and China Airlines Limited, on behalf of Mandarin Airlines and Eva Airways Corporation...for services between Australia and Taiwan".

Such an agreement was necessary as, under the Air Services Arrangement between Australia and Taiwan (the Taiwan ASA), the Taiwan Government explicitly required authorised airlines that operate or sell fares to and from Taiwan to agree certain tariffs.

##### (b) Provide details of the basis upon which revocation is sought:

Qantas no longer operates flights to Taiwan, either under AAA or any other subsidiary airline.

Whilst Qantas continues to sell flights between Australia and Taiwan via a code share arrangement with EVA Airways Corporation, any agreement that may be required by the Taiwan Government under the Australian Government-negotiated Taiwan ASA would be covered by authorisation 90427.

**3. Other parties to the contract, arrangement or understanding, or relevant conduct, for which revocation of authorisation is sought**

**(a) Where those parties are known – names, addresses and description of business carried on by those other parties to the contract, arrangement or understanding, or the relevant conduct:**

Not applicable.

**(b) Where those parties are not known – description of the class of business carried on by those parties to the contract, arrangement or understanding, or the relevant conduct:**

Not applicable.

**4. Further information:**

**(a) Name, postal address and telephone contact details of the person authorised by the applicant to provide additional information in relation to this application:**

Brett Johnson  
General Counsel  
Qantas Airways Limited  
Building A, Level 9  
203 Coward Street  
Mascot NSW 2020  
Tel: (02) 9691 3456

**DATED** this 22<sup>nd</sup> day of June 2007

**SIGNED** for and on behalf of **Express Freighters Australia Pty Limited** (ABN 73 003 613 465)



.....  
(Signature)

Brett Johnson  
General Counsel  
Qantas Airways Limited

## DIRECTIONS

1. If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.
2. Where an application is made by or on behalf of a corporation, the name of the corporation is to be inserted in item 1(a), not the name of the person signing the application, and the application is to be signed by a person authorised by the corporation to do so.
3. In item 1(b), describe that part of the applicant's business relating to the subject matter of the contract, arrangement or understanding, or the relevant conduct, in respect of which revocation of authorisation is sought.
4. In completing this form, provide details of the contract, arrangement or understanding, or the relevant conduct, in respect of which revocation of authorisation is sought.

In providing these details:

- (a) to the extent that the contract, arrangement or understanding, or the relevant conduct, has been reduced to writing – provide a true copy of the writing; and
- (b) to the extent that the contract, arrangement or understanding, or the relevant conduct, has not been reduced to writing – provide a full and correct description of the particulars that have not been reduced to writing; and
- (c) if revocation of authorisation is sought for a contract, arrangement or understanding (whether proposed or actual) which may contain an exclusionary provision – provide details of that provision.