



**Australian
Competition &
Consumer
Commission**

Our Ref: 50898
Contact Officer: Mark Basile
Contact Phone: (03) 9290 1855

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601
tel: (02) 6243 1111
fax: (02) 6243 1199
www.accc.gov.au

12 March 2014

Luke Woodward
Partner
Gilbert + Tobin
2 Park Street
Sydney NSW 2000

By email: LWoodward@gtlaw.com.au
Copy: rdollisson@gtlaw.com.au

Dear Mr Woodward

**Virgin Australia and Air New Zealand applications for authorisation A91362-A91363 –
decision to vary conditions of authorisation**

I refer to the information provided by Virgin Australia and Air New Zealand in accordance with clause 4.1(a) of the conditions of authorisations A91362-A91363.

The ACCC has considered this information and, in accordance with clause 4.1(c) of the conditions, has decided to vary the provisional figures in Schedule A to the conditions.

The amended Schedule A is attached to this letter.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Darrell Channing on (02) 6243 4925 or Mark Basile on (03) 9290 1855.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch

SCHEDULE A – SCHEDULING SEASON BASE YEAR SEAT CAPACITY¹

The **Scheduling Season Base Year Seat Capacity** means the Applicants' combined total number of seats flown on the Relevant Routes in, as applicable, the NS Season or the NW Season in the Base Year as set out in this Schedule A. In the below tables, references to seat capacity figures for a particular route are for information purposes only.

Scheduling Season Base Year Seat Capacity for NS Season:

<u>Wellington-Brisbane</u>	<u>Seat Capacity for NS Season</u>
Air New Zealand	0
Virgin	156,542
<i>Total</i>	<i>Total 156,542</i>
<u>Queenstown-Brisbane</u>	<u>Seat Capacity for NS Season</u>
Air New Zealand	15,958
Virgin	32,760
<i>Total</i>	<i>Total 48,718</i>
<u>Auckland-Gold Coast</u>	<u>Seat Capacity for NS Season</u>
Air New Zealand	46,422
Virgin	76,704
<i>Total</i>	<i>Total 123,126</i>
<u>Christchurch-Brisbane</u>	<u>Seat Capacity for NS Season</u>
Air New Zealand	68,723
Virgin	74,664
<i>Total</i>	<i>Total 143,387</i>
<u>Dunedin-Brisbane</u>	<u>Seat Capacity for NS Season</u>
Air New Zealand	0
Virgin	52,920
<i>Total</i>	<i>Total 52,920</i>
<u>Christchurch Melbourne</u>	<u>Seat Capacity for NS Season</u>
Air New Zealand	72,367
Virgin	29,848
<i>Total</i>	<i>Total 102,215</i>
TOTAL SCHEDULING SEASON BASE YEAR SEAT CAPACITY FOR NS SEASON	626,908

¹ Note: For the avoidance of doubt, the above figures include both inbound and outbound seat capacity for each Relevant Route. This data includes all seats flown on the Relevant Routes. It therefore includes seats occupied by uplift/discharge passengers, seats occupied by transit passengers and unoccupied seats.