

*eleven*, or may refuse such application, or may grant a licence which in respect of area or distance of operation, or in any other respect, confers a less extensive authorization than the licence sought by the applicant.

(2) In exercising its discretion the commission shall have regard to—

- (a) the need of the section of the public affected by the application, for the class of air service for which authorization is sought;
- (b) the co-ordination and development of air and other transport services generally, with the object of ensuring the most effective service to the public;
- (c) the avoidance of uneconomical overlapping and, generally, the interests of the public.

(3) Without prejudice to the generality of the considerations mentioned in sub-section (2), the commission shall, having regard to the nature of the application before it, take into consideration the following matters:

- (a) the existence of other air services in the area through or within which the proposed service is to be provided;
- (b) the possibilities of air services in that area;
- (c) the degree of efficiency and regularity of the air services, if any, already provided in that area, whether by the applicant or by other air carriers;
- (d) the period for which such services have been provided by the applicant or by other air carriers;
- (e) the extent to which it is probable that the applicant will be able to provide a safe and satisfactory air service in respect of continuity, regularity of operation, frequency, punctuality, reasonableness of charges and general efficiency;
- (f) the financial resources of the applicant;
- (g) the suitability of the type of aircraft proposed to be used for the purposes of the air service,

and the commission shall take into consideration any representations in support of or in opposition to the application, duly made in accordance with the provisions of this Act.

(4) The commission may grant wholly or in part any application by an air carrier for the amendment or modification of his licence or the conditions thereof, if in its opinion by reason of altered circumstances or for any other good and sufficient reason, including any consideration mentioned in sub-section (2) or (3), it is desirable to do so in the public interest or in order to avoid hardship.

(5) The commission may of its own motion in like circumstances vary the conditions attached by it to a licence, or may attach further conditions thereto: Provided that the commission shall not so vary any conditions of a licence or attach thereto any further condition, which has the effect, in either case, of restricting in any respect the authorization conferred by the licence, unless at least twenty-one days notice of its intention so to do has been given to the holder and he has been given an opportunity of being heard by the commission in opposition thereto: Provided further that the holder of the licence concerned shall be allowed a reasonable time by the commission within which to comply with any such variation of the conditions of his licence or with such new condition so attached to his licence.