

Protection of
air carriers
who provide
satisfactory
services.

10. Whenever an air service provided by any air carrier within any particular area or over any particular route is, in the opinion of the commission, satisfactory and sufficient to meet at a reasonable charge the need of the public for that class of air service within that area or over that route, the commission shall not grant a licence to any other person for the provision of an air service within substantially the same area or over substantially the same route, in competition with the first-mentioned air service: Provided that this sub-section shall not be deemed to prohibit the commission from granting a licence for the provision of an air transport service over a route which overlaps any segment of a route over which an air transport service is provided by any other air carrier, if the commission is satisfied that the provision of an air transport service over such first-mentioned route is necessary in order to satisfy adequately the air transportation requirements of the public.

Matters to be
specified in
licence and
conditions which
may be attached
thereto.

11. (1) No one licence shall authorize the provision of more than one of the classes of air service established by regulation, but licences to provide two or more different classes of air service so established may be granted to the same person.

(2) Every licence shall specify—

- (a) the name and address of the licensee;
- (b) the class of air service authorized by the licence;
- (c) the period of validity of the licence;
- (d) the area within or the route over or the points between which the air service may be provided.

(3) The commission may attach to a licence such of the following conditions as may be applicable in respect of the particular class of air service authorized by the licence—

- (a) a condition that the aircraft to be used shall not operate at or from a specified aerodrome or shall only operate at or from one or more specified aerodromes: Provided that no air carrier shall be required to operate at an aerodrome which is not provided with telephonic means of communication;
- (b) a condition that a certain class or description of goods other than mails shall or shall not be carried;
- (c) a condition specifying the charges or the maximum or minimum charges which may be made in connection with the air service;
- (d) a condition prohibiting the taking on or setting down of passengers or goods within a specified area or between specified points on a route;
- (e) conditions as to the provision which shall be made by the air carrier for the payment of compensation in respect of the disablement or death of any of his employees resulting from any accident arising out of and in the course of such employee's employment, in any case where the provisions of the law relating to the payment of compensation to workmen, in force in the Union or the territory of South-West Africa, do not apply in respect of the disablement or death of such employee;
- (f) a condition requiring a specified minimum frequency to be maintained on the service;
- (g) a condition stipulating that the air service may be operated by day only, or by night only;