

Determination
by Minister
of overall
aircraft
capacity.

12.—(1.) The Minister shall, from time to time, in relation to a specified future period—

(a) estimate the total traffic on—

- (i) each of the competitive routes;
- (ii) the non-competitive routes of the Commission; and
- (iii) the non-competitive routes of the Company; and

(b) determine the maximum aircraft capacity of the aircraft required by the Commission and the Company, respectively, for the purposes of—

- (i) carrying one-half of the total traffic estimated by the Minister in respect of the competitive routes; and
- (ii) operating its services on non-competitive routes.

(2.) For the purposes of this section, the Minister shall have regard to—

- (a) rates of traffic increase;
- (b) the types, speeds and reasonable extent of utilization of the aircraft proposed to be used;
- (c) the revenue load factor that would be the optimum revenue load factor for the operation of aircraft on each route during the period concerned, due consideration being given to the interests of the public and the maintenance of a proper relation between revenue and costs;
- (d) the necessity for the overhaul and maintenance of aircraft;
- (e) the necessity for having aircraft available to meet emergency situations;
- (f) aircrew training requirements;
- (g) any services operated otherwise than by the Commission or the Company on non-competitive routes; and
- (h) any other factors affecting the stability of the domestic air transport industry.

(3.) Where the Minister makes an estimate and a determination under sub-section (1.) of this section, he shall, not less than twenty-eight days before the commencement of the relevant period, give notice of the terms of the estimate and of the determination to the Commission and to Ansett Transport Industries Limited and shall, in the notice, specify the portion of the determined aircraft capacity that is related to traffic on the competitive routes.