



NSW MINISTRY OF TRANSPORT

INFORMATION FOR LICENCE APPLICATIONS UNDER THE AIR TRANSPORT ACT 1964

(this section to be retained by the applicant)

Background:

An operator of regular intrastate air transport services who carries passengers to or from Sydney Kingsford Smith Airport over a regulated route is required to hold a licence under Section 3(1) of the *Air Transport Act 1964* (the Act).

A licence authorises an operator to provide a scheduled air passenger service over a particular regulated route for a specified period of time. Licences are issued by the Director General of the Ministry of Transport.

The matters that the Director General has regard to when deciding whether or not to grant a licence, are set out in Section 6(3) of the Act. These matters establish the criteria, identified in Section B and C of this application form, upon which applications are assessed.

A prerequisite for a licence is that the operator must hold an Air Operator's Certificate (AOC) which is issued by the Civil Aviation Safety Authority (CASA) under the Civil Aviation Act 1988 (Cth).

Unless the route is declared deregulated by Order of the Minister for Transport, a Regulated Route licence is required for intrastate routes, where the point of origin or destination is Sydney's Kingsford Smith Airport. For more information see <http://www.transport.nsw.gov.au/air/regulation-licensing.html>

Regulated Route licences:

Licences for regulated route services are issued to a nominated common expiry date (currently being 29 March 2008 and thereafter being 29 March 2013).

A licence for a regulated route will be issued to a single air operator, subject to the licence conditions.

Licences are not transferable. If an operator were to give up a licence for a regulated route service before the expiry of the licence term, the route would be subject to a route review process outside of the normal route review cycle.

When an application is required:

There are three circumstances under which an application is required to be completed:

- an operator is interested in commencing a service on a vacant route. In the first instance, the operator should contact the Ministry to express interest in the vacant route. The Ministry may then undertake a call for applications from eligible operators.
- a route becomes vacant outside the normal route review cycle. In this instance the Ministry will undertake a call for licence applications from eligible operators.
- regular route review cycle. Licences are issued to a common expiry date, currently a 5 year period. At the end of this cycle, the Ministry will undertake a licence application process, subject to any new regulatory arrangements.

Applications:

Applicants must complete all questions on the enclosed application form, attaching additional pages where there is not enough space available.

False declarations, or misleading responses may constitute an offence under the Crimes Act, 1900.

Disclosure of convictions will not necessarily result in the automatic rejection of an application, but the applicant may be required to demonstrate that, despite the conviction, the applicant is capable of conforming to the requirements of the Act.

Where the Ministry of Transport has a concern about financial viability impacting adversely on an applicant's ability to comply with the Act, it may require the provision of additional financial/management information.

Nominated service levels must be accurate, practical and deliverable. If subsequent to the issue of a licence, there has been a significant reduction in, or cessation of, service levels, the licence may be revoked or varied.

Sections A and B of the application form only need to be completed once by the applicant. Sections C and D need to be completed for each route being applied for.

Application fee:

No licence application fee applies.

Licence conditions:

A Licence is subject to conditions. For example, current licences contain conditions addressing the following issues:

- changes in service levels;
- compliance with Commonwealth legislation; and
- maintenance of adequate insurance cover.

The licence does not guarantee access to any airport on the route.

Licences are subject to any new Acts, Regulations, Orders or policies created during their term.

Lodging of applications:

Applications should be submitted to the Ministry of Transport, GPO Box 1620, SYDNEY NSW 2001, (or Level 21, 227 Elizabeth Street).

Further information:

Manager, Aviation and Transport Security
NSW Ministry of Transport
Phone: (02) 9268 2828
Fax: (02) 9268 2947



NSW MINISTRY OF TRANSPORT

**APPLICATION FOR LICENCE UNDER SECTION 5
OF THE AIR TRANSPORT ACT 1964**

Application form

SECTION A. APPLICANT DETAILS:

1. **APPLICANT NAME:** _____
(Company / Individual)

ABN: _____

TRADING AS: _____
(Registered Name)

2. **POSTAL ADDRESS:** _____

POST CODE: _____ **FAX NO:** _____

3. **PRESCRIBED OFFICER:** _____

POSITION TITLE: _____ **PHONE:** _____

EMAIL: _____

AIR OPERATOR’S CERTIFICATE (AOC)

6. An Air Operator’s Certificate must be held in the name of the applicant and be suitably endorsed by CASA. Please provide a copy of the current AOC for your company, and complete the following details:

AOC No.: _____

Issued in the name of: _____

Issue Date: _____ Expiry Date: _____

7. **INSURANCE DETAILS**

Has your organisation ever been refused insurance cover? Y N

If ‘yes’, please provide details:

Complete details of current insurance in the table below:

	Amount	Insurer	Expiry Date	Policy No	Excess
Passenger Liability					
Third Party Liability					
Or Combined Single Limit					
Hull					
Workers Compensation					

Please provide a copy of the applicant’s current carriers liability insurance Certificate of Compliance issued by CASA.

SECTION C. ROUTE BEING APPLIED FOR:

AIRCRAFT PARTICULARS

8. Please provide details of the aircraft you propose to use:

	Aircraft make and type	Number in fleet	Seating capacity	Availability: - Owned - Leased (indicate dates)
Primary aircraft	1.			
	2.			
	3.			
Backup aircraft	1.			
	2.			
	3.			

9. **ADDITIONAL INFORMATION**

Please provide the following information for the route being applied for:

- 9.1 Proposed timetable (full schedule by week/day/hour);
- 9.2 Fare structure (standard, discount and promotional);
- 9.3 Explain how the proposed service would cater to the different market sectors (eg. business, tourism, community) at either end of the service, and at any intermediate ports included in the route;
- 9.4 Explain the extent to which the proposed service meets customer needs in relation to booking facilities, flight times, flight convenience, flight connections, terminal facilities and service, on board space and comfort, affordability, etc.;
- 9.5 Explain how you expect the route to perform in terms of the demand for the service:
 - anticipated annual passenger numbers;
 - peak periods of demand / special events;
 - factors which may lead to a growth in demand;

9.6 Passenger loading:

- seating capacity offered on the route;
- anticipated passenger loading as a percentage of carrying capacity (%);
- minimum acceptable passenger load percentage for service viability with proposed aircraft;
- strategies for dealing with peak and off-peak periods of demand relating to school holidays, public holidays, festivals, seasonal influences;
- strategies for dealing with sustained growth in demand beyond the nominated aircraft/s carrying capacity;
- strategies for dealing with sustained decline in demand where service provision with the nominated aircraft would no longer be viable;

9.7 Outline the benefits of the proposed service to the region being served:

- economic benefits;
- regional transport linkages.

SECTION D. DECLARATION:

I submit this application for consideration under the *Air Transport Act 1964*, and declare that the information furnished herein is true and correct. I agree to submit further information in respect of this application if requested by the Ministry of Transport, to assist consideration under Section 6(3) of the Act.

Signature: _____

Name (print): _____

Office held: _____

Date: _____

Please lodge this completed application with:

**Manager, Aviation and Transport Security
NSW Ministry of Transport
Level 21, 227 Elizabeth Street
SYDNEY NSW 2000**

**GPO Box 1620
SYDNEY NSW 2001**