

- (ii) The licensee may at any time on any of the days specified in the authorised timetable increase the number of flights beyond what is stated in the authorised timetable but he may not reduce the number of such flights without the prior approval of the Licensing Authority or unless authorised by the terms of the licence to do so.
- (b) Non-scheduled service:
- (i) Where a non-scheduled passenger service is carried on over the same or substantially the same route as operated by a scheduled service the minimum fare per passenger shall be 10 percent in excess of the fare payable by a like passenger in the scheduled service or by the lowest fare if there are more than one such service; provided, however, that such excess shall not apply if there is no scheduled service operating during the same day or if the full capacity on the scheduled service has been taken or if in the course of such route the non-scheduled service involves intermediate stops at points or traffic areas not included in the scheduled service.
- (ii) If the licensee publishes a timetable of his proposed services he shall indicate prominently therein that such services may not be adhered to for reasons of safety or unless sufficient business is offering and, subject to the foregoing, the licensee shall take all reasonable steps to ensure that the services prescribed in such timetable are maintained.
- (c) Air charter service:
- (i) All charges for air charter services shall be based on an hourly rate, either as authorised in the licence or otherwise as determined by the licensee.
- (ii) Subject to the provisions of subparagraph (iv) herein, all air charter services shall be deemed to originate from the aerodrome or traffic area or from any one of the aerodromes or traffic areas as are designated in the licence; and if the actual flight as required by the hirer commences from some other aerodrome or traffic area the licensee shall charge and shall record separately a reasonable amount for the cost of positioning the aircraft from the place of origin.
- (iii) Where the charter flight or flights is or are to terminate elsewhere than at the place of origin, as referred to in subparagraph (ii) herein, the licensee may include in the hire charge a reasonable additional amount for the cost of flying the aircraft back to the place of origin; but in such event the licensee may not enter into any agreement with any other person, except on the basis as set out in subparagraph (ii) herein, unless he refunds to the original hirer the amount of such additional charge.
- (iv) Where a charter flight has terminated elsewhere than at the place of origin, as referred to in subparagraph (ii) herein, and no charge for the cost of flying the aircraft back to the place of origin has been made or, if made, it has been refunded, the licensee may enter into a new agreement for an air charter service and for the purpose only of that agreement the place of origin of the charter service shall be deemed to be where the previous flight terminated; but if such new charter service is to terminate elsewhere than at any place or aerodrome designated in the licence, the licensee shall include in the hiring charge a reasonable amount for the cost of flying the aircraft back from where such flight terminates to the said place or origin designated in the licence.
- (v) Any person authorised to operate an air charter service may also carry on scenic flights and joy-rides from the aerodrome or traffic area or from any one of the aerodromes or traffic areas designated in the licence.
- (d) Air-taxi service:
- (i) Subject to the provisions of subparagraph (ii) herein, an air-taxi service may originate only from the aerodrome or traffic area or from any one of the aerodromes or traffic areas as are designated in the licence.
- (ii) From the place where an air-taxi service has terminated the licensee may operate a like service, but only back to the place or places of origin as referred to in subparagraph (i) herein.
- (iii) Where an air-taxi service operates over the same or substantially the same route as operated by a scheduled service the minimum fare per passenger

shall be 10 percent in excess of the fare payable by a like passenger in the scheduled service or by the lowest fare if there are more than one such service; provided, however, that such excess shall not apply if there is no scheduled service operating during the same day or if the full capacity on the scheduled service has been taken or if in the course of such route the air-taxi service involves intermediate stops at points or traffic areas not included in the scheduled service.

- (iv) Any person authorised to operate an air-taxi service may also carry on scenic flights and joy-rides from the aerodrome or traffic area or from any one of the aerodromes or traffic areas designated in the licence.

3. Replacement of aircraft:

Subject always to there being no increase in the number of aircraft as are authorised in the licence, the licensee may at any time replace an aircraft with another of equivalent seating capacity, provided written notification of the change is given to the Authority within 7 days.

4. Insurance:

- (a) It shall be a condition of all air transport service licences that the licence holder shall maintain during the currency of the licence:

- (i) In respect of any aircraft in which one or more passengers may be carried a minimum insurance cover of such amount per passenger against liability for the death of or bodily injury to such a passenger as the Authority shall deem reasonable, pursuant to section 22 of the Air Services Licensing Act 1951, as amended.
- (ii) In respect of all aircraft a minimum insurance cover of \$50,000 against all liability for third party personal injury or death or for property damage in respect of any one accident.

- (b) Notwithstanding that the licence may authorise the carrying on of an air transport service as from a specific date, such service shall not be commenced until there has been deposited with the Licensing Authority a certificate endorsed by the insurers of due insurance in accordance with the requirements in paragraph (a) herein.

- (c) Within 1 week from the due date of renewal or on the replacement of any such insurance policy or within such extended time as the Licensing Authority may permit, there shall be deposited with the Licensing Authority a like certificate as is required under paragraph (b) herein. If the certificate, as aforesaid, is not deposited within the period as stated, the licence shall be deemed to be suspended until such certificate is deposited.

5. Transfer of interest in licences:

- (i) Where:

- (a) The holder of a licence is an individual and by any means whatever his controlling interest in the business in respect of which the licence applies passes to any other person or persons; or
- (b) The holder of a licence is a company and by any means whatever the controlling interest in that company passes to any person or persons other than those named as shareholders or intending shareholders when the application for a licence was made

then, in either such event, the licence shall be deemed to be suspended as from the date of such passing unless the prior approval of the Authority has been obtained, or unless and until full details of the transaction or proposed transaction involving the passing of the controlling interest, as aforesaid, have been given to the Authority and its approval to such passing has been granted.

- (ii) Where by reason of transmission on death the provisions of subparagraph (i) herein would apply, the licence shall not be deemed to be suspended until after the expiration of 3 calendar months from the date of death.

This order shall come into effect on the 1st day of June 1969.

Dated this 28th day of May 1969.

For and on behalf of the Air Services Licensing Authority:

G. H. LUSK, Chairman.