

by the operator of the aircraft concerned of all the capacity of that aircraft to one or more shippers for the carriage of the goods of that shipper or those shippers only; and

(i) Who or which has a current cargo agency sales agreement with that carrier;

“Approved general cargo agent”, in relation to any carrier, means an agent—

(a) Whose name (whether or not it appears on any other such list) for the time being appears (whether as a direct agent or as a subcontracted agent of a direct agent) on a single list of agents and locations maintained by that carrier within New Zealand for the purpose (in this notice referred to as an approved general cargo agents' names and locations list); and

(b) Who or which is not an unsuitable person; and

(c) Who or which is not an approved passenger agent or an approved cargo agent; and

(d) Who or which neither has, nor has any right to, 30 percent or more of the ownership, property, management, or profits of an approved passenger agent or approved cargo agent; and

(e) Of whose ownership, property, management, or profits, no approved passenger agent or approved cargo agent has, or has a right to, 30 percent or more; and

(f) Who or which is neither employed by nor associated with any other person (not being a person engaged directly in the provision of transportation of some kind) who or which is, in the opinion of the carrier concerned, likely to generate more than one quarter of the total sales of carriage of cargo in the defined territory or proposed defined territory concerned; and

(g) Who or which has a current general cargo agency agreement with that carrier;

“Approved general cargo location”, in relation to any agent whose name for the time being appears on an approved general cargo agents' names and locations list, means a suitable cargo sales location whose address for the time being appears on that list;

“Approved general sales agent”, in relation to any carrier, means an agent—

(a) Whose name (whether or not it appears on any other such list) for the time being appears (whether as a direct agent or as a subcontracted agent of a direct agent) on a single list of agents and locations maintained by that carrier within New Zealand for the purpose (in this notice referred to as an approved general sales agents' names and locations list); and

(b) Who or which is not an unsuitable person; and

(c) Who or which is not an approved passenger agent or an approved cargo agent; and

(d) Who or which neither has, nor has any right to, 30 percent or more of the ownership, property, management, or profits of an approved passenger agent or approved cargo agent; and

(e) Of whose ownership, property, management, or profits, no approved passenger agent or approved cargo agent has, or has a right to, 30 percent or more; and

(f) Who or which is neither employed by nor associated with any other person (not being a person engaged directly in the provision of transportation of some kind) who or which is, in the opinion of the carrier concerned, likely to generate more than one quarter of the total sales of carriage of passengers in the defined territory or proposed defined territory concerned; and

(g) Who or which has a current general sales agency agreement with that carrier;

“Approved general sales location”, in relation to any agent whose name for the time being appears on an approved general sales agents' names and locations list, means a location (not being an approved passenger location or an approved cargo location) whose address for the time being appears on that list, and where there are employed at least 2 qualified persons;

“Approved location” means a location that is an approved cargo location, an approved general sales location, an approved passenger location, or an approved tour location;

“Approved passenger agent”, in relation to any carrier, means an agent—

(a) Whose name (whether or not it appears on any other such list) for the time being appears on a single list of agents and locations maintained by that carrier within New Zealand for the purpose (in this notice referred to as an approved passenger agents' names and locations list); and

(b) Who or which is not an unsuitable person; and

(c) Who or which is not an approved general sales agent; and

(d) Who or which neither has, nor has any right to, 30 percent or more of the ownership, property, management, or profits, of an approved general sales agent; and

(e) Of whose ownership, property, management, or profits, no approved passenger agent or approved cargo agent has, or has a right to, 30 percent or more; and

(f) Who or which has a current passenger sales agency agreement with that carrier;

“Approved passenger location”, in relation to any agent whose name for the time being appears on an approved passenger agents' names and locations list, means a suitable passenger sales location open to the general public during normal business hours whose address for the time being appears on that list;

“Approved tour location”, in relation to any agent whose name for the time being appears on an approved passenger agents' names and location list, means a suitable passenger sales location that is used exclusively for the sale of inclusive tours arranged by that agent and is not open to the public during normal business hours, and whose address for the time being appears on that list;

“Arrangement”, in relation to any carriage of cargo, means—

(a) The sale of that carriage; and

(b) The making of reservations relating to that carriage; and

(c) The completion of a waybill in relation to that carriage; and

(d) The delivery, or arrangement of the delivery, of that cargo to the appropriate airport when ready for carriage; and

(e) The retention of all accounting documents relating to the payment for that carriage;—

and “to arrange” has a corresponding meaning;

“Arrangement”, in relation to any carriage of passengers, means—

(a) The sale of that carriage; and

(b) The making of reservations relating to that carriage; and

(c) Either the issue of travel documents for that carriage, or the arrangement of the issue of travel documents for that carriage by the carrier on whose services it is to take place; and

(d) The retention of all accounting documents relating to the payment for that carriage;—

and “to arrange” has a corresponding meaning;

“Cargo” means any goods carried, or intended to be carried, by air that do not comprise—

(a) Mail or other goods carried under the terms of any international postal convention; or

(b) Passenger baggage; or

(c) The property of the carrier concerned;

“Carriage” means international carriage by air;

“Cargo agency sales agreement” means a sales agency agreement relating to the arrangement by the agent concerned of the carriage of cargo on the services of the principal concerned, and containing (*inter alia*) provisions to the effect that—

(a) The agent is at all times to maintain a bond, guarantee, or other such device, that, in the opinion of the principal, adequately protects the principal and the agent's customers against the insolvency of the agent; and

(b) Until any waybill forms supplied to the agent by or on behalf of the principal or the management of a standard cargo plan are issued to a customer in respect of carriage that has been sold by the agent to that customer,—

(i) Those documents are to remain the property of the principal or, as the case requires, the management of the standard cargo plan; and

(ii) The agent is to have no proprietary rights in respect of those documents; and

(c) All carrier identification plates supplied by the principal to the agent are to remain the property of the principal; and the agent is to have no proprietary rights in respect of those plates; and

(d) The agent is to take such steps as the principal specifies in respect of the safekeeping of waybill forms and carrier identification plates so supplied; and

(e) The agent is to verify every waybill issued by the agent in respect of the carriage of cargo on the services of the principal with a stamp bearing a numerical code that identifies that agent; and

(f) The agent is not to pay money received in respect of carriage of cargo arranged by the agent into any bank account into which there is at any time paid any money that is not received in respect of carriage of cargo arranged by the agent; and

(g) All money received by the agent in respect of the carriage of cargo on the services of the principal, or in respect of any related services (including any commission withheld by the agent in accordance with a manner of transacting business on behalf of the principal agreed with the principal) shall, as soon as is practicable after its receipt, be paid into a bank account, and shall—

(i) Remain the property of the principal; and

(ii) Be held in trust for the principal,—

until it has been satisfactorily accounted for to the principal; and