

One-Way Advance Purchase Excursion Tariffs Between New Zealand, and the United Kingdom and the Republic of Ireland
Notice 1984

Pursuant to Section 29A(2) of the Civil Aviation Act 1964, the Minister of Civil Aviation and Meteorological Services hereby gives the following notice.

NOTICE

1. Title, commencement and application—(1) This notice may be cited as the One-Way Advance Purchase Excursion Tariffs between New Zealand, and the United Kingdom and the Republic of Ireland Notice 1984.

(2) This notice shall come into force on the day after the date of its publication in the Gazette.

(3) This notice shall apply to the airlines specified in the first column of the Fourth Schedule to this notice.

2. Interpretation—(1) In this notice, unless the context otherwise requires,—

“The Act” means the Civil Aviation Act 1964;

“AP” means a route between Area 2 and Area 3 via—

(a) Area 1; or

(b) A polar service between Europe and Japan; or

(c) Both;

“AT” means a route between Area 1 and Area 2 via the Atlantic;

“Commission Regime” means the Civil Aviation (Passenger Agents' Commission Regime) Notice 1983*;

“EH” means any route—

(a) Within Area 2; or

(b) Within Area 3; or

(c) Between Area 2 and Area 3 other than AP;

“General Tariff Conditions” means the Civil Aviation (General Passenger Conditions) Order 1984 †;

“Involuntary cancellation”, in relation to any travel, means the cancellation of all or any part of that travel arising out of—

(a) Involuntary failure in respect of all or any part of that travel; or

(b) Where that passenger is refused all or any part of that travel for safety or legal reasons, or because of that passenger's condition or conduct; or

(c) The death of that passenger or a member of his immediate family;

“Involuntary failure”, in relation to any travel, means the inability of a carrier to provide the travel originally arranged because that carrier—

(a) Cancels a flight; or

(b) Fails to operate a flight reasonably to schedule; or

(c) Omits a scheduled stop that is a destination, stopover, or transfer point, of the passenger concerned; or

(d) Fails to provide travel previously confirmed by or on behalf of that carrier; or

(e) Causes the passenger concerned to miss a connecting flight in respect of which that passenger has a confirmed reservation;

“Involuntary rerouting”, in relation to any part of any travel, means rerouting of all or any part of that travel as a result of involuntary failure of that first-mentioned part;

“Ireland” means the Republic of Ireland;

“IRL” means Irish Pounds;

“NZD” means New Zealand dollars;

“PA” means a route between Area 1 and Area 3 via the Pacific;

“PO” means an AP route via a polar service between Europe and Japan;

“Specified add-on” means an add-on specified in the Third Schedule to this notice;

“Specified fare” means a fare specified in the First or Second Schedule to this notice;

“TS” means an EH route via a direct service between Tokyo and Moscow;

“United Kingdom” means the United Kingdom of Great Britain and Northern Ireland;

“UKL” means United Kingdom Pounds;

“Voluntary cancellation”, in relation to any travel, means cancellation of that travel that is not involuntary cancellation.

(2) Every expression defined in section 2 or section 29A(12) of the Act or in clause 2 of the General Tariff Conditions shall have the meaning so defined.

(3) This notice shall be read as if every clause of the General Tariff Conditions expressed in this notice to be imported into this notice forms part of this notice; and for the purposes of this notice every reference in any such clause so expressed to “this notice” shall be read as a reference to this notice.

(4) Where in any provision of this notice it is provided that a fare may apply, that provision shall be read as if it were provided in that provision that—

(a) Subject to subclause (5) of this clause, travel to which that fare relates may be arranged, provided, and sold, or any of them, at that fare; and

(b) Subject to subclause (5) of this clause, any person may undertake, or advertise his ability or willingness, to arrange, provide, and sell, or any of them, travel to which that fare relates;—

and “application” shall have a corresponding meaning.

(5) Where in any provision of this notice it is provided that a fare shall not apply, that provision shall be read as if it were provided in that provision that—

(a) No person shall arrange, provide, or sell, at that fare travel to which that fare relates; and

(b) No person shall undertake, or advertise his ability or willingness, to arrange, provide, or sell, at that fare travel to which that fare relates;—

and “application” shall have a corresponding meaning.

3. Fares and add-ons—(1) A fare specified in the first column of the First Schedule to this notice may apply to economy class one-way travel, via the route specified opposite that fare in the third column of that Schedule, from a point in New Zealand specified opposite that fare in the fourth column of that Schedule to a point in the United Kingdom specified opposite that fare in the fifth column of that Schedule.

(2) A fare specified in the first column of the Second Schedule to this notice may apply to economy class one-way travel, via the route specified opposite that fare in the third column of that Schedule, from a point in the United Kingdom specified opposite that fare in the fourth column of that Schedule to a point in New Zealand specified opposite that fare in the fifth column of that Schedule.

(3) Where a fare specified in the First Schedule to this notice may apply to travel from—

(a) Christchurch, that fare may also apply to economy class one-way travel from any other point in the South Island of New Zealand north of Christchurch; or

(b) Wellington, that fare may also apply to economy class one-way travel from any other point in the North Island of New Zealand south of Auckland;

to a point in the United Kingdom specified opposite that fare in that Schedule if air services operate to and from that other point in New Zealand and that travel is and is to be undertaken via Auckland.

(4) An add-on specified in the first column of the Third Schedule to this notice may apply, when combined end-on with a specified fare, to economy class one-way travel from a point specified opposite that add-on in the second column of that Schedule to a point specified opposite that add-on in the third column of that Schedule.

(5) For the purposes of this notice, it is hereby declared that the travel for which it is stated in this notice that any specified fare or specified add-on may apply is the only travel to which that fare or add-on relates.

(6) Subject to subclause (7) of this clause, a specified fare shall not apply unless all calculations relating to that fare and the adjustments, charges and surcharges (if any) payable in respect of the travel to which that fare relates, are made in accordance with of clause 4(28) of this notice.

(7) In respect of any travel commencing in Ireland to which a specified fare and a specified add-on relate together, the following provisions shall apply to the conversion of that fare to Irish Pounds and the calculation of the total fare payable for that travel—

(a) That fare in United Kingdom Pounds (excluding that specified add-on and all appropriate adjustments, changes and surcharges) shall be converted to Irish Pounds by multiplying that fare by a conversion factor of 1.25 and rounding the resulting figure up to the next whole number;

(b) There shall be added to the resulting figure the amount in Irish Pounds of that specified add-on and all appropriate adjustments, charges and surcharges (other than excess baggage charges) payable in respect of that travel;

(c) Clause 4(28) of this notice shall apply to the resulting figure in Irish Pounds as if it were a local currency fare.

4. Conditions—The application of every specified fare shall be subject to the following provisions:

(1) APPLICATION—Clause 4 of the General Tariff Conditions shall be imported into this notice; and except to the extent specified in that clause or elsewhere in this notice, a specified fare shall not apply except for economy class one-way travel:

(2) PERIOD OF APPLICATION—Of the specified fares—

(a) In respect of travel commencing in New Zealand to which a fare specified in the First Schedule of this notice relates—

(i) A fare specified in the second column of that Schedule as a peak season fare shall not apply unless travel on the first outbound international sector of the travel to which it relates commences in May, June or July;

* Gazette, 1983 p. 3043

† Gazette, 1984 p. 1021