

The Special First Class Round-Trip Tariff from Auckland, Christchurch, or Wellington to London 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 Special First Class Round-Trip Tariff from Auckland, Christchurch, or Wellington to London Notice 1984.

(2) This notice shall come into force on the day after the date of its publication in the Gazette and shall expire with the 31st day of December 1984.

(3) This notice shall apply to Air New Zealand Limited and British Airways Limited.

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;

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

“EH” means any route between Area 2 and Area 3 other than AP;

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

“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 the rerouting of all or any part of that travel as a result of involuntary failure of that first-mentioned part;

“NZD” means New Zealand dollars;

“Specified fare” means the fare specified in the Second Schedule to this notice.

(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 the 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 the 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) The fare specified in the first column of the Second Schedule to this notice may apply to first class round-trip travel (including travel in a first class sleeper seat), via the route specified opposite that fare in the second column of that Schedule, from a point in New Zealand specified opposite that fare in the third column of that Schedule to and return from a point in the United Kingdom specified opposite that fare in the fourth column of that Schedule.

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

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

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

to and return from London if air services operate to and from that other point in New Zealand and that travel is or is to be undertaken via Auckland.

(3) For the purposes of this notice, it is hereby declared that the travel for which it is stated in this notice that the specified fare may apply is the only travel to which that fare relates.

(4) The 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 clause 4(23) of this notice.

(5) Subject to subclause (6) of this clause, for the purposes of this notice, the distance specified in the first column of the First Schedule to this notice shall be the maximum permitted mileage for first class half round-trip travel (including travel in a first class sleeper seat) in either direction, via the route specified opposite that distance in the second column of that Schedule, between a point specified opposite that distance in the third column of that Schedule and a point specified opposite that distance in the fourth column of that Schedule.

(6) Where in accordance with subclause (2) of this clause, the specified fare may apply to travel from and return to any point in New Zealand other than Auckland, Christchurch, or Wellington, the distance specified in the First Schedule to this notice between Christchurch and Wellington (as the case requires) and London shall be the maximum permitted mileage for travel in either direction, via the route specified opposite that distance, between that other point in New Zealand and London.

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

(1) **APPLICATION**—The specified fare shall not apply except for first class round-trip travel (including travel in a first class sleeper seat) by the same route outbound and inbound:

(2) **PERIOD OF APPLICATION**—The specified fare shall not apply unless travel on the first outbound international sector of the travel to which it relates is to commence and commences before the 1st day of January 1985:

(3) **FARES**—Clause 6 of the General Tariff Conditions shall be imported into this notice; but after the commencement of any travel for which any other fare has lawfully been paid, the specified fare shall not apply—

(a) To any rerouting of that travel; or

(b) For the purposes of calculating any refund in relation to any rerouting of that travel, or the cancellation of any unused portion of that travel,—

unless this notice—

(c) Was in force when that travel commenced; and

(d) Is in force when that rerouting is arranged or that cancellation made;

(4) **VALIDITY**—Clauses 11, 15, 16, 17 and 18 of the General Tariff Conditions shall be imported into this notice:

(5) **GROUP SIZE**—The application of the specified fare shall not be affected by the fact that any person travels or is to travel on an individual basis, or by the size of any group:

(6) **STOPOVERS**—Clause 24 of the General Tariff Conditions shall be imported into this notice; but the specified fare shall not apply if there is allowed or to be allowed—

(a) Any stopover at a point other than a point from which the passenger concerned is to continue and continues any part of the travel to which that fare relates on the services of the carrier that is to provide and provides that part of that travel to that point; or

(b) Any stopover not agreed between the passenger and the carrier concerned (or an agent of that carrier); and shown on the ticket of that passenger.

(7) **ADVERTISING AND SALES**—Clause 25 of the General Tariff Conditions shall be imported into this notice:

(8) **AFFINITY, OWN USE AND INCENTIVE GROUPS**—Clause 26 of the General Tariff Conditions shall be imported into this notice:

(9) **BAGGAGE**—The clauses (except clauses 31, 36 and 39) comprising Part IX of the General Tariff Conditions shall be imported into this notice; and for the purposes of those clauses—

(a) Where any part of any travel to which the specified fare relates (being travel via AP routing) involves the release to the passenger concerned in North America or Mexico of all or any part of that passenger's baggage, every sector of that travel is hereby declared to be a piece-system sector;

(b) Subject to paragraph (a) of this subclause, every sector of any travel to which the specified fare relates, is hereby declared to be a weight-system sector:

* Gazette, 1983 p. 3043

† Gazette, 1984 p. 1021