

One-Way Excursion Tariffs Between New Zealand and
Yugoslavia 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 Excursion Tariffs between New Zealand and Yugoslavia 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 Fifth 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;

“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 failure”, in relation to any travel, means rerouting that arises out of 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 add-on” means an add-on specified in the Fourth Schedule to this notice;

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

“YUD” means Yugoslav Dinars.

(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 Second Schedule to this notice may apply to economy class one-way travel, 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 a point in Yugoslavia specified opposite that fare in the fourth column of that Schedule.

(2) A fare specified in the first column of the Third 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 Yugoslavia specified opposite that fare in the third column of that Schedule to a point in New Zealand specified opposite that fare in the fourth column of that Schedule.

(3) Where a fare specified in the Second 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 Yugoslavia 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 Fourth 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) 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 clause 4(28) of this notice.

(7) Subject to subclause (8) 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 economy class one-way travel 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.

(8) Where in accordance with subclause (3) of this clause, a specified fare applicable to travel from Christchurch or Wellington may apply to travel from any other point in New Zealand, the distance specified in the First Schedule to this notice between Christchurch or Wellington (as the case requires) and a point in Yugoslavia 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 that point in Yugoslavia.

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—Clause 5 of the General Tariff Conditions shall be imported into this notice:

(3) FARES—Clauses 6 and 10 (except paragraph (b) of clause 10) of the General Tariff Conditions shall be imported into this notice; but after the commencement of any travel for which any other fare has been paid, a 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 was in force when that travel commenced; and is in force when that rerouting is arranged, or that cancellation is made; and when that travel commenced, that other fare was—

(c) A specified fare within the meaning of the Round-trip Excursion Tariffs between New Zealand and Yugoslavia Notice 1984 ‡, and—

(i) A refund in relation to the cancellation of the unused return half of that travel is requested after completion of the outward half of that travel; and

(ii) That first-mentioned specified fare would have applied to the outward half of that travel if, before its commencement, that half of that travel had been arranged at that fare; or

(d) A specified fare within the meaning of the Round-trip Advance Purchase Excursion Tariffs between New Zealand and Yugoslavia Notice 1984 §; and—

(i) A change to any unused onward or return reservation is requested after commencement of that travel; and

* Gazette, 1983, p. 3043

† Gazette, 1984, p. 1021

‡ Gazette, 1984 p. 127

§ Gazette, 1984 p. 175