

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

(1) **APPLICATION**—Except to the extent (if any) specified elsewhere in this notice, a specified fare shall not apply except for economy class round-trip travel, or around the world travel where that travel is or is to be undertaken via the EH route in one direction and via the AP route in the other:

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

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

(i) A fare specified in the third 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;

(ii) A fare specified in the third column of that Schedule as a shoulder season fare shall not apply unless travel on the first outbound international sector of the travel to which it relates commences in April, August, September, or December;

(iii) A fare specified in the third column of that Schedule as an off-peak season fare shall not apply unless travel on the first outbound international sector of the travel to which it relates commences in March or October;

(iv) A fare specified in the third column of that Schedule as a basic season fare shall not apply unless travel on the first outbound international sector of the travel to which it relates commences in January, February, or November;

(b) In respect of travel commencing in the Federal Republic of Germany to which a fare specified in the Fifth Schedule to this notice relates—

(i) A fare specified in the third 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 January, September, October, November or December;

(ii) A fare specified in the third column of that Schedule as a basic season fare shall not apply unless travel on the first outbound international sector of the travel to which it relates commences February, March, April, May, June, July, or August;

(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 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 made; and when that travel commenced, that other fare was—

(c) A specified fare within the meaning of the Round-Trip Advance Purchase Excursion Tariffs from New Zealand to the Federal Republic of Germany Notice 1984 ‡; and

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

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

(d) A specified fare within the meaning of the Special Round-Trip Three Month Excursion Tariffs from the Federal Republic of Germany Notice 1984 §; and

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

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

(4) **VALIDITY**—The clauses (except clause 18(3)) comprising Part IV of the General Tariff Conditions shall be imported into this notice; but a specified fare shall not apply if—

(a) The ticket issued for the travel to which that fare relates has no minimum validity, or a minimum validity of less than 21 days after the date of arrival in the country of turnaround;

(b) Except as provided in clause 14 of the General Tariff Conditions (as imported into this notice), travel on that return portion of that ticket is so arranged that it is capable of commencing within the minimum validity of that ticket;

(c) Any carrier (or any agent of any carrier) extends or is to extend the maximum validity of that ticket by reason of that illness of the passenger concerned or any other person;

(5) **GROUP SIZE**—The application of the specified fares 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**—The clauses comprising Part VI of the General Tariff Conditions shall be imported into this notice; but a specified

fare shall not apply if there is allowed or to be allowed in respect of the travel to which it relates,—

(a) More than one stopover in each direction; or

(b) A stopover at any point other than Los Angeles, Singapore, or Tokyo; or

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

(d) When that travel commences or is to commence in the Federal Republic of Germany, a stopover that exceeds 7 nights;

(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 30, 35 and 38) 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 a specified fare relates (being travel via AP routing) involves the release to the passenger concerned in Los Angeles 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 a specified fare relates is hereby declared to be a weight-system sector;

(10) **CANCELLATIONS AND REFUNDS**—The clauses (except clause 52) comprising Part X of the General Tariff Conditions shall be imported into this notice; and where any refund in relation to the cancellation of the return half of any travel to which a specified fare relates is requested after completion of the outward half of that travel, a fare specified in the One-Way Excursion Tariffs between New Zealand and the Federal Republic of Germany Notice 1984 ¶ may, subject to the provisions of that notice, be used to calculate the amount lawfully payable in respect of the outward half of that travel actually undertaken;

(11) **COMBINATIONS**—Clause 53 of the General Tariff Conditions shall be imported into this notice; but—

(a) A specified fare shall not apply if it is or is to be combined with any other fare unless—

(i) That combination is to permit travel from a point other than the point of origin of travel to which that specified fare relates, or to or from a point other than the point of turnaround of travel to which that specified fare relates; and

(ii) That combined travel is, or is to be, undertaken via that point of origin or turnaround;

(b) Notwithstanding the said clause 53, a specified fare may apply if it is or is to be combined with any other fare in accordance with paragraph (a) of this subclause and—

(i) That other fare is a normal fare for travel at the same class of service as, or at a higher class of service than, the class of service of the travel to which that specified fare relates; and

(ii) The sum of those fares is less than every normal fare for travel at the class of service of the travel to which that other fare relates for the time being lawful for the combined travel concerned;

(12) **COMMISSION**—Clause 54 of the General Tariff Conditions shall be imported into this notice;

(13) **DISCOUNTS**—Clauses 55, 56 and 71 of the General Tariff Conditions shall be imported into this notice;

(14) **DOCUMENTATION**—Clause 72 of the General Tariff Conditions shall be imported into this notice;

(15) **ELIGIBILITY**—Clause 74 of the General Tariff Conditions shall be imported into this notice;

(16) **MINIMUM TOUR PRICE**—The application of the specified fares shall not be affected by any condition relating to a minimum tour price;

(17) **MODIFICATION OF INCLUSIVE TOURS**—A specified fare used as a basis for a qualifying inclusive tour in respect of which any commission has been or is to be paid under clause 6 of the Commission Regime (hereinafter in this notice referred to as a supported qualifying inclusive tour) shall not apply if—

(a) Any change of any component of or condition applicable to that tour is made by the person arranging that tour without the prior consent of the carrier that paid or is to pay to that person any commission relating to the costs of developing or advertising or promoting that tour; or

(b) Any voluntary change of routing is or is to be arranged that excludes travel on the services of that carrier;

(18) **NAME CHANGES AND ADDITIONAL PASSENGERS**—The application of the specified fares shall not be affected by any condition relating to name changes or additional passengers;

‡ Gazette, 1984 p. 151

§ Gazette, 1984 p. 181

¶ Gazette, 1984 p. 29