

(3) For the purposes of this clause,—
 "Special fare of the same type" means—

(a) Where that specified fare is a special fare available to individual members of the public, any other special fare available to individual members of the public;

(b) Where that specified fare is a special inclusive tour basing fare available to individual members of the public, any other special inclusive tour basing fare available to individual members of the public;

(c) Where that specified fare is a special fare available to any group of members of the public, any other special fare available to any group of members of the public;

(d) Where that specified fare is a special inclusive tour basing fare available to any group of members of the public, any other special inclusive tour basing fare available to any group of members of the public;

(e) Where that specified fare is a special fare available only to an affinity group or incentive group or own use group, any other special fare that is available only to the same type of group,—

available for travel in the same class of service as travel to which that specified fare relates; except that for the purposes of the comparison—

(f) Any conditions specified in relation to minimum or maximum validity shall be disregarded;

(g) Where that specified fare applies only to travel undertaken during the day or at night, that fare shall be compared only with special fares applicable to travel during the same hours;

(h) Where more than one other special fare of the same type applies for travel between the points concerned, the special fare to which the provisions of the relevant tariff determining the application of that fare (other than the provisions relating to points of arrival and departure) are the most similar to the provisions specified in this notice in relation to that specified fare, shall be used.

105. One way backhaul fares and charges—

(1) Where—
 (a) Any one-way travel to which a specified fare relates is or is to be undertaken via one or more intermediate points; and
 (b) That fare does not apply unless an adjustment is or is to be paid in addition to that fare because a fare applicable to travel from the point of origin of the travel to any such intermediate point is higher than that specified fare,—
 that specified fare shall not apply unless there is or is to be paid for that travel the appropriate total amount specified in subclause (2) of this clause.

(2) The appropriate total amount to be paid in accordance with subclause (1) of this clause shall be the higher of the following amounts:

(a) The total of—

- (i) That specified fare; and
- (ii) The appropriate adjustment; and
- (iii) Any excess mileage surcharge;

(b) The sum of that specified fare, the appropriate adjustment, and a further adjustment—

(i) Where that higher fare is also higher than any fare of the same type and of the same class of service applicable to travel from that point of origin to any intermediate point on the route of the travel to which that specified fare relates subsequent to the intermediate point to which that higher fare relates, equal to the difference between—

- (aa) That higher fare and that specified fare; or
- (bb) That higher fare and that lower fare,

whichever produces the greatest differential; and

(ii) In every other case, equal to the difference between that higher fare and that specified fare;

but where any total amount under paragraph (b) is the higher amount, no excess mileage surcharge shall be paid.

(3) Where—

(a) Any one-way travel to which a specified fare relates is or is to be undertaken via one or more intermediate points; and
 (b) A fare of the same type and of the same class of service applicable for travel from the point of origin of that travel to any such intermediate point is—

(i) Higher than any other fare of the same type and of the same class of service applicable for travel from that point of origin to any subsequent intermediate point; and

(ii) Not higher than that specified fare,—

that specified fare shall not apply unless there is or is to be paid in relation to that travel the higher of the following amounts:

(c) The total of that specified fare and any appropriate excess mileage surcharge;

(d) The total of that specified fare and an adjustment equal to the difference between that higher fare and that other fare;—
 but where any total amount under paragraph (d) is the higher amount, no excess mileage surcharge shall be paid.

(4) For the purposes of subclauses (2) and (3) of this clause, "Fare of the same type" means—

(a) Where the specified fare concerned is a normal fare, any other normal fare for the same class of service as that specified fare;

(b) Where that specified fare is a special fare, any other special fare in relation to which the provisions of the relevant tariff determining the application of that fare in this notice in relation to that specified fare.

106. Circle-trip minimum fare check and adjustments—

(a) Travel to which a specified fare relates is circle-trip travel (not being around the world travel to, from, or via the south-west Pacific); and

(b) The sum of—

(i) That fare; and

(ii) Any higher intermediate fare adjustment without the payment of which that fare is declared by clause 239 of the General Tariff Conditions (as imported into this notice) not to apply; and

(iii) Any excess mileage surcharge without the payment of which that fare is declared by clause 237 of the General Tariff Conditions (as imported into this notice) not to apply,—

is less than the highest direct normal or special round-trip (as the case requires) fare applicable to travel of the same class as that circle-trip travel from the point of origin of that circle-trip travel to and return from any intermediate point on it (not being a point on a side-trip in respect of which a separate payment is or is to be made),—

that specified fare shall not apply unless there is or is to be paid, in addition to the sum referred to in paragraph (b) of this clause, the difference between that highest fare and that sum.

107. More distant point and fictitious construction point fares and mileages—

(1) Subject to subclause (2) of this clause, Where—

(a) A specified fare applies for travel—

(i) From a point preceding the point of origin of any travel (or in the case of round-trip, circle-trip or open-jaw travel, or half of it); or

(ii) To a point beyond the point of destination of any travel (or half of it); or

(iii) To or return from a point other than the point of turnaround of any travel; and

(b) A specified fare applicable, as appropriate, from the point of origin, or to the point of destination, or to a return from the point of turnaround of that travel (or half of it) may not apply—

(i) Because the total ticketed point mileage for that travel exceeds by more than 20 percent the maximum permitted mileage specified in clause 3 of this notice (or that other notice) for that travel; or

(ii) Unless the appropriate excess mileage surcharge is or is to be paid in addition to that fare,—
 that first-mentioned specified fare shall not apply to that travel unless—

(c) A maximum permitted mileage is specified in clause 3 of this notice for that fare; and

(d) The ticketed point mileage between (as appropriate),—

(i) The point of origin of that fare and the point of origin of that travel (or that half of it); or

(ii) The point of destination of that fare and the point of destination of that travel (or that half of it); or

(iii) The point of turnaround of that fare and the point of turnaround of that travel,—

is added to the total ticketed point mileage for that travel (or that half of it) and that total mileage does not exceed by more than 20 percent the maximum permitted mileage of that fare; and

(e) The total amount of that fare and any appropriate excess mileage surcharge calculated on the basis of the total mileage as above and the maximum permitted mileage of that fare is less than the total fare referred to in paragraph (b) above and the appropriate excess mileage surcharge for that actual travel.

(2) A specified fare shall not apply under subclause (1) of this clause—

(a) Unless the point used as a more distant or fictitious construction point is shown in the fare construction box of the ticket for that travel; or

(b) If any flight coupon is or is to be issued for travel between (as appropriate)—

(i) The point of origin of that fare and the point of origin of that travel (or half of it); or

(ii) The point of destination of that fare and the point of destination of that travel (or half of it); or

(iii) The point of turnaround of that fare and the point of turnaround of that travel; or

(c) If the travel concerned is to from or via Zambia; or

(d) If the specified fare applies for travel to or from Warsaw.

108. Travel via different classes of service—Where any sector of travel to which a specified fare relates is or is to be undertaken at a service of a class higher than that to which that fare relates, that fare shall not apply unless there is paid, in addition to any other sum, the difference between—

(a) The normal through fare (including any applicable surcharge) for travel on that sector of that higher class of service; and