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**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

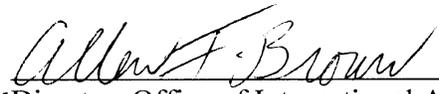
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY OF TRANSPORTATION

DEPARTMENT ACTION ON APPLICATION IN DOCKET OST 99-5520-4

Approved under assigned authority (14 CFR §385.13).

Date of Action: December 11, 2001

Authority Expires: December 11, 2002

for 

Director, Office of International Aviation

This action is subject to the conditions attached. Persons entitled to petition the Department for review of this action under the Department's regulations, 14 CFR §385.30, should file their petitions within ten days of the date of this action. This action is effective immediately, and the filing of a petition for review will not alter its effectiveness.

ATTACHMENT

Conditions:

- (a) Air Pacific Limited and Qantas Airways Limited must promptly notify the Department (Office of International Aviation) if the subject agreement providing for these operations is no longer effective or the carriers decide to cease operating any or all of the approved services. We expect this notice to be received within ten days of such non-effectiveness or of such decision. (Such notices should be filed in Docket OST 99-5520.)
- (b) The code-sharing operations conducted under this authority must comply with 14 CFR Part 257 and with any amendments to the Department's regulations concerning code-share arrangements that may be adopted. Notwithstanding any provisions in the contract between the subject foreign air carriers, our approval here is expressly conditioned upon the requirements that the subject foreign air transportation be sold in the name of the carrier holding out the service in computer reservation systems and elsewhere; that the carrier selling such transportation (that is, the carrier shown on the ticket) accept responsibility for the entirety of the code-share journey for all obligations established in its contract of carriage with the passenger; and that the passenger liability of the operating carrier be unaffected.
- (c) The authority granted here is specifically conditioned so that neither carrier shall give any force or effect to any contractual provisions between themselves that are contrary to these conditions.
- (d) We may amend, modify, or revoke the authority granted here at any time without hearing at our discretion.