29 Sector: Transport Services

Obligations Concerned: Market Access (Article 9.3)

National Treatment

Senior Management and Boards of Directors (Article 14.8)

Level of Government: Central

Source of Measure: *Air Navigation Act 1920* (Cth)
Ministerial Statements

Description: Total foreign ownership of individual Australian international airlines (other than Qantas) is restricted to a maximum of 49 per cent.

Furthermore, it is required that:

(a) at least two-thirds of the board members must be Australian citizens;

(b) the chairperson of the board must be an Australian citizen;

(c) the airline's head office must be in Australia; and

(d) the airline's operational base must be in Australia.

30 Sector: Transport Services

Obligations Concerned: Market Access (Article 9.3)

National Treatment

Senior Management and Boards of Directors (Article 14.8)

Level of Government: Central

Source of Measure: *Qantas Sale Act 1992* (Cth)

Description: Total foreign ownership of Qantas Airways Ltd is restricted to a maximum of 49 per cent in aggregate, with individual foreign holdings limited to 25 per cent and aggregate holdings by foreign airlines to 35 per cent. In addition:

(a) the head office of Qantas must always be located in Australia;

(b) the majority of Qantas' operational facilities must be located in Australia;

(c) at all times, at least two-thirds of the directors of Qantas must be Australian citizens;

(d) at a meeting of the board of directors of Qantas, the director presiding at the meeting (however described) must be an Australian citizen; and

(e) Qantas is prohibited from taking any action to become incorporated outside Australia.