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To: [aviationconsumer](#)
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Consultation name

Aviation Consumer Protections – primary legislation

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Submission to Government Review of the Airline Industry

Subject: Airline Reliability, Cancellations, and Consumer Redress

Introduction

I welcome the opportunity to contribute to the current review into the airline industry. I do so not only as a frequent flyer, but also as a business leader whose professional and personal life has been repeatedly disrupted by systemic flight delays and cancellations.

While the review's proposals to codify redress mechanisms are a step forward, in practice they **merely formalise rights that already exist under Australian Consumer Law (ACL)**. Without the introduction of **financial penalties or enforceable compensation schemes**, there will be little change to current airline practices.

My Experience

In the past six months, I have taken 23 Qantas flights. Of these:

- **18 were delayed** (often significantly)
- **5 were cancelled or re-timed**

Examples include:

- **05 September 2025 – QF0415 SYD → MEL** – Cancelled and rebooked on a much earlier flight.
- **07 September 2025 – QF484, QF488, QF494 MEL → SYD** – All cancelled, requiring rebooking and multiple disruptions in the same day.
- **07 August 2025 – QF1965 BNE → NTL** – Delayed by one hour (confirmed via Qantas SMS).
- **20 March 2025 – QF458 MEL → SYD** – Re-timed in a way that rendered the original booking redundant.

This pattern is not isolated, nor is it unique to Qantas. It reflects a broader trend across the industry in which flights are routinely cancelled or rescheduled under the guise of “operational” or “safety” reasons, when in reality the driver often appears to be **commercial expediency** (e.g. low passenger numbers).

The Core Issue

Under current rules, customers are entitled to refunds or rebookings when flights are cancelled. However, **there is no financial disincentive for airlines to cancel flights**. As a result:

- Cancellations are often used as a form of **capacity management**,
- Airlines face no meaningful penalty for repeated disruption,
- Consumers bear the burden of missed commitments, rebooked logistics, and wasted time.

This practice erodes public confidence, undermines productivity, and creates hidden costs across the economy.

The Missed Opportunity

The review’s proposals — while well intentioned — **fall short** because they codify rights that consumers technically already have. What is missing is a **European-style regime** that introduces **statutory compensation and penalties** for cancellations and long delays.

In Europe:

- Airlines are liable for compensation of up to €600 for cancellations or long delays, unless caused by extraordinary circumstances.
- This creates a **real financial incentive** for airlines to maintain reliability.
- The system has driven demonstrable improvements in service standards and accountability.

It is unclear why successive Australian governments have been unwilling to adopt such a model. The arguments against it — that it would increase fares or reduce competition — are not supported by the European experience, where both competition and consumer protection have been strengthened.

Recommendations

1. **Introduce Mandatory Compensation for Delays and Cancellations**
 - Adopt a European-style framework with fixed compensation tiers for cancellations and significant delays, unless clearly caused by extraordinary circumstances (e.g. weather, air traffic control).
2. **Strengthen Transparency Requirements**
 - Require airlines to publish accurate cancellation and delay data, including disaggregation by route, and prohibit the use of vague “operational reasons” without proper disclosure.
3. **Enforce Financial Penalties**
 - Impose fines where airlines cancel or delay flights due to commercial reasons disguised as operational necessity.
4. **Codify Redress and Escalation Pathways**
 - Ensure consumers have streamlined access to redress (refunds, rebookings, compensation) without the need for legal action or protracted negotiation.

Conclusion

Unless there are **real financial consequences** for airlines that cancel flights for commercial reasons, the current pattern will continue. Consumers will remain disadvantaged, and the productivity of the wider economy will continue to suffer.

Australia should not settle for codifying rights that already exist under the ACL. Instead, we should adopt a **modern, European-style compensation framework** that holds airlines accountable, restores consumer confidence, and ensures the airline industry meets its essential service obligations.