

From: [Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts](#) on behalf of infrastructure.noreply@govcms.gov.au
To: [aviationconsumer](#)
Subject: submission to: Aviation Consumer Protections – subordinate legislation (including the Aviation Consumer Protections Charter) [SEC=OFFICIAL]
Date: Monday, 8 September 2025 1:18:29 PM
Attachments: [transport-submission.pdf](#)

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Submitted on 8 September 2025

Submitted by: Anonymous

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Step 1: Your submission

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Short comment

The proposed aviation consumer framework is a step forward but lacks fixed compensation for delays, in-flight standards, and post-arrival support. Strengthening these areas will improve consumer outcomes, deter poor airline practices, and align Australia with global best practices—ultimately enhancing industry accountability and competitiveness.

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- [transport-submission.pdf](#) (205.51 KB)

Step 2: Contact details

First name

████

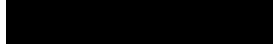
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Email notification

aviationconsumer@infrastructure.gov.au

Consultation name

Aviation Consumer Protections – subordinate legislation (including the Aviation Consumer Protections Charter)

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To: Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts Subject: Feedback on Proposed Aviation Consumer Protection Framework

Dear Department Representatives,

I write to express my cautious optimism regarding the proposed Aviation Consumer Protection framework. It represents a meaningful step forward from the current patchwork of obligations under the Australian Consumer Law (ACL), which has often left consumers navigating slow refund processes and inconsistent assistance. However, while the framework addresses many core elements of the aviation journey, I believe it falls short in several critical areas that directly impact consumer experience, trust, and fairness.

1. Gaps in Consumer Protection Across the Full Journey

The Charter commendably covers key touchpoints—booking transparency, check-in coordination, disruption assistance, baggage remedies, and complaint handling. The requirement for airlines to collect contact details and provide upfront Customer Service Statements is a welcome improvement. However, several areas remain underdeveloped:

- **In-flight and onboard experience:** There is no provision for addressing substandard catering, broken entertainment systems, or seating discomfort—issues that are central to long-haul travel. Internationally, frameworks like the EU’s Regulation 261/2004 (EU261) link in-flight care to delays. Australia’s silence on this front risks normalising poor service standards.
- **Post-arrival and onward travel:** The framework does not account for missed connections, rebooking support, or coordination with immigration/customs—especially critical for international travellers arriving late at night. This omission leaves consumers vulnerable and reliant on insurance disputes.
- **Systemic accountability:** There is no mandate for airlines or airports to publicly report disruption statistics or compensate for chronic operational failures such as understaffing. While the ACPA’s focus on systemic breaches is promising, it lacks enforcement mechanisms like fines tied to consumer outcomes, which are essential for deterrence.

In sum, while the framework covers approximately 70–80% of the journey, it neglects the “full lifecycle” of travel—particularly in-flight quality and post-disruption recovery—making it feel incomplete compared to international best practice.

2. Compensation Clarity and Consumer Empowerment

The Charter outlines remedies such as refunds, rebookings (including on other airlines), travel credits, and disruption assistance (meals, accommodation). Baggage provisions are well-defined, including reimbursement for lost items, mobility aids, and pets. However, the compensation structure remains vague and lacks transparency:

- **Disruption assistance:** While there are baseline commitments (e.g., meals after delays, accommodation for overnight disruptions), there are no fixed dollar amounts. Will consumers receive a token voucher or reimbursement for actual reasonable

costs? Current practices often result in inadequate food vouchers that exclude healthier options.

- **Refunds and credits:** The term “prompt” is used but not defined. International standards suggest 7–14 days, and Australia should align with this to ensure consistency.
- **No standalone compensation for inconvenience:** Unlike EU261’s €250–600 payouts for delays over three hours or Canada’s CAD 1,000 for denied boarding, the proposed framework offers no compensation for lost time, emotional stress, or missed commitments. While the ACL may cover consequential losses, the Charter does not enhance or clarify this pathway.

3. International Comparisons and Missed Opportunities

Australia’s framework is modest compared to global counterparts:

Country/Region	Compensation for Delays	Additional Support
EU/UK (EU261)	€250–600 for delays >3hrs	Mandatory assistance, clear timelines
Canada (APPR)	Up to CAD 1,000 for delays/denied boarding	CAD 100/day for baggage delays, frequent communication
US (DOT)	No fixed comp, but enforced refunds	Strong tarmac delay rules, fines for non-compliance

Australia’s approach—while generous in rebooking flexibility—lacks the boldness of fixed payouts that make consumers whole. This restraint may be intended to keep fares low, but it risks undermining consumer confidence and fails to deter poor practices.

4. Recommendations for Strengthening the Framework

To truly deliver world-class consumer protection and foster a competitive, trustworthy aviation sector, I urge the Department to consider the following enhancements:

- Introduce **fixed compensation amounts** for significant delays and inconvenience, aligned with international benchmarks.
- Expand coverage to include **in-flight experience standards** and **post-arrival support**.
- Mandate **public reporting of disruption statistics** and tie enforcement to **consumer outcomes**, including fines for systemic failures.
- Strengthen **accessibility provisions**, particularly for passengers with disabilities, beyond superficial coordination.

These measures will not only improve consumer outcomes but also create a more level playing field across the industry. Without clear deterrents, we risk repeating past issues—such as airlines selling seats on flights that were already cancelled. A robust framework will reduce such practices and incentivise better service delivery.

Thank you for the opportunity to provide feedback. I look forward to seeing a final version of the framework that reflects the lived realities of Australian travellers and sets a new standard for fairness and accountability in aviation.

Yours sincerely,

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