

**From:** [Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts](#) on behalf of [infrastructure.noreply@govcms.gov.au](mailto:infrastructure.noreply@govcms.gov.au)  
**To:** [aviationconsumer](#)  
**Subject:** submission to: Aviation Consumer Protections – primary legislation [SEC=OFFICIAL]  
**Date:** Wednesday, 10 September 2025 2:15:07 PM  
**Attachments:** [airline-submission.pdf](#)

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OFFICIAL

Submitted on 10 September 2025

Submitted by: Anonymous

Submitted values are:

## Step 1: Your submission

### Remain Anonymous

Yes

### Private Submission

No

### Published name

A Consumers Perspective

### Short comment

Airlines are here to make a profit. If you leave loopholes they will fly through them.

## Upload attachments

### File uploads

- [airline-submission.pdf](#) (53.46 KB)

## Step 2: Contact details

### First name

██████████

### Last name

██████████

### State

██████████

### Email address

██

**Email notification**

aviationconsumer@infrastructure.gov.au

**Consultation name**

Aviation Consumer Protections – primary legislation

OFFICIAL

It is a pity the Minister has already flagged that Australia will not get an EU type compensation scheme. You only have to compare Ryan Air or Easy Jet discount prices in Europe over a similar flight distance to Australia to see that the EU customer protections have a minimal effect on prices. This is because the airlines alter their behaviour and business model to treat passengers more fairly and thus delays and cancellations are kept to a minimum.

I am 66 years of age and have travelled on thousands of flights and hundreds of airlines. Qantas in particular is the worst I have experienced in terms of reimbursement due to cancellation & delay.

You need to get the Decision Makers to have a look at the 4300 odd one star reviews for Qantas on Product Review or any other consumer ratings site and actually read the experiences of their customers. The examples your give in the discussion paper don't even come close. Even Jetstar has a far quicker and transparent refunds policy than the parent airline.

I don't see any financial penalties written into the proposed legislation and payable to the consumer as if the airlines **fails to give the refund or reimbursement to consumer in a timely manner**. It should be clearly spelled out that the refund needs to be paid within 14 days of the consumer submitting a valid claim or there should be a \$100 additional payment to the customer or 10% of the cost of the refund whichever is greater, compounding each 14 days similar to the Telstra home phone repair scheme.

In regards to your question of how much the meal vouchers and accommodation should be. Look at last minute hotels next to Mascot or Tullamarine and you will see how expensive they are. Likewise you wont get much change from \$50 for a meal and a drink at an Australian airport, double this in New York or London. \$500 AUD plus for a last minute hotel in New York or Paris.

In regards to payments, there should be a baseline amount **without** receipts increasing each year with CPI and **also a legislated catch all** that airlines should pay reasonable costs **with receipts** above this amount. IE the cost of a last minute hotel near the airport in New York or Zurich is going to be a lot more than one in Bali.

The number one thing thing in the proposed legislation needs to be clear and published refund and cancellation procedures that are enforceable by **financial penalties if mandated refund times are not met** by the airline. (Jetstar already has a form of this in their Customer Guarantee, although only by way of voucher compensation, Qantas does not have any form of refund time frame or penalty.)

These need to be backed up by a well funded and independent Ombudsman's scheme. Legislated financial penalties if the airlines do not comply, similar to the banking AFCA scheme. If the airline does not resolve the complaint prior to reaching the Ombudsman then they are penalised in the thousands of dollars increasing at each stage of the process. Each step of the process is governed by legislated time frames. **If you make these penalties large enough the ombudsmen scheme will be partially funded by airlines that don't comply with timely complaint resolution.**

The complaint processing times of the Ombudsman needs to be mandated and publicly available and monitored by the Minister. Anyone that has used the current Airline Customer Advocate (and I have 3 times), knows that is it funded by the airlines, under-staffed and set up to fail.

The compensation and refund amounts need to be reviewed by an Independent Tribunal similar to IPART in NSW where every 3 years or so the legislated out of pocket compensation reimbursement amounts **are increased by way of CPI**. Not the same years later as is the current practice.

It should be legislated that airlines must give cash refunds in a timely manner for cancellation or major delays not vouchers, **no matter if it the airline is at fault or not. If the product as**

**described is not supplied, for whatever reason and it is a Major Failure a cash refund must be made.**

Where a hotel is required to be **provided it should be a minimum of 4 stars mandated** and if it is not organised by the airline then a financial premium over the cost of the hotel should be paid to the customer for organising the accommodation.

**Any payment limits should be per person NOT per room as what Qantas currently pays.** The hotel should be a reasonable distance from the airport, not arrive at 1am Jetstar-organised hotel in far Western Sydney after bus from a Newcastle Airport flight cancellation and get up at 4am to travel back to Mascot for a 6am flight.

I give an example of the Crowd Strike IT outage that shut down Jetstar for 3 days. Jetstar chose to use a cheap IT provider and hid behind, “its a third party entity we are not responsible”, yet Virgin Qantas and Rex only had minimal issues. Jetstar offered me a flight 3 days later Melbourne to Gold Coast. I flew that day with REX and despite numerous escalations Jetstar refused to refund in cash only vouchers. They were able to avoid the AC Law as the Major Failure, wasn’t caused by them. It should be written into the legislation that the major failure can be by the “airline or its contracted agents or providers”.

The other issue with vouchers are for tourists **having a voucher in a foreign currency is of little use.** What good is a voucher in Indonesian Rupiah if the person lives in Australia & cant be used on the airline’s website for an Australian booking? Vouchers should be in the home currency as nominated by the customer. Alternatively the foreign currency voucher should be able to be used as payment for any booking with the same airline.

Even low cost carriers like Air Asia have a portal option that the payment currency can be dictated by the consumer. Perhaps the legislation should read, **“Any voucher issued by the airline should be able to be used for any advertised price booking on the airline’s website”**

Qantas vouchers are designed to be useless, they have to be used only on specific high priced flights that pop up on the Qantas Voucher Portal. The same \$49 Jetstar flight via Jetstar Portal becomes a \$200 plus Jetstar flight when using the Qantas voucher portal. They also cant be split for part payment like Jetstar vouchers can. Vouchers should have the same conditions as cash.

The legislation needs to be water-tight and unambiguous. The ombudsmen needs to have legislated power to have oversight **into all areas of compliance.**

I give another example of how the EU scheme is not perfect. Flight from Japan to EU, saw the plane being towed away from the gate. Gate staff said the plane has **a mechanical issue** and needed to be replaced, so airline at fault. Delay 6 hours and missed connection. Left stranded overnight in Finland. When we got the insurance letter from the airline, weeks later, it said, **“Air Traffic Control Delay”** obviously to avoid paying EU compensation. **The ombudsmen needs to have powers (& punitive penalties) to look at issues of Maleficence by airlines in examples such as this.**

It should be legislated that airline staff or contractors are to provide the **cause of delay letter at the point of check in.** Most reputable airlines do this anyway, in my experience most Australian Airlines do not. In Qantas’s case a separate online request has to be made that is often not responded to. This will prevent rorting of the system by airlines like in the example above.

Finally a personal Qantas example of why we need a CPI increase for the compensation paid and legislated time frames back up by financial penalties if these are not met.

In San Francisco, got text in middle of night from Qantas. Flight to Sydney cancelled due mechanical so airline at fault.. ring call centre. Anyone that has to deal with Qantas Call Centre as a non gold or platinum member knows the hours on hold. The staff that are poorly trained with no authority to make decisions. Over 3 hours of hold time and numerous call transfers and drop outs, was told that they couldn't put us on a United Flight leaving 1 hour later as "no seats are available for your class of ticket". Checked with United and flight not even half full.

We then spent hours being flicked between the call centres in Fiji and South Africa, each saying it was the other call centre's job to issue vouchers. Was then transferred to Qantas Holidays and then Qantas Hotels, trying to get the promised hotel booking or vouchers as the next Qantas flight was overnight 15 hours later.

Eventually told to make a separate trip to the airport to pick up the vouchers! Did this at a cost of \$40 USD. Airport staff said they were 3<sup>rd</sup> party contractors and they don't have vouchers, the South Africans should have emailed them. Told to get hotel and claim back the \$130 USD (200 AUD) that Qantas has had the same amount for years on their web site.

\$130 USD per room NOT per person wont even get you a dormitory in a crack house in San Francisco. I then spent 3 months, numerous hours on hold, numerous escalations and complaints, an Airline Customer Advocate complaint, uploading receipts and bank details numerous times to get my \$130 back.

No person that is working full time would go through this. They would do a cost benefit analysis and give up. This story is just par for the course, once again have a look at Qantas and Product Review, there are 3400 stories just like this. **Clearly legislated refund time frames must be in the legislation with penalty payments to the consumer if they are not met**

Thank You for reading my submission