



Australian Chamber
– Tourism

**Australian
Chamber of Commerce
and Industry**

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The Department of Infrastructure, Transport, Regional Development,
Communications, Sport and the Arts
111 Alinga St,
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By email: aviationconsumer@infrastructure.gov.au

Subject: ACCI response to the Aviation Consumer Ombuds Scheme

Dear Aviation Consumer Ombuds Scheme project team,

Australian Chamber – Tourism (the Chamber) welcomes the opportunity to comment on the design of the Aviation Consumer Ombuds Scheme. Measures that increase consumer outcomes and confidence to travel should be and are supported by the Chamber.

Australian Chamber – Tourism (the Chamber) is a peak body representing organisations of Australian businesses engaged in the visitor economy. It brings together key participants in the tourism and travel sector to advocate better policies, including tax, regulation, tourism marketing, research, labour supply, visas and infrastructure. The Chamber is a part of the Australian Chamber of Commerce and Industry (ACCI), Australia's largest and most representative business network.

The views presented below are the Chamber's recommendations on how the Aviation Consumer Ombuds Scheme can best meet current aviation industry needs and achieve long-term sustainability.

Principal-agent/direct consumer relationship

ACCI commends the recognition of the principal-agent relationship and the exclusion of travel agents from the framework, as detailed in Regulated Entities and Regulated Activities. Furthermore, ACCI commends the department for providing clear complaint and complainant eligibility requirements and for the Ombuds to have the authority to direct consumers to alternative agencies when complaints fall beyond its jurisdiction. This reflects our previous advocacy that travel agents are acting on behalf of airlines, specifically in the context of booking tickets and inputting ticketing data. This is a classic principal-agent relationship, where the airline (principal) delegates specific responsibilities to the travel agent (agent). Airlines negotiate the terms of this relationship, such as requiring agents to provide emergency contact details in bookings. This reinforces the idea that airlines retain control over the scope and standards of the agent's actions. In addition, travel agents may be subject to other

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laws, such as the Australian Consumer Law (ACL), depending on their operations, which aligns with international best practices.

However, ACCI cautions against omitting government agencies from the complaint-handling regulatory framework. A substantial portion of passenger complaints arises from airport experiences under government agency control, such as extended queues for immigration and the Tourist Refund Scheme, inconsistent security screening practices, or delays attributable to air traffic control operations. Excluding these areas would leave passengers without recourse, which would not improve customer protection and satisfaction. For travellers, the journey is experienced as a singular experience; most do not have the expertise to delineate which organisation holds responsibility for specific services. As a result, encountering delays related to government agency services could confuse complaint procedures, diminishing the effectiveness of the overall scheme.

Application of the scheme to large airports only

ACCI strongly supports that the proposed framework is only applied to large airports that fulfil the one million passenger threshold to ensure the feasibility and validity of the framework. This is the only measure that can safeguard smaller, regional airports from disproportionate obligations being imposed on their facilities.

Regional airports are critical infrastructure, especially to the remote communities they serve. They support aeromedical evacuations, freight, tourism, education and family connections. Yet they operate with minimal resources:

- Minimal staffing, sometimes consisting of a team of just a few part-time employees.
- Operating at a loss and surviving by relying on government grants or diverting funds from local services

These staff members dedicate their focus to the safety, compliance, and maintenance. Imposing any additional compliance costs on these small regional airports would be unfair and could lead to reduced services, higher charges and a risk of closure.

Applying the scheme to large airports only would cover 90% of all passenger movements in the aviation industry—achieving the core motive and intention behind the consumer protection goals of the Aviation Consumer Ombuds scheme while safeguarding the operations of essential regional airports.



Proportionate and streamlined regulation

To ensure clarity and fairness, the framework must avoid duplicating existing laws such as the Australian Consumer Law and Disability Discrimination Act. Overlapping or conflicting obligations risk confusing both passengers and operators. Clear definitions, precedence rules, and thoughtful drafting are crucial for maintaining consistency and preventing regulatory inefficiency.

Yours sincerely



John Hart OAM
Executive Chair
Australian Chamber – Tourism