

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: Thursday, 23 October 2025 12:04:02 PM
Attachments: [cag-submission-aviation-consumer-protections-subordinate-legislation.pdf](#)

OFFICIAL

Submitted on 23 October 2025

Submitted by: Anonymous

Submitted values are:

Step 1: Your submission

Remain Anonymous

No

Private Submission

No

Published name

Canberra Airport

Upload attachments

File uploads

- [cag-submission-aviation-consumer-protections-subordinate-legislation.pdf](#) (2.62 MB)

Step 2: Contact details

First name

Jordan

Last name

██████

Organisation (if applicable)

Canberra Airport

State

ACT

Email address

[REDACTED]

Phone number

[REDACTED]

Email notification

aviationconsumer@infrastructure.gov.au

Consultation name

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

OFFICIAL

OCTOBER 2025

AVIATION CONSUMER PROTECTIONS: SUBORDINATE LEGISLATION

Submission to the Department of Infrastructure, Transport,
Regional Development, Communications, Sport and the Arts



TABLE OF CONTENTS

Introduction	3
Complaint Handling	3
Activities to which the standard applies.....	4
Privacy requirements.....	4
Financial delegation.....	5
Complaint response timeframes	5
Training	6
Reporting to the Board.....	6
Customer Service Statement	7
Format and presentation of the Statement	7
Pre-approval of Statements	8
Accessibility and formats and language requirements	8
Funding	8
Funding of the ACO and the ACPA.....	9
Funding of the ANO.....	10
Conclusion	10

INTRODUCTION

Canberra Airport welcomes the opportunity to further contribute to the design of the aviation consumer protection framework. This submission will assist the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts refine the draft Aviation Consumer Protections Charter and the proposed cost-recovery arrangements prior to the finalisation of the subordinate legislation.

As airlines will account for the significant majority of the workload for the regulatory bodies established under the framework, it is reasonable that most elements of the Charter focus on activities conducted by airlines. However, as the two standards most relevant to airport operations, Canberra Airport has examined the proposed Standard 5 (Complaint Handling) and Standard 6 (Customer Service Statement Requirements) to provide an operational perspective.

Canberra Airport supports accessible, fair and timely complaint resolution processes and already operates a comprehensive system consistent with the proposed requirements set out under Standard 5. Further clarification is needed regarding its application to non-regulated activities, privacy and consent arrangements, financial delegations, response timeframes and training expectations to ensure both complainants and airports have a clear understanding of their rights and obligations.

While Canberra Airport supports the intent of Standard 6 to promote improved communication and service transparency through a Customer Service Statement, the current lack of detail on format, accessibility, approval processes and oversight responsibilities risks inconsistency and confusion. A clear framework would help ensure Statements are practical, uniform and easily understood by consumers.

Canberra Airport also believes the funding model for the Aviation Consumer Ombudsperson (ACO), the Aviation Consumer Protections Authority (ACPA) and the Aircraft Noise Ombudsperson (ANO) must reflect actual regulatory workload and avoid imposing disproportionate costs on regulated entities that generate limited regulatory demand.

Canberra Airport hopes that the perspectives offered and refinements suggested will assist in finalising the subordinate legislation.

COMPLAINT HANDLING

Canberra Airport has long taken pride in delivering exceptional customer service to those making use of the terminal and airport facilities. As detailed in the submission on the primary legislation, through its commitment to delivering a safe, inclusive and welcoming environment, Canberra Airport has established a transparent and well-tested complaints handling process that reflects the principles set out in Standard 5. A straightforward process has been developed to allow passengers to lodge feedback and complaints online, over the phone, in person, through post or via the airport's social media channels. Each of these systems have been designed with convenience of passengers at its core. This guarantees the process is accessible and responsive to ensure that complaints are directed to the appropriate area for investigation and resolution.

Activities to which the standard applies

As noted in Canberra Airport's submission on the primary legislation, the decision to exclude airport services that do not have a direct consumer relationship, such as security screening, gate seating and flight information displays, from the framework is supported. As a result, these matters will be exempt from referral or investigation by the ACO. Airports will continue to handle complaints relating to these services, but complainants will not be able to escalate them to the ACO if they are not satisfied with an airport's final decision.

A significant proportion of complaints received by Canberra Airport relate to security screening processes, which are not regulated under the framework. This exclusion is appropriate given the considerable oversight already exercised by the Department of Home Affairs. Introducing an additional complaints pathway for the screening process would create unnecessary administrative and regulatory burden for airports, while causing confusion and inconsistency for passengers. Canberra Airport therefore supports the exclusion of security screening from the list of regulated activities in the *Consultation Paper*.

Canberra Airport also provides a range of non-regulated services beyond security screening, including seating at gates, charging points and flight information displays, to enhance comfort for those using the terminal. These services are provided free of charge and therefore do not meet the direct consumer relationship threshold set in the *Consultation Paper*. In the almost two years between January 2023 and October 2025, Canberra Airport only received and investigated approximately 100 complaints relating to these services under its complaint handling process. Although these matters cannot be referred to the ACO for review, it is unclear from the *Consultation Paper* whether the ACPA can enforce compliance with Standard 5 on how an airport handles complaints about non-regulated activities.

It is therefore essential that, when the Charter is finalised, it is accompanied by clear guidance on which specific activities are regulated under the framework, and whether the recourse under Standard 5 applies to just those activities or also non-regulated matters. Canberra Airport's interpretation is that this Standard is not intended to apply to non-regulated activities and the legislated Charter should state this explicitly. Without such clarification, both complainants and airports will face ongoing uncertainty about what matters can be referred to the ACPA in relation to Standard 5.

Privacy requirements

Section D provides the opportunity for a family member, carer, advocate or legal representative to provide assistance in lodging a complaint and acting on behalf of a complainant. Canberra Airport recognises the value in offering options for complainants who require additional support or experience difficulty in lodging their own complaints. However, further assurance is needed that the necessary privacy considerations will be upheld in accordance with the Australian Privacy Principles. In particular, clarification is needed on whether the ACPA will develop a template consent form or a standardised process for obtaining and recording consent from complainants to ensure compliance with privacy legislation. Canberra Airport also seeks guidance on how privacy will be protected where a third party becomes the primary contact for a complaint and how regulated entities should verify the ongoing authority of that third party. Canberra Airport believes that a standard consent framework, developed by the ACPA in consultation with industry, would minimise the risk of privacy breaches, provide clarity to airports and deliver a consistent experience for complainants.

Financial delegation

Canberra Airport notes that Section F will require airports to ensure that staff handling complaints have the appropriate authority and financial delegations to facilitate the fair and efficient resolution of complaints. The intent of this measure is acknowledged but given non-compliance may result in financial penalties being imposed by the ACPA, Canberra Airport believes there needs to be further consideration of the practicalities of it.

The majority of Canberra Airport employees responsible for receiving, investigating and responding to complaints do not hold the necessary decision-making authority or financial delegations to approve remedies such as compensation. Under Canberra Airport's existing complaint handling process, any potential payment or compensation is escalated to an authorised member of the executive for approval. This model allows complaints to be investigated and resolved efficiently while ensuring financial delegations remain with appropriately senior staff. It is not feasible or suitable to provide employees responsible for investigating complaints with financial delegations of the scale required to authorise compensation.

Canberra Airport suggests that Section F could be amended to state that airports must ensure "staff handling complaints have access to, or can escalate to, an individual with the appropriate authority and financial delegations" rather than requiring every staff member handling complaints to personally hold such delegations. This approach would preserve the intent of the standard while recognising operational realities and ensuring fair and timely outcomes for complainants.

Complaint response timeframes

Canberra Airport notes the inclusion of complaint response times in the proposed standard to provide complainants with a level of certainty that their complaints will be actioned in a reasonable timeframe. This will likely lead to greater consistency across the regulated entities and reduce the frustration experienced by passengers following the pandemic, when some aviation industry participants delivered reduced standards of customer service.

The proposed acknowledgement timeframes identified in Subsection H(i) risk confusing complainants by listing the following different timeframes:

- Instantaneous acknowledgment via a complaint lodged in person or over the phone
- Within 24 hours for a complaint lodged via digital means
- 2-3 days if a complaint is lodged via the post

Meeting these timeframes may not always be possible, particularly given complaints lodged via digital means can be received at any time, including weekends and public holidays, when reduced operational capacity may prevent acknowledgment instantaneously or within 24 hours.

It would be reasonable to provide a uniform target in the proposed standard for all complaints. Canberra Airport recommends that a target of three business days would be appropriate. This would set a realistic expectation for both complainants and regulated entities and also offer a buffer to accommodate circumstances where acknowledgements may not be made in that timeframe.

There also needs to be clarification on what would constitute an acknowledgment. It is likely that many regulated entities already generate automated responses for correspondence sent via email. While this provides an instantaneous acknowledgment that a complaint has been received, it does not confirm whether an employee has reviewed the contents of the email, initiated an investigation or conducted any further enquiries. Canberra Airport seeks clarification that a simple automated email would be regarded as satisfying the acknowledgement requirement under the proposed standard.

Similarly, while Canberra Airport appreciates the value of providing a decision to a complainant within 30 days, it will not always be possible to achieve this. There are some complaints which are complex or require input from other industry participants which could not properly be investigated within the 30 day timeframe. Setting such a prescriptive period risks encouraging rushed or incomplete investigations by regulated entities so a response is provided within the mandated 30 day timeframe. A more flexible approach should be adopted in the proposed standard. Canberra Airport believes that a target of 30 days for resolution be retained for straightforward matters, with the provision of up to 60 days for more complex issues. A clear and documented reason for the extension would need to be provided to the complainant if this provision was enacted.

There should also be a “pause mechanism” included in the timeframe so that time stops running while the regulated entity is waiting on further information that has been requested from the complainant. For instance, if it takes 18 days for a complainant to provide additional information requested by the regulated entity, these days should not count towards the 30 day resolution period. This would prevent regulated entities from being penalised by the ACPA for delays outside their control while still ensuring complainants receive a timely outcome once the regulated entity has the information required to conduct a thorough investigation.

Training

Section K requires airports to “ensure appropriate training on better practice complaint handling is provided to staff on a regular basis.” While Canberra Airport supports the principle of high quality complaint handling, further detail is required on how this will be implemented. There is no clarity on what constitutes “better practice”. Canberra Airport believes that airports should be directly consulted and involved in the development of this guidance to ensure it reflects the operational realities of airports. Further clarification is also needed on who will be responsible for developing and delivering the training.

The Charter should also be clear on which employees will be required to undertake the training. Canberra Airport notes that many employees play a role in complaints handling, ranging from receiving and logging complaints through to formal investigation and resolution. Clear guidance is required to ensure airports can comply with the standard in a consistent and proportionate manner.

Reporting to the Board

The importance of providing regular reports on complaint data to senior management and the Board of Directors to identify complaint trends is recognised. Canberra Airport supports this requirement, as it will assist regulated entities in developing mechanisms to reduce complaints and maintain a high level of customer service.

It is noted that the proposal requires “systematic issues” to be identified within these reports. Canberra Airport considers that guidance from the ACPA is necessary on what constitutes a “systematic issue” by providing a clear definition. This will ensure consistency across the aviation industry and enable airports to report in a uniform and meaningful way.

CUSTOMER SERVICE STATEMENT

Canberra Airport offers in principle support for airports and airlines to develop and maintain a Customer Service Statement that outlines how professional, reliable and consistent customer service is delivered throughout the passenger journey. Providing a clear and explicit Statement may provide passengers with an understanding and appreciation of their rights and the support that is available to them at each point of their journey.

The outline provided in the *Consultation Paper*, however, lacks sufficient detail on how regulated entities will be expected to design and implement the Statement. In its submission on the *Aviation Customer Rights Charter: Consultation Paper*, Canberra Airport encouraged greater detail be provided on the proposed Statement. Canberra Airport notes that this *Consultation Paper* provides limited detail on Standard 6, which remains relatively ambiguous. This lack of clarity makes it difficult for regulated entities to begin preparing for the requirement once the subordinate legislation is finalised. Canberra Airport recommends consideration of the following to strengthen Standard 6 to ensure it is practical and effective.

Format and presentation of the Statement

The *Consultation Paper* does not provide any guidance on the format or style in which the Statement should be presented. This risks inconsistency, with each regulated entity producing a Statement of varying length, structure and content. Such variation would make it harder for passengers to navigate, undermining the very purpose of the Standard. A foundation template issued by the ACPA would address this by providing clarity and consistency. This would not only ensure each Statement contains the necessary information to support consumers but would also promote accessibility by being presented in a uniform and proportionate format.

Airports are already a complex environment for passengers, with little guidance on which parts of their journey are the responsibility of the airport, an airline or a third-party. Under Standard 6, each regulated entity would be required to display its respective Statement at every passenger contact point under its control. There are practical challenges with this. Shared facilities, such as check-in counters or boarding gates used by multiple airlines, could result in a confusing display of different Statements. Instead of enhancing transparency, this risks creating a “library of Statements” that overwhelms passengers rather than clarifies the level of service they should expect to receive.

Canberra Airport considers a more effective approach would be to require each regulated entity to publish its Statement online, where passengers can be directed to. This would ensure transparency, guarantee that the information is always available and up to date and avoid the confusion associated with multiple physical displays in the terminal. It would also better reflect modern consumer behaviour, where passengers expect to be able to access key travel information digitally before or during their journey.

Pre-approval of Statements

Clarification is required on whether a Statement prepared by a regulated entity will need to be approved and endorsed by the ACPA before publication, as occurs with some other aviation regulators. Canberra Airport is concerned that without clear guidance, airports may face compliance risk if the ACPA later takes the view that a Statement is not aligned with the Standard, even where best efforts have been made to comply. However, a formal pre-approval process would create an unnecessary administrative and regulatory burden, delaying publication and diverting resources away from providing support to passengers. To strike the right balance, Canberra Airport believes that the ACPA should provide clear templates that give regulated entities confidence their Statements are compliant, without the need for prior approval.

Accessibility formats and language requirements

The *Consultation Paper* outlines that each Statement prepared by a regulated entity must be published in a manner that accommodates passengers with different accessibility and language needs. Canberra Airport is strongly supportive of improving accessibility for passengers with special circumstances and those from culturally and linguistically diverse backgrounds. However, effective implementation will be challenging without clear and consistent guidance from the ACPA.

The *Consultation Paper* does not specify what languages beyond English must be included in a Statement or whether there will be a minimum standard, such as ensuring coverage of the top five inbound markets. Similarly, the proposed Standard does not define what constitutes an “accessible format”. Without further guidance, regulated entities may either underinvest, leading to inconsistency, or overinvest, creating unnecessary administrative and financial burden. Clear definitions and minimum expectations are therefore essential.

Canberra Airport suggests that the ACPA should develop a standard list of priority languages, with regulated entities able to identify those most relevant to their operations and passenger markets. The ACPA should also provide technical guidance on the accessible formats that are expected to be incorporated into each Statement. This would ensure consistency across regulated entities.

FUNDING

The establishment of the ACO and the ACPA, together with changes to the funding model for the ANO, will introduce new regulatory and oversight mechanisms across the aviation sector. It is essential that the cost recovery arrangements for these bodies are fair, transparent and proportionate to the level of regulatory activity generated by different aviation industry participants. Canberra Airport which receives a minimal number of complaints, has very limited involvement in consumer complaints and no direct role in generating aircraft noise, should not be required to subsidise the compliance or investigation costs associated with the activities of others.

Funding of the ACO and the ACPA

Airports are not expected to contribute significantly to the workload of the ACO and the ACPA. At Canberra Airport, the only foreseeable activities that will be regulated under the framework will be carparking and accessibility services. Since 2023, only 58 complaints relating to carparking and 3 regarding accessibility services have been received by Canberra Airport. Each of these were investigated and resolved in a timely and satisfactory manner. These low numbers demonstrate that Canberra Airport generate a minimal volume of consumer complaints and already have effective complaint handling processes in place to address them. Very few of these matters would ever require escalation to the ACO or the ACPA given the nature of the complaints and the airport's proven ability to resolve issues directly with complainants. Airlines, however, have a direct consumer relationship with passengers for ticketing, cancellations, refunds and baggage handling, which account for the overwhelming majority of complaints in the aviation industry. As recognised in the *Consultation Paper*, airlines will be responsible for generating most of the workload for the new regulatory bodies.

Given this clear imbalance in likely regulatory workload, it would be unreasonable for Canberra Airport to be subject to both an annual levy and an additional per-complaint charge. Such a model would punish well-performing airports, such as Canberra Airport, by compelling them to fund the compliance and complaint costs of regulated entities who would have higher volumes of complaints. This would not reflect the user-pays principle that underpins other cost recovery frameworks adopted by the Commonwealth Government.

As such, Canberra Airport strongly recommends the adoption of a funding model that is proportionate and ensures the costs are borne by those whose behaviour and conduct necessitates regulation. Canberra Airport supports a model where large airlines pay an annual levy proportionate to passenger numbers, while airports contribute only on a variable, per-referral basis where an eligible complaint is referred to the ACO or the ACPA for investigation. This model would ensure that airports are not required to subsidise investigations and regulatory oversight which is not related to their operations.

The proposal for regulated entities to be the sole contributors to funding the framework also fails to take into account the substantial establishment and ongoing administrative costs required to support the associated public service functions. It is difficult to understand how the Commonwealth Government could reasonably expect private sector participants to underwrite the costs of expanding the bureaucracy that will regulate them. The staff recruitment, system development, education programs and communication mechanisms are all public policy initiatives. The intention of the Commonwealth Government to not fund these, despite them being central functions of the public service, is difficult to justify and inconsistent with the Commonwealth's role in administering national regulatory frameworks.

The *Consultation Paper* also infers that regulated entities will be asked to fund ineligible complaints and general inquiries received by the ACO and the ACPA. Canberra Airport does not support this proposal. If a complaint is deemed ineligible or does not fall within the scope of the framework's jurisdiction, it is likely to be due to a misunderstanding by the complainant or a failure of the ACO or the ACPA to provide clear guidance on what issues it can review and investigate. It would be unreasonable to impose charges on Canberra Airport for complaints that relate to activities which are out-of-scope. Cost recovery for ineligible complaints could also create a perception that the framework is financially incentivised to accept as many inquiries as possible rather than focus on providing assistance to

passengers who have genuine grievances. Such a perception would undermine confidence in the integrity of the framework and further highlights the risk of relying solely on industry funding.

Funding of the ANO

Canberra Airport does not support the introduction of an annual levy on airports to fund the ANO, as airports have no direct role in creating aircraft noise. As a responsible corporate citizen, Canberra Airport has consistently taken proactive steps to minimise the impact of aircraft noise on the communities of Canberra and Queanbeyan. This includes working closely with Airservices Australia and airlines to prioritise the wellbeing of residents living near the airport through the use of preferred runways, designated noise abatement areas and night-time operating restrictions. Canberra Airport's leadership has ensured that noise from arriving and departing aircraft remains minimal and does not significantly affect those residing in close proximity to the airport.

The effectiveness of these measures is supported by the significant low number of complaints Airservices has received about aircraft noise in proximity to Canberra Airport since 2020. Only 117 complaints have been received from 77 individuals, mostly concerning standard flight paths, helicopters or military and general aviation activity. Regular public transport operations have contributed to a minimal number of these complaints. This extremely low number highlights the effectiveness of the noise abatement procedures at Canberra Airport. The current Aircraft Noise Ombudsman's own data further support a proportional funding approach. In 2023-34, Canberra Airport represented just 0.2 per cent of the 438 actionable complaints handled by the Ombudsman.

A flat annual levy would result in Canberra Airport subsidising investigations relating to other aviation industry participants. To avoid such inequity, it would be more appropriate that the ANO be funded through a complaint-based levy model, where contributions are linked to the number of eligible complaints escalated to the ANO. This would ensure greater fairness and transparency.

CONCLUSION

Canberra Airport recognises the service improvements for passengers that will likely be realised through the implementation of the framework. To achieve the balance between consumer protections and the operational practicalities of airports, the Charter must be clear on the scope and operation of Standard 5 and deliver consistent guidance to regulated entities under Standard 6. Additionally, the funding model for the ACO, the ACPA and the ANO must reflect each regulated entity's contribution to the overall workload of each body. Adopting these refinements will foster confidence in the overall framework and avoid imposing unnecessary regulatory and administrative burden on regulated entities.

For further information, please contact:

Jordan [REDACTED]
Government Relations and Policy Advisor

[REDACTED]

[REDACTED]