



**A non-profit, volunteer organisation,
advocating to advance the interests of
consumers in Queensland**

Secretary:

Max [REDACTED]
[REDACTED]
[REDACTED]

4 October 2025

**SUBMISSION ON AVIATION CONSUMER PROTECTION
CONSULTATION PAPER – SEPTEMBER 2025**

BACKGROUND

The Queensland Consumers’ Association (QCA) is a non-profit organisation established over 40 years ago and which exists to advance the interests of Queensland consumers. QCA’s members work in a voluntary capacity and specialise in particular policy areas.

QCA is a member of the Consumers’ Federation of Australia, the peak body for Australian consumer groups, and works closely with many other consumer and community groups.

QCA is very interested in and has been involved with aviation issues for many years and has participated in all stages of this consultation process, which started in 2023, via written submissions and participation in face to face and online meetings.

QCA has been represented on the Advisory Council of the Energy and Water Ombudsman Queensland Scheme since its commencement in 2007.

Therefore, QCA welcomes the opportunity to participate in this consultation. QCA’s views on the primary legislation consultation questions are provided below. At a later date, we will also comment on the subordinate legislation consultation questions

The contact person is Ian [REDACTED]

GENERAL COMMENTS

Although it is important to ensure that the costs of the framework are not excessive and that it operates efficiently, we emphasise that:

- Costs incurred by industry will be paid mainly by consumers.
- The costs need to be balanced against the major benefits and be considered as investments.
- Consumers will not be the only beneficiaries. The industry will also benefit from increased consumer confidence and trust which in turn will foster increased consumer use of aviation services.

SPECIFIC COMMENTS

Our comments on the **primary legislation consultation questions** are:

Q1.Does the proposed regulation of airline services, airport services and airport accessibility services cover the core elements of the aviation consumer experience? Are there any missing elements?

The regulated services should also include the consumer experience:

- During a flight.
- When a flight is delayed departing after passengers have boarded.

- When a flight is over booked and customers are required, or asked to volunteer, to not board the flight.

Q2. Are there any operational or technical considerations regarding international flights that would affect their regulation under the framework?

The primary legislation should cover airlines providing domestic flights, as well as all inbound and outbound international flights, with no exemptions for flights subject to other countries consumer protection frameworks.

Q3. Are there any operational or technical considerations regarding airport accessibility services that would affect their regulation under the framework?

No comment.

Q6. Is the role of the ACPA as proposed sufficient to protect aviation consumers and lift consumer standards, while not imposing undue regulatory burden and costs on the sector?

The ACPA should not be within a government department. As is the situation with the federal regulators for other industries, such as energy, finance and telecommunication, the ACPA should be a separate statutory body.

Q7. Do the proposed functions and powers of the ACO provide sufficient capability to efficiently resolve consumer complaints and improve consumer standards? If not, what should change and why?

The ACO should follow the model of the successful federal ombuds schemes established for the telecommunications and finance industries.

The ACO should not be a statutory scheme. Statutory schemes have many disadvantages including much less flexibility and ability to respond quickly to changes in: demand for their services; consumer needs; and industry conditions.

The scheme should be designed to comply with the Benchmarks for Industry- based Customer Dispute Resolution published by the Federal Government.

Importantly

- Consumers should not be charged to use the scheme (which does not appear to be mentioned in the Consultation Paper).
- When considering consumer complaints, the scheme must be able to take into account not only regulated requirements but also best industry practices, fairness, and community standards/expectations.

The scheme should have a governing board consisting of an independent chair, and equal numbers of members representing consumers and industry.

The scheme should also have a role, as does AFCA, to support regulated aviation entities to provide remediation for all customers affected by a systemic issue, in addition to dealing with individual complaints about a systemic issue.

It is too restrictive, that in order to fall within the definition of an “airline or an airport service”, the service must also be one that a consumer would reasonably expect to use **and pay for**. For example, airports may provide services that are not paid for but still can have a significant effect on the experience of **all** consumers. Examples of such services include passenger drop off and pick up areas, luggage trolleys, and toilets.

Complaints exclusively related to IT offerings (including app functionality) should not be considered ineligible. Airlines encourage consumers to use IT offerings for self-bookings bookings (and usually charge a fee for a booking made by staff) and to seek and receive information about bookings. Therefore, problems with IT offerings can have major negative effects on consumers and can result in significant and valid consumer complaints.

Furthermore, even when functioning as intended, IT offerings may have insufficient functionality to meet consumer needs. For example, a consumer may have a significant and valid complaint if a complex itinerary involving several flights and airlines cannot be self-booked online yet the airline still charges a fee for the booking to be made by an employee.

