



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

Secretary:

Max [REDACTED]

[REDACTED]

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24 October 2025

**SUBMISSION ON AVIATION CONSUMER PROTECTIONS
CONSULTATION PAPER (SUBORDINATE LEGISLATION ISSUES)
– 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 already made a written submission on the primary legislation consultation questions, and welcomes the opportunity to now provide the comments below on subordinate legislation issues.

The contact person is Ian [REDACTED]

GENERAL COMMENTS

As indicated in our submission on the primary legislation consultation questions, although it is important to ensure that the costs of the aviation consumer protection 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 to 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 AND RECOMMENDATIONS

Changes made to scheduled flight departure or arrival times after flights have been booked.

The Consultation Paper does not mention this, yet significant changes to the scheduled flight departure or arrival times may result in the booked flight no longer meeting the consumer's needs. Therefore, the Charter should require that in such situations the consumer be able to cancel the flight at no cost and to obtain a full refund.

RECOMMENDATION 1:

When changes to scheduled flight departure or arrival times result in a booked flight no longer meeting the consumer's needs, the Charter should require that the consumer be able to cancel the flight at no cost and to obtain a full refund.

Right to cancel or change an airline booking without penalty within 24 hours of making the booking

We note and support the proposal in the Consultation Paper for the Charter to require that airlines provide free of charge reasonable correction of booking errors, such as in the passenger's name, if the request is made prior to the day of travel.

However, as indicated in our previous submissions, we consider that consumers should also have the right, as they do in the USA, to cancel or change an airline booking without penalty within 24 hours of making the booking. Such a provision would greatly increase consumer confidence and trust in airline travel.

RECOMMENDATION 2:

The Charter should also require airlines to allow consumers to cancel or change an airline booking without penalty within 24 hours of making the booking.

Charges for using airline call centres when the required service is not available online

As indicated in our previous submissions, we consider that airlines should be prohibited from charging consumers for using call centre staff for services if the required service, for example making or changing a booking, cannot be made by consumers themselves online.

Airlines encourage consumers to self-book or make changes to bookings online and usually charge a fee for such services if provided for the consumer by airline staff. However, in some situations it is impossible for consumers to obtain the service themselves online. Examples of this include when the website/app is not working at all or temporarily cannot provide the required service. Also, the website/app may have insufficient functionality to meet consumer needs, for example to be able to self-book a complex itinerary involving several flights and airlines.

In such situations, the policy of some airlines may be to not charge consumers a fee for using airline staff to provide the required service. However, airline staff and consumers may not be sufficiently aware of this. Also, we consider that **all** airlines should have, and effectively implement, this policy. Therefore, we consider that the Charter should include this requirement.

RECOMMENDATION 3:

The Charter should prohibit airlines from charging consumers for using call centre staff for services if the required service, for example making or changing a booking, cannot be made by consumers themselves online.

Requirement at check-in to provide information about the credit card used to pay for the ticket.

The Consultation Paper does not mention this, yet inability to meet the above requirement can result in the passenger being denied boarding and thus experiencing major inconvenience and cost. However, many consumers are unaware of this important requirement because it is usually only contained in the fine-print terms and conditions. Therefore, the Charter should require airlines which have this requirement to display it prominently and legibly during the booking process and whenever the airline contacts the passenger prior to check-in.

RECOMMENDATION 4:

The Charter should require any airline which at check-in requires proof of purchase with a credit card to display this prominently and legibly during the booking process and whenever the airline contacts the passenger prior to check-in.

Financial compensation

We note and regret that for a variety of reasons it is not proposed that the framework require airlines to provide consumers with financial compensation for inconvenience, loss, etc. resulting from flight disruptions, delays or cancellations.

We consider that the provision of financial compensation is required in order to treat consumers fairly, increase consumer trust and confidence in air travel, and to provide an incentive for service providers to improve the quality of service.

RECOMMENDATION 5:

As a minimum, airlines should be required to provide financial compensation for disruptions, cancellations and delays primarily caused by commercial decisions including:

- overbooking flights,
- consolidating or cancelling flights with low passenger demand, or
- similar actions undertaken for commercial reasons.

Refunds

The proposed Charter states that a full refund must be provided (including taxes, fees and additional charges paid) only in the case of cancellations and unreasonable delays. We consider that this is too restrictive and that the requirement should apply to other refund situations for example those we recommend in this submission i.e. when the passenger cancels the flight because the scheduled departure or arrival time has been changed significantly or cancels within 24 hours of making the booking.

Also, the proposed Charter only refers to the refund of taxes, fees and additional charges paid. We consider that this is insufficient and that the charging of any other related fee, such as for administration, should not be allowed.

RECOMMENDATION 6:

That the Charter should:

- Require that a full refund must be provided (including taxes, fees and additional charges paid) for not only cancellations and unreasonable delays but also for certain other situations, such as when the

passenger cancels the flight because the scheduled departure or arrival time has been changed significantly or cancels within 24 hours of making the booking.

- Also not allow the charging of any other fees such as an administration fee.

Definition of Cancellation

The Consultation Paper proposes that a cancellation be defined as “a scheduled air service with a specific flight number to be operated between a specific origin and destination on a specific date which is not operated, less than 7 days prior to its scheduled departure time”.

There are two problems with this definition. Firstly, the meaning is not sufficiently clear and secondly, face if it means that the Charter will only apply to cancellations made less than 7 days prior to the scheduled departure, it is far too restrictive.

If the latter is the intended meaning, we consider it is unacceptable and unnecessary. Any cancellation at any time causes consumers major problems and they need access to the Code’s provisions irrespective of when the cancellation occurred.

Furthermore, we are unaware of any other definition of cancellation which includes a specific time period of occurrence.

RECOMMENDATION 7: That the proposed definition of cancellation be changed to “a scheduled air service with a specific flight number to be operated between a specific origin and destination on a specific date which is not operated”.

Overbooking of flights

This practice can result in passengers being denied boarding through no fault of their own and causes major problems for affected passengers. Therefore, the Charter should require not only the provision of the assistance proposed in Table 4 but also that the airline have and make public specific policies and procedures on how the passengers to be denied boarding will be selected. The Charter should also require that the airline first seek volunteers and, certain passengers, such as those with children, infirmities, etc. not be denied boarding.

RECOMMENDATION 8: When passengers are to be denied boarding due to overbooking by the airline the Charter should require the airline to:

- Not only provide the assistance proposed in Table 4 but to also have specific policies and procedures on how the passengers to be denied boarding will be selected.
- First seek volunteers
- Not deny boarding to certain passengers such as those, with children, infirmities, etc.

Delayed departures

In relation to: Minimum Levels of Assistance in Table 4, for 2 hour tarmac delays within the airline’s control the airline should be required to provide food and drink vouchers.

RECOMMENDATION 9: For 2 hour tarmac delays within the airline’s control the airline should be required to provide food and drink vouchers.

Complaint handling by airlines and airports

We welcome and support the proposed requirements in the Consultation Paper. We also note and welcome that the final requirements may evolve following the completion of a review currently underway and that the review will consider the effectiveness of the complaint-handling processes of various bodies that receive complaints relating to airlines and airports.

However, we consider that the review should also consider the complaint-handling processes of other industries, regulators and external dispute resolution schemes since the effectiveness of many has increased greatly in recent years.

And, we are concerned about the apparent lack of:

- Any requirement for airlines and airports to provide the proposed regulator (the Aviation Consumer Protection Authority) with regular reports about complaints.
- Recognition of the need for standardisation of the definition of a complaint and of complaint categories.
- Any requirement to publish the complaint data of individual airlines and airports.

RECOMMENDATION 10:

- The review of dispute resolution processes should include the complaint-handling processes of other industries, regulators and external dispute resolution schemes
- Airlines and airports should be required to provide the proposed regulator (the Aviation Consumer Protection Authority) with regular reports about complaints.
- A standardised definition of what is a complaint should be used by all airlines and airports and there should be sector-specific standardised complaint categories.
- The complaint data of individual airlines and airports should be published.