

**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:** Sunday, 28 September 2025 10:35:35 AM

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Submitted on 28 September 2025

Submitted by: Anonymous

Submitted values are:

## Step 1: Your submission

### Remain Anonymous

No

### Private Submission

No

### Published name

Wes [REDACTED]

### Short comment

I write this short submission as a member of the travelling public.

The focus for my submission is the following section, to be found on page 48:

"It is proposed that a situation would be considered to be within an airline's control when disruptions, cancellations and delays are primarily caused by any the following situations:  
a. Commercial decisions including: i. overbooking flights ii. consolidating or cancelling flights with low passenger demand, or iii. similar actions undertaken for commercial reasons. b. Day-to-day operations including: i. staff scheduling and availability for all flight services including check-in ii. flight preparation activities like cleaning, baggage loading and aircraft fuelling c. Scheduled maintenance including any subsequent repairs or required activities. d. Knock on disruptions, delays and cancellations to other airline services operated by a regulated entity due to a situation within the regulated entity's control. "

The first point I would like to make is that, at present, such matters are entirely, completely and wholly opaque and are the very opposite of transparent in any way.

I apologise if I have not studied the documentation closely enough. But how, and by whom, are these decisions [regarding causation and responsibility] proposed to be made. Certainly the airlines themselves surely cannot be the arbiters of such decisions and surely there must be some entirely independent investigative function by an external entity.

Secondly, I note the section on pages 46 and 47 ie 3. Flight disruption, unreasonable delay, cancellation requirements. I note sections a- e therein.

Well, talk about being slapped by a wet paper towel!!

Once again, there is no transparency at present and members of the public, like myself, are left guessing. But it is my strong suspicion that at present Airlines frequently make commercial decisions to cancel flights- purely on commercial grounds.

And it is far from clear to me how the proposed range of consequences, as set out on pages 46 and 47:

- are any stronger than what is already the case under general consumer protection legislation, rights and current general practice; and
- are in any way a commercial disincentive to airlines to cease this frequent practice of cancelling flights for purely commercial reasons.

What is proposed does appear to be wholly inadequate and, as above, appears akin to being slapped with a wet paper towel.

Regards

Wes [REDACTED]

## Step 2: Contact details

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**Consultation name**

Aviation Consumer Protections – primary legislation

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