



AUSTRALIAN
AIRPORTS
ASSOCIATION

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Australian Airports Association submission to the Aviation Customer Rights Charter Consultation

Submitted to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts via [web form](#).

Executive summary

The Australian Airports Association (AAA) welcomes the opportunity to provide feedback on the draft Aviation Customer Rights Charter (ACRC). As the peak body representing over 340 airports and aerodromes across Australia, the AAA advocates for a safe, efficient, and sustainable aviation sector. Our members range from major international gateways to regional and remote aerodromes, all playing a vital role in national connectivity, economic growth, and community support. Given our member's expertise in airport operations and infrastructure management, the AAA's perspective is essential in ensuring that the Charter is practical, fair, and aligned with international best practices, while complementing existing consumer protection frameworks such as Australian Consumer Law (ACL).

While the AAA supports the intent of the ACRC to improve consumer protections and clarify passenger rights, we oppose the inclusion of airports for matters that are outside their direct control and emphasise that any obligations should align with existing regulatory frameworks rather than create new and unnecessary requirements. Any regulatory approach should be proportionate and equitable, ensuring that responsibilities are assigned based on operational control and do not impose undue burdens on airports. The Charter should focus on clarifying obligations within the broader legislative framework, particularly where there are gaps in interpretation between ACL, ticket conditions, and conditions of carriage. This approach ensures that consumer protections are effectively scoped without misplacing responsibilities on airports. Both international best practice and domestic experience show that most air travel-related complaints are directed at airlines, underscoring that consumer accountability primarily rests with airlines, not airports. Consistent with our response to the Aviation Industry Ombuds Scheme consultation, the ACRC should only apply to those airports handling over one million passengers annually and explicitly exempt general aviation airports.

The current draft lacks clarity in defining responsibilities, which risks regulatory duplication, inefficiencies, and consumer confusion. Airports provide the infrastructure that supports airline operations, such as terminals, baggage claim areas and infrastructure, security screening areas (as required under federal regulation), and runways, but they do not manage airline services. Airlines are responsible for baggage handling, flight scheduling, and customer service, yet the Charter does not provide a sufficiently clear framework for airline accountability in these areas. Without explicit definitions of responsibility, passengers may struggle to identify the appropriate

entity for resolving complaints, increasing the risk of confusion and inefficiencies in the dispute resolution process. Rather than attempting to define individual industry obligations in isolation, the Charter should ensure that consumer expectations align with existing regulatory and complaint-handling mechanisms, including the Ombuds Scheme, which should be responsible for directing complaints appropriately rather than expanding regulatory obligations.

Security screening, while operationally managed by airports, is conducted under strict federal regulations, set, and enforced by the Australian Border Force (ABF) and the Office of Transport Security (OTS). Screening requirements, staffing levels, and processing times are dictated by government-mandated security protocols rather than airport discretion. Passenger frustrations with security processes often stem from regulatory requirements, making it essential for the Charter to acknowledge the federal government's role in this area and ensure passengers are directed to the appropriate government complaint mechanisms, rather than attributing responsibility to airports.

Airports do have a direct consumer interface in certain areas, such as car parking, where they set pricing and service standards. However, these services are distinct from core aviation operations and should not be conflated with broader airline responsibilities, such as passenger handling, flight disruptions, and baggage services. A well-defined Charter should ensure that passengers have a clear and direct line of accountability to airlines for the services they control, rather than leaving room for misinterpretation about airport responsibilities. Consumer guidance materials should also reinforce these distinctions to prevent misdirected complaints.

For the Charter to be effective, it must ensure that accountability is assigned based on operational control rather than general consumer expectations. The Ombuds Scheme should play a central role in directing passengers to the appropriate entity, reducing administrative inefficiencies and ensuring timely dispute resolution. Passenger education will also be critical in reinforcing these distinctions.

Aviation is already a highly regulated industry, with clear legal obligations under ACL, privacy legislation, accessibility laws, and aviation-specific regulations. Introducing additional obligations without harmonising them with existing laws risks unnecessary complexity, regulatory burden, and consumer confusion. The AAA urges that any consumer protections introduced through the Charter, or the Ombuds Scheme align with existing frameworks, ensuring clarity for both passengers and industry stakeholders.

International case studies

Globally, passenger rights frameworks assign responsibility to airlines, recognising that they control ticketing, scheduling, customer service, baggage handling, and hold passenger information. The draft Charter diverges from this approach by including airports, which risks misdirecting passenger grievances about airline service failures to entities that do not control these factors.

Regulatory frameworks in Canada, the European Union, and the United States not only maintain a clear separation between airline and airport responsibilities but also explicitly and purposefully place consumer protection obligations on airlines, not airports. These frameworks recognise that airlines control key aspects of the passenger experience.

- Canada – The Air Passenger Protection Regulations (SOR/2019-150) explicitly focus on airline obligations, with no direct consumer-facing complaint requirements imposed on airports.¹
- European Union – Under EU Regulation 261/2004, passenger rights, including compensation for delays, cancellations, and denied boarding, are solely the responsibility of air carriers.²
- United States – The U.S. Department of Transportation’s Fly Rights policy enforces airline accountability for consumer issues, with airports having no direct obligations in passenger compensation.³

These jurisdictions recognise that airports facilitate travel but do not control flights, ticketing, or service policies. Holding airports responsible for delays, baggage issues, or cancellations undermines consumer protection and creates inefficiencies by misplacing accountability.

Key drivers of aviation delays and complaint trends

The Australian Aviation Network Overview⁴ and available airport complaint data confirms that delays and disruptions are overwhelmingly caused by airline operations, government agencies, and weather-related factors, not infrastructure failures. Recent data from Airservices Australia underscores the primary causes of delays and disruptions:

- Reactionary delays – cascading effects of delayed flights – were responsible for 33% of all delays.
- In-flight delays (weather, en-route congestion, diversions, and air traffic management decisions) contributed to 20.5% of delays.
- Departure delays due to aircraft technical issues, passenger and baggage handling, and taxiway congestion accounted for 44.4% of delays.
- Airservices Australia was responsible for 3.8% of Air Traffic Flow Management (ATFM) delays and 0.6% of arrival cancellations.⁵

Airports receive very few complaints relative to passenger volumes, and established, well-functioning processes are in place to address these concerns effectively. On average, 25.8% of complaints at state capital airports are related to security and border agency issues. Of the complaints data provided to the AAA by 3 state capital airports, in 2024, 66.6 million passengers transited through those terminals and 6,501 complaints were received relating to airport infrastructure and operations. This represents a passenger complaint ratio of just 0.01% (or 1 complaint every 10,249 customers). This demonstrates that while complaints exist, they represent a minimal proportion of overall passenger interactions.

Additionally, airport facilities and services are subject to ongoing performance monitoring through Quality-of-Service Monitoring (QSM), a contractual agreement between airlines and airports. Under this system, if service quality ratings fall below agreed thresholds, airports may be financially penalised by airlines. This mechanism ensures continued accountability and service quality improvements.

¹ Government of Canada, Justice Laws Website [Air Passenger Protection Regulations SOR/2019-150](#) Canada Transport Act.

² European Parliament and Council of the European Union, [Regulation \(EC\) No 261/2004](#) 11 February 2004.

³ U.S. Department of Transportation, Aviation Consumer Protection, [Fly Rights](#).

⁴ Airservices Australia, [Australian Aviation Network Overview](#), December 2024, p14.

⁵ *Ibid.*

Further reinforcing this, the AAA-commissioned Zing! survey of Australian travellers in October 2024, found that passenger satisfaction with various aspects of the airport experience remains consistently high. These findings indicate that concerns about airport service levels are not a significant driver of aviation complaints. Compared to the previous survey wave, satisfaction levels have remained stable, with passengers generally expressing high approval of terminal presentation and cleanliness, the check-in and bag drop process, and restroom conditions. Additionally, more than seven in ten travellers reported satisfaction with lounges, security screening, transport to and from the airport, as well as food, beverage, and retail offerings.⁶

Clear delineation of responsibilities

For the Charter to be effective, it must be applied in a way that aligns with existing consumer protections, including Australian Consumer Law, ticket conditions, conditions of carriage and the Ombuds Scheme, to ensure clarity for passengers and industry stakeholders. Without this alignment, airports risk being unfairly held accountable for airline and regulatory failures, leading to inefficiencies, misplaced complaints, and a weaker consumer protection framework. The ACRC should ensure that each stakeholder is responsible for the aspects of the passenger experience that fall within their control while recognising operational constraints, particularly for smaller airports.

Airports and airlines have distinct and complementary roles within the aviation ecosystem. Airports provide the critical infrastructure and supporting services that enable airlines to operate, including runways, terminals, security screening areas, and ground transport facilities. Airlines, on the other hand, are responsible for ticketing, flight scheduling, baggage handling, customer service, and the overall passenger experience during air travel. Importantly, airlines also hold the personal details of travellers and maintain the direct customer relationship, as passengers book flights and manage travel arrangements through the airline. Outside of parking facilities, airports have minimal direct customer interface. The Charter should ensure that consumers understand these distinct roles and that accountability is directed to the appropriate entity. Furthermore, it must be framed in a way that does not create confusion over the roles of government agencies, which significantly impact aviation operations. For instance, delays managed by Airservices Australia (AsA), as well as security screening issues under the ABF and the Office of Transport Security (OTS) within the Department of Home Affairs (DHA). Passengers should be directed to the appropriate mechanisms for addressing concerns related to government-imposed constraints. To support transparency and reduce passenger confusion, the Ombuds Scheme should play a key role in clarifying passenger rights and the appropriate avenues for dispute resolution, rather than relying on the Charter to define industry obligations in detail. A well-structured, publicly available guide would improve consumer awareness, helping to align expectations with practical service delivery realities.

Security screening is one of the most common sources of passenger complaints in the airport environment. However, this process is mandated by the Federal Government, with security standards set and monitored by ABF and OTS. While passengers expect quick movement through security screening, the primary objective is safety and security, not speed. At times, delays and frustrations are inevitable, but they occur to ensure the safety of all travellers. Stress can be heightened when security staff must intervene with passengers to meet government-

⁶ Australian Airports Association, Wave 12 Traveller Intentions Report, Prepared by Zing! Insights, p11.

mandated requirements. This often results in complaints directed at security staff who are simply following federal regulations.

Similarly, regulatory constraints, such as flight path restrictions, curfews, and airspace management rules, impact on-time performance but are dictated by government policies, airspace congestion, and operational restrictions on air traffic management, not airport operations. However, the Charter currently does not address these government-imposed constraints, leaving passengers without clear avenues for recourse. To ensure transparency and fairness, the Charter should acknowledge these distinctions and establish mechanisms for addressing passenger concerns related to government policies.

When responsibilities are unclear, passengers may direct complaints to the wrong entity, leading to frustration and delays in resolution. The analogous experience of financial services regulation highlights the risks of failing to assign responsibility properly. In the 2023-24 financial year, the Australian Financial Complaints Authority (AFCA) received a record 104,861 complaints, an 8% increase from the previous year, despite resolving 104,203 cases – a 21% rise from the prior year.⁷ However, this growing volume of disputes has led to significant delays, with some complainants reporting wait times of up to six months before being assigned a case manager.⁸ These delays demonstrate how an overwhelmed system can hinder timely dispute resolution rather than enhance consumer protections.

AFCA's 2021 Independent Review, commissioned by the Treasury, found that unclear responsibilities contributed to inefficiencies. The review recommended clearer guidance on when additional issues in complaints should be considered and clarification of jurisdictional boundaries to prevent confusion and duplication. This lack of clarity often results in complaints being directed to the wrong body, increasing administrative burdens, and delaying outcomes for consumers. Major airports report a similar challenge, with a substantial number of passenger inquiries and complaints received related to issues under airline responsibility. This misdirection is often caused by a lack of consumer knowledge, prolonged wait times on airline call centres, or difficulty in identifying a local airline representative.

Recognising variability in airport accessibility capabilities

Australian airports play a critical role in accessibility and passenger support, but services vary significantly depending on airport size and resources. Larger airports often have well-developed accessibility programs, including wayfinding in accessible formats, ramps, lifts, accessible seating, and restrooms, as well as assistance services such as escort support, hearing loops, and mobility aid facilitation. However, smaller airports face challenges in meeting these standards due to resource constraints, infrastructure limitations, and workforce availability.

Unlike major international hubs, regional and remote airports may lack dedicated accessibility personnel or specialised equipment. Many regional airports and budget terminals do not have aerobridges, requiring the use of hoists to assist passengers in wheelchairs. These hoists cannot be used in bad weather, further complicating accessibility and highlighting operational challenges faced by smaller airports.

⁷ Australian Financial Complaints Authority, [Annual Review 2023-24 Overview of Complaints](#).

⁸ Joyce Mullins and David Ross, The Australian, [AFCA complaints backlog leading to lengthy waits for case assessment](#), February 2, 2025.

The Charter must acknowledge these variations in capabilities to ensure a practical and proportionate approach to accessibility. A useful model is Canada’s framework, where the Canadian Transportation Agency (CTA) enforces airport accessibility obligations while recognising the differing capacities of airports. Under this system:

- Airports ensure that terminal environments, including check-in areas, baggage claim zones, and other facilities, are accessible.
- Airlines are responsible for all passenger assistance beyond the terminal, including boarding, in-flight support, and post-disembarkation assistance.

Australia should adopt a similar structure, allowing airports to improve accessibility at a feasible pace while holding airlines accountable for passenger support throughout the journey.

Additionally, consideration should be given to defining minimum accessibility standards, including the provision of information in languages other than English, to ensure consistency while remaining practical. Airports should have the flexibility to assess their passenger demographics and provide language options accordingly, rather than adhering to an open-ended multilingual signage requirement that may inadvertently hinder wayfinding. Digital solutions should also be explored as a more adaptable and efficient means of meeting accessibility requirements without compromising the clarity and usability of signage.

Airline accountability for passenger disruptions

It is important to note that the only commercial relationship exists between the passenger and the airline. Passengers do not have a direct contractual relationship with airports. As the primary service providers, airlines must take full responsibility for cancellations and passenger accommodation during disruptions.

Too often, airlines shift the burden onto passengers, leaving them to manage overnight stays and rebooking when flights are cancelled. Airports frequently assist stranded passengers where possible, particularly in regional locations with limited accommodation and transport options, even though they have no formal obligation to do so.

Airlines already have established processes for supporting passengers affected by delays or cancellations, including providing accommodation and meals when necessary. While these expenses can be costly, airlines incorporate such disruptions into their business models and pricing structures. In contrast, airports, which do not have direct commercial relationships with passengers, do not factor these costs into their charges. For context, airport fees make up only a small portion of overall airfares. According to the ACCC, on average, the aviation revenue per passenger at major airports was \$19.92 in 2022–23.⁹ Given these financial limitations and accounting for capital expenditure, airports cannot realistically offer large-scale passenger support without significantly increasing aeronautical charges.

International best practices provide a clear benchmark for stronger airline accountability. Under EU Regulation 261/2004,¹⁰ airlines are required to provide meals and accommodation for passengers facing significant delays, even in extraordinary circumstances. Similarly, Canada’s Air Passenger Protection Regulations mandate refunds or rebooking on alternative flights in

⁹ Australian Competition & Consumer Commission (ACCC), [Airport Monitoring Report 2022-23](#), p. 9, Table i.

¹⁰ [Regulation \(EC\) No 261/2004](#) of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (Text with EEA relevance) - Commission Statement

cases of cancellation. Australia must adopt comparable measures to ensure passengers are not left without support when airline disruptions occur.

Proportionate application of the ACRC

A proportionate approach is essential to avoid unnecessary regulatory burdens on smaller airports and to ensure a fair and proportionate cost for those airports included in the scheme. A one-size-fits-all approach is inappropriate for Australia's diverse airport network. The AAA strongly recommends:

- Ensuring that obligations placed on airports are aligned with their role in the aviation journey, rather than creating new responsibilities outside of existing legislative and contractual frameworks.
- Exempting airports with fewer than one million annual passengers to align with international thresholds and avoid excessive compliance costs.
- Excluding general aviation (GA) airports, which primarily serve non-commercial sectors such as private, charter, training, and emergency services.
- Ensuring airports included in the scheme are not subsidising complaints against airlines.

Imposing complex compliance on small and regional airports would shift funding from essential infrastructure like runway maintenance, safety upgrades, and terminal enhancements to regulation, with no real consumer benefit.

The AAA acknowledges the Australian Government's efforts in establishing an independent Aviation Industry Ombuds Scheme and recommends aligning with international best practices. The UK's Alternative Dispute Resolution (ADR) Scheme, covering 80% of UK passengers since 2015, provides a useful model for enhancing passenger dispute resolution.¹¹ Rather than expanding regulatory obligations, the Ombuds Scheme should provide guidance on interpreting passenger rights within the framework of existing consumer law.

Based on the latest available data, airports handling over one million passengers annually account for the vast majority of Australian air travellers, supporting the 91.7% coverage estimate. In 2024, the top ten airports – including Sydney (41 million), Melbourne (35 million), and Brisbane (22.6 million) – managed a combined 162.7 million passengers. Given that total domestic and international passenger movements in Australia for the year ending November 2024 was over one hundred million, the one-million-passenger threshold ensures a balanced approach, aligning regulatory requirements with passenger volumes and the operational capacity of airports, particularly in regional areas.¹²

Legislative intersections and alignment with existing laws and regulations

Australia's aviation industry already operates under established laws covering consumer rights, privacy, accessibility, and airport operations and the major areas of contention, particularly consumer refunds, are already covered by existing legislation. Rather than introducing redundant regulations, consumer protections should complement existing frameworks to avoid inefficiencies and unnecessary compliance burdens.

¹¹ UK Government, Department of Transport, [Mandatory Alternative Dispute Resolution \(ADR\): Impact Assessment](#), p1.

¹² BITRE [International airline activity](#) and [Domestic airline activity](#) year ending November 2024. Note that passenger movements count each arrival and departure separately, meaning a return trip counts as two movements. The total number of passengers reflects all boardings at major airports, which may be higher due to transfers and multi-leg journeys.

For example, consumer protections fall under Australian Consumer Law (ACL)¹³, which regulates cancellations, refunds, and service guarantees. Airports and airlines must comply, particularly regarding commercial services like parking, retail, and lounges. Ensuring alignment with ACL will reinforce consumer protections without creating unnecessary duplication.

Similarly, privacy regulations fall under the Privacy Act 1988¹⁴, which governs the handling of personal data from Wi-Fi, parking systems, lost property claims, and customer inquiries. With a national review underway, privacy should remain regulated under this Act to prevent unnecessary duplication.

Accessibility obligations are already legislated under the Disability Discrimination Act 1992 (DDA)¹⁵ and the Disability Standards for Accessible Public Transport 2002¹⁶, which set minimum accessibility requirements. The government is also developing aviation-specific disability standards, which should be integrated rather than introducing overlapping measures. The Australian Human Rights Commission Act 1986¹⁷ further ensures passengers are treated equitably.

Aviation operations and infrastructure are covered by the Airports Act 1996¹⁸ and the Building Code of Australia (BCA)¹⁹, ensuring safe and accessible airport facilities. Existing laws already place obligations on airports, making additional compliance measures unnecessary. Additionally, all construction and building activities at federally leased airports must be notified to the Airport Building Controller (ABC), who is responsible for ensuring that these activities meet the appropriate building and engineering standards.

Given this wide-ranging legislative coverage, the Charter and the Ombuds Scheme should not seek to define new legal obligations for industry stakeholders but instead clarify how existing laws apply to common passenger issues. It is essential that the wording of the Charter and the structure of the Ombuds Scheme does not invite scope creep nor unrealistically raise expectations of consumers. A well-integrated approach provides clarity for passengers, strengthens existing protections, and avoids regulatory complexity for aviation providers. Instead of imposing new obligations, consumer protections should direct industry stakeholders and travellers to the robust legal safeguards already in place.

Passenger responsibilities and consumer awareness

The Charter must establish a balanced framework that not only protects passengers but also acknowledges their responsibilities within the aviation system. Roundtable discussions with members of the AAA highlighted concerns that the draft places no accountability on consumers, despite frequent mistreatment of airport staff and misdirected complaints that create

¹³ The full text of the Australian Consumer Law (ACL) is set out in Schedule 2 of the [Competition and Consumer Act 2010](#) (previously known as the Trade Practices Act 1974 (TPA)).

¹⁴ Australian Government, Federal Register of Legislation, [Privacy Act 1988, No 119, 1988](#).

¹⁵ Australian Government, Federal Register of Legislation, [Disability Discrimination Act 1992 No. 135, 1992](#).

¹⁶ Australian Government, Federal Register of Legislation, [Disability Standards for Accessible Public Transport 2002](#)

¹⁷ Australian Government, Federal Register of Legislation, [Australian Human Rights Commission Act 1986](#).

¹⁸ Australian Government, Federal Register of Legislation, [Airports Act 1996](#).

¹⁹ Australian Building Codes Board, National Construction Code, [Building Code Australia](#).

inefficiencies.²⁰

Many passenger frustrations stem from a lack of understanding of roles and responsibilities within the aviation sector. This confusion leads to misdirected complaints, particularly in areas such as flight delays and scheduling issues, where airports often bear the brunt of passenger dissatisfaction despite having no control over these functions. Frontline airport staff regularly face verbal abuse and unreasonable demands, especially during disruptions, which exacerbate the operational challenges faced by aviation providers. This issue is further compounded when airline offices at airports are closed, leaving passengers unable to contact overseas call centres, resulting in additional frustration and misdirected complaints toward airport personnel.

One common area of misunderstanding involves baggage handling. While passengers have the right to safe and timely baggage delivery, they also have a responsibility to report lost, delayed, or damaged luggage directly to their airline, as airlines and their contracted ground handlers are solely responsible for baggage services. Airports do not manage baggage claims, except in rare instances where security screening procedures are involved. Despite this, airports frequently receive baggage-related complaints that should be directed to airlines. Ensuring passengers are aware of these responsibilities would help streamline resolution processes and reduce consumer frustration.

Security screening is a significant area for potential conflict. The draft Charter states that passengers "have the right to be treated with dignity and respect," followed by a vague statement that "customers should be treated appropriately by airports and airlines." However, the Charter provides no guidance on the definition of "appropriate" treatment, creating ambiguity in its application. A key concern is the lack of clarity regarding how the Ombuds Scheme will interpret and adjudicate complaints related to passenger treatment. Unlike airfare refunds, which involve clear-cut financial transactions, disputes regarding conduct during security screening are rarely straightforward. If a passenger alleges that a security screening officer spoke to them disrespectfully or in a discriminatory manner, and the officer denies the allegation, it is unclear how the Ombuds Scheme could make a determination months after the incident. Without clear criteria and an established framework for assessment, the ability of the Ombuds Scheme to resolve such matters in a fair and consistent manner is highly uncertain.

Passengers should be required to lodge complaints with the relevant airport within a reasonable timeframe, ensuring that concerns can be properly investigated. Airports maintain CCTV footage, but it is not stored indefinitely. In one case, a major airport, a passenger filed a complaint with the Australian Human Rights Commission six months after passing through security screening. Such an extended delay denies procedural fairness to both the airport and the security screening officer, as it is unreasonable to expect a security officer to recall a single alleged incident six months prior from among tens of thousands of daily interactions.

To prevent such situations, the Charter should require passengers to lodge complaints with the relevant airport within a set timeframe (e.g. seven days). Given the availability of online complaint lodgement, this is a reasonable expectation. Additionally, the Charter should make it

²⁰ Ironside, Robyn, The Australian, [Sexual assault, drugs and weapons – all in a day's work for Australia's airport police](#), February 17, 2025.

clear that the longer a passenger delays lodging a complaint, the more difficult it will be to properly investigate and address the matter. The Ombuds Scheme should take a similar approach, discounting or rejecting complaints that are made after an unreasonable delay to ensure procedural fairness for all parties involved.

The AAA recommends integrating passenger education initiatives to improve consumer understanding and engagement. These should clarify:

- The distinct roles of airlines, airports, and government agencies in areas like flight disruptions, baggage handling, and security screening.
- The correct complaint resolution pathways to ensure efficient responses, including a responsibility for passengers to lodge complaints in a timely manner.
- Passenger rights and responsibilities under Australian Consumer Law and aviation regulations.
- Consumer awareness campaigns on airports and airline websites, and through government channels.
- Passengers should also take responsibility for complying with travel policies, handling their belongings appropriately, and understanding their rights, including the role of travel insurance.

To ensure fairness and protect aviation staff, the Charter must also acknowledge that complaint resolution processes cannot be upheld in cases where passengers engage in abusive or inappropriate behaviour. While airports are committed to addressing complaints within the required timeframes, the obligation to resolve complaints within 30 days should not apply when a passenger's conduct poses a risk to staff safety. Additionally, any future Ombuds Scheme must include safeguards to prevent dispute resolution mechanisms from being misused by passengers to harass or intimidate aviation employees. Establishing clear expectations around respectful engagement will help ensure that complaints are managed efficiently while maintaining a safe and respectful working environment for all aviation personnel.

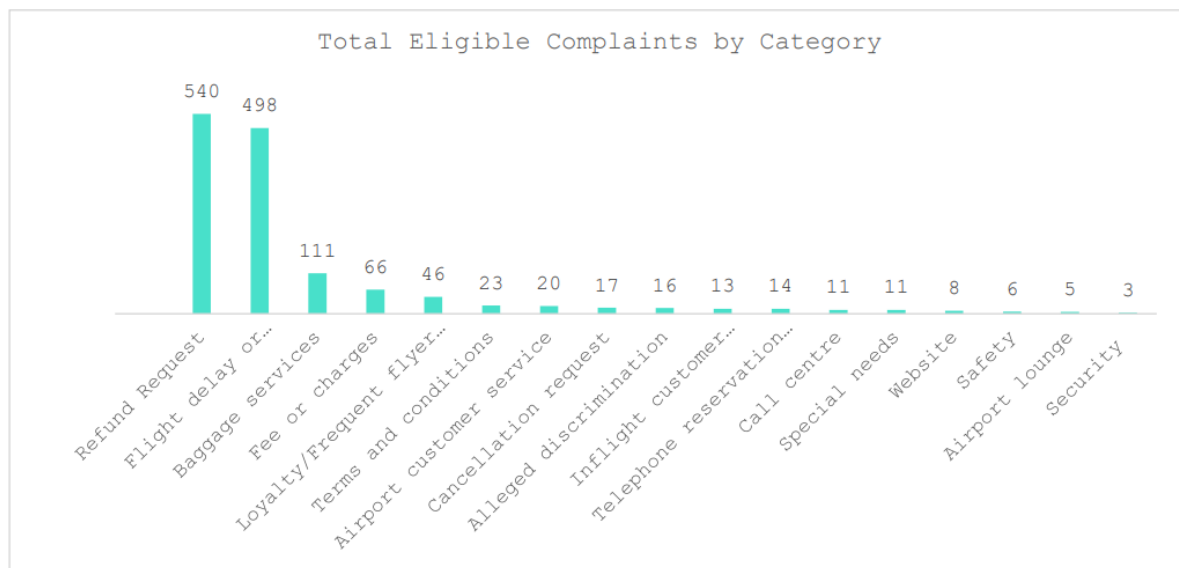
Complaint resolution and language refinements

Strict complaint resolution timeframes risk creating unrealistic expectations. While an automated acknowledgment within 24 hours is reasonable, a flexible 2–3 business day window for initial responses allows for practical handling of concerns.

The use of "resolve" requires careful consideration, as many complaints involve coordination across multiple entities. Setting an 80–90% resolution benchmark could provide clarity, ensuring most cases are addressed within reasonable timeframes while allowing flexibility for complex issues. The use of the word "resolve" puts an unreasonable expectation on airlines and airports and, at the same time, creates an unrealistic expectation in the minds of passengers. The Charter wording that airlines and airports must have systems "seeking to resolve customer complaints" will be read by consumers as meaning they must be resolved to the complainant's satisfaction.

Evidence from the Airline Customer Advocate (ACA) supports concerns about the effectiveness of existing complaint resolution mechanisms. According to the ACA's 2023 Annual Report, the overall complaint resolution rate declined to 37%, with 38% of complaints related to refunds and 35% concerning delays or cancellations. These figures highlight the limitations of the

current system and reinforce that the bulk of passenger complaints relate to issues controlled by airlines, rather than airport infrastructure or services.²¹ The graphic on the following page displaying the total eligible complaints by category, taken from the ACA Annual Report, provides a visual example:



Airports could provide a multitude of examples where passenger complaints are unreasonable or unsubstantiated. Despite this, passengers will continue to push their case. So rather than helping to limit the number of cases escalated to the Ombuds Scheme, this wording could have the opposite effect by offering encouragement to passengers to persist with unreasonable complaints.

To improve clarity, fairness, and practicality, the AAA recommends the following refinements:

- Specify "reasonable timeframes," with 2–3 business days for an initial response rather than implying immediate resolution.
- Ensure response targets for complaint management services reflect operational realities, allowing flexibility for complex cases.
- Ensure obligations are proportional, practical, and not overly burdensome, particularly for resource-limited regional airports.
- Define subjective terms like "appropriate," "dignity" and "respect" to ensure consistent interpretation.
- Recognise existing strong practices while supporting ongoing refinements.

Conclusion

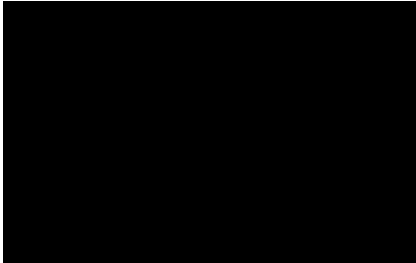
A clearly worded Charter that integrates with existing consumer protections will strike the right balance between consumer protection and operational practicality by ensuring that passengers have access to effective dispute resolution without imposing disproportionate regulatory burdens. By focusing on airline responsibility, avoiding unnecessary duplication, and ensuring proportionate obligations for airports, the Charter can provide meaningful protection without redefining roles that are already covered by existing laws and regulations.

²¹ Airline Customer Advocate, [Annual Report 2023](#), p7.

The AAA looks forward to continuing its engagement with the Department to develop a fair and effective framework that supports both passengers and the broader aviation sector. For further discussion, please contact Sybilla Grady, Senior Manager, Policy and Research, at



Kind regards



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