

The Senate

Rural and Regional Affairs and
Transport Legislation Committee

Airline Passenger Protections (Pay on
Delay) Bill 2024

March 2025

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(Substitute member for Senator the Hon Matthew Canavan for Monday 17 March)

Participating member

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Abbreviations and acronyms

A4ANZ	Airlines for Australia & New Zealand
AAPA	Association of Asia Pacific Airlines
ACA	Airline Consumer Advocate
ACCC	Australian Competition and Consumer Commission
ACL	Australian Consumer Law
ALA	Australian Lawyers Alliance
ATIA	Australian Travel Industry Association
DITRDCA/the department	Department of Infrastructure, Transport, Regional Development, Communications and the Arts
EU	European Union
IATA	International Air Transport Association
JEC	Justice and Equity Centre
RAAA	Regional Aviation Association of Australia
TWU	Transport Workers Union

Chapter 1

Introduction and background

Referral and conduct of the inquiry

- 1.1 On 16 May 2024, the Senate referred the provisions of the Airline Passenger Protections (Pay on Delay) Bill 2024 (the bill) to the Rural and Regional Affairs and Transport Legislation Committee (the committee), for inquiry and report by 18 November 2024.¹
- 1.2 On 10 October 2024, the Senate granted an extension of time to report to 25 November 2024.² On 25 November 2024, the Senate granted a further extension of time to report until 14 March 2025.³ On 13 February 2025, a further extension was granted to 24 March 2025.⁴
- 1.3 The committee called for submissions by publishing the inquiry on its website and writing to relevant stakeholders to invite them to make a submission by 6 June 2024. On 26 June 2024, the committee agreed to reopen submissions and extend the submission deadline to 30 August 2024.
- 1.4 In total, 25 submissions were received and published on the committee's website. A list of all submissions can be found in Appendix 1 of this report.
- 1.5 The committee held a public hearing in Canberra on 17 March 2025. A list of witnesses who provided evidence at the hearing is available in Appendix 2.

Acknowledgements

- 1.6 The committee acknowledges and thanks those individuals and organisations who contributed to the inquiry by making written submissions and giving evidence at the public hearing.

Structure of the report

- 1.7 This report comprises two chapters. This first chapter provides an introduction and background information, including outlining the key components of the bill.
- 1.8 Chapter 2 examines the key issues raised by submitters and sets out the committee's view and recommendation.

¹ *Journals of the Senate*, No. 111, 16 May 2024, pp. 3373–3375.

² *Journals of the Senate*, No. 138, 10 October 2024, p. 4169.

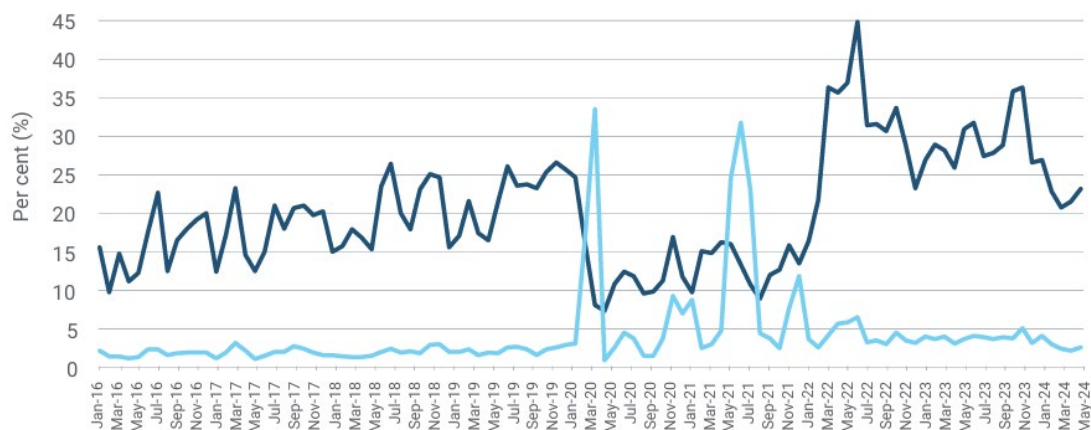
³ *Journals of the Senate*, No. 143, 25 November 2024, p. 4364.

⁴ *Journals of the Senate*, No. 153, 13 February 2025, p. 4961.

Background to the bill

1.9 The COVID-19 pandemic contributed to an increase in cancellations and delays of scheduled domestic flights. However, the performance of airlines has not recovered to pre-pandemic levels. In 2023, 29.4 per cent of all flight arrivals were delayed compared to an average of 18.9 per cent since 2016; and 3.7 per cent of flights were cancelled, with the average since 2016 being 2.2 per cent.⁵

Figure 1.1 Flight Cancellation and Delayed Arrival Rates



Source: Australian Government, *Aviation White Paper: Towards 2050*, August 2024, p. 51.

- 1.10 Passengers travelling to, within or from Australia are protected by basic consumer guarantees under Australian Consumer Law (ACL). ACL provides a guarantee to passengers that a service will be provided within a reasonable time if the flight is delayed or cancelled. Consumers may be entitled to a refund or replacement services depending on the circumstances that impacted their service. While ACL affords travellers some protection, additional compensation policies are usually set by individual airlines and differ between each operator.⁶
- 1.11 Some customers have had difficulties in accessing refunds or travel credits for cancelled or delayed services. During a second reading speech, Senator the Hon Bridget McKenzie stated that airlines have been ‘held largely unaccountable for their poor performance’ as a result of passengers often not having ‘the option of choosing other operators’.⁷
- 1.12 Senator McKenzie described the domestic aviation industry as a ‘duopoly’, and noted that complaints have increased as Qantas and Virgin have increased their market share:

⁵ Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA), *Aviation White Paper: Towards 2050*, August 2024, p. 50.

⁶ Australian Competition and Consumer Commission (ACCC), [Travel delays and cancellations](#) (accessed 24 September 2024).

⁷ Senator the Hon Bridget McKenzie, *Senate Hansard*, 27 February 2024, p. 514.

The latest [Australian Competition and Consumer Commission] airline monitoring report confirms once again that the sector is not where it should be, as does that fact complaints to the ACCC concerning aviation have risen by nearly 200% since 2018. With around 93% of market share, Qantas and Virgin have a tighter grip on domestic air travel than another notable duopoly—Coles and Woolworths—have on the supermarket industry.⁸

1.13 According to the Australian Competition and Consumer Commission (ACCC), the considerable market share held by both major airlines has provided them with extensive market power, allowing them the ‘freedom to act without needing to worry how competitors, suppliers or customers will react’.⁹

1.14 Sydney Airport submitted that new entrants to the aviation market have found it difficult to compete because of anticompetitive practices used by incumbent airlines. Sydney Airport singled out the ‘misuse of the Sydney Airport Demand Management Framework’, which subsequently ‘blocks competitors’ access to slots and artificially raises the barrier to entry for new entrants’, as a particular tactic used by airlines to limit competition. It explained how the misuse of the Sydney Airport Demand Management Framework occurs:

Data has revealed a trend of major incumbent domestic airlines filing for more slots than required, then strategically cancelling specific flights on high frequency domestic routes such as Sydney to Melbourne, Sydney to Canberra, and Sydney to Brisbane. These cancelled flights are then consolidated and serviced by flights either side of the original scheduled departure time, but typically remaining above the 80 per cent usage requirement to retain the slots for the following year.¹⁰

1.15 In August 2023, the ACCC took court action alleging that Qantas had advertised and sold tickets to customers for flights that had already been cancelled.¹¹ Qantas later admitted to the practice in May 2024, with around 86 000 customers impacted. While Qantas did agree to pay impacted customers in this instance, some customers have struggled to receive what they believe is adequate compensation.¹²

1.16 On 28 November 2024, to address issues with slot management, the Senate passed the *Sydney Airport Demand Management Amendment Bill 2024* (Demand Management Bill). The Demand Management Bill instituted changes to the Sydney Airport movement cap to allow for controlled recovery periods when

⁸ Senator the Hon Bridget McKenzie, *Senate Hansard*, 27 February 2024, p. 514.

⁹ ACCC, [Misuse of market power](#) (accessed 24 September 2024).

¹⁰ Sydney Airport, *Submission 2*, p. 3.

¹¹ ACCC, [ACCC takes court action alleging Qantas advertised flights it had already cancelled](#), 31 August 2023 (accessed 1 October 2024).

¹² ACCC, [Qantas agrees to \\$20m payments to customers and, subject to court approval, a \\$100m penalty for misleading consumers](#), 6 May 2024 (accessed 1 October 2024).

delays occur. Under the new laws, the movement cap at Sydney Airport was increased from 80 flights per hour to 85 during declared recovery periods. Such periods can be declared due to severe weather or major incidents that cause disruptions.¹³

1.17 The Demand Management Bill also replaced existing civil penalty provisions with new penalties for slot misuse. Examples of slot misuse included:

- (a) failing to use an allocated slot;
- (b) conducting a gate movement without an allocated slot;
- (c) conducting a gate movement outside the period for which the slot is allocated;
- (d) conducting flight operations otherwise than in accordance with prescribed requirements for a slot;
- (e) applying for the allocation of slots without reasonably practicable plans to use the gate movements permitted by the slots; and
- (f) failing to return certain unused slots to the Slot Manager, or to transfer the slots to another operator.¹⁴

1.18 The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, said that the Demand Management Bill would ‘boost competition and improve the experience of Australian travellers’, including by strengthening customer rights. The reforms directly addressed issues with the slot system and allow ‘better access for new entrants and cracking down on airline misbehaviour’.¹⁵

1.19 In this committee’s final report into the Demand Management Bill, the committee expressed the view that the reforms would ‘deliver operational efficiencies, improve market competition, and better consumer outcomes’, and welcomed the strengthening of penalties for slot misuse. The committee recommended that the Senate pass the bill.¹⁶

Functions and provisions of the bill

1.20 The bill seeks to provide passengers with greater protections regarding delays and cancellations when flying to, within and from Australia. It does this by requiring the creation of rules obligating airlines ‘to ensure passengers are protected in certain circumstances’ laid out in the bill, and by establishing an

¹³ Sydney Airport Demand Management Amendment Bill 2024, [Explanatory Memorandum](#), p. 2.

¹⁴ Sydney Airport Demand Management Amendment Bill 2024, Section 10A.

¹⁵ The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, [Media Release](#), 28 November 2024, (accessed 12 March 2025).

¹⁶ Senate Rural and Regional Affairs and Transport Legislation Committee, *Sydney Airport Demand Management Amendment Bill 2024 [Provisions]*, November 2024, pp. 17–18.

aviation industry code of conduct.¹⁷ International authorities—including in the European Union, United Kingdom and Canada—have introduced similar laws to better protect consumers in the event of flight delays or cancellations, and Australian airlines are already subject to these requirements when operating in those jurisdictions.¹⁸

Carriers' obligations rules

1.21 Section 4 of the bill would require the Minister for Transport to make rules regulating airlines' obligations to their customers. Under Subclauses 4(1) and (2), such rules would need to be made within 12 months of the commencement of the bill and require consultation 'with relevant stakeholders in the aviation industry, consumer groups and relevant agencies'.¹⁹ The carrier obligation rules will be required to include provisions for the following obligations:

- making terms and conditions of the airline, including refund policies, clear and accessible to customers;
- provision of refunds and compensation to customers in a timely manner should a scheduled flight be delayed, cancelled or in the event someone is denied boarding;
- completion of a passenger's journey when a flight is cancelled due to events outside of the carrier's control;
- provision of a minimum compensation entitlement that a carrier is required to pay for lost or damaged luggage;
- placement of minors under the age of 14 in close proximity to their parent or guardian at no extra cost; and
- establishing minimum treatment obligations, including timely information and assistance to passengers, in tarmac delays of more than three hours.²⁰

Aviation industry code of conduct

1.22 Section 5 of the bill would require the Minister for Transport to establish an aviation industry code of conduct within 12 months of the commencement of the Act. The purpose of the proposed code of conduct would be to ensure the fair and proper treatment of passengers and that passengers reach their intended destination as booked.²¹

1.23 The proposed aviation industry code of conduct must provide for recourse for passengers 'in the event of improper conduct by carriers' and requires that a consistent definition of a ticket apply to all tickets issued by airlines. The

¹⁷ Airline Passenger Protections (Pay on Delay) Bill 2024 Explanatory Memorandum (EM), p. 3.

¹⁸ Senator the Hon. Bridget McKenzie, *Senate Hansard*, 27 February 2024, p. 514.

¹⁹ Airline Passenger Protections (Pay on Delay) Bill 2024, subcl. 4(1–2).

²⁰ Airline Passenger Protections (Pay on Delay) Bill 2024, subcl. 4(3).

²¹ Airline Passenger Protections (Pay on Delay) Bill 2024, subcl. 5(1–2).

definition of a ticket should include ‘the minimum rights which passengers and third parties are guaranteed when they purchase a ticket of carriage from a carrier’.²²

Aviation White Paper: Towards 2050

- 1.24 On 26 August 2024, the Australian Government released the *Aviation White Paper: Towards 2050* (the aviation white paper) which set out the government’s vision for Australian aviation towards the year 2050. The aviation white paper has a range of initiatives ‘to ensure a safe, competitive, productive and sustainable sector’.²³
- 1.25 The aviation white paper concluded that customer service standards have not returned to pre-COVID–19 levels, with ‘airline services remaining unreliable, and customers finding it too difficult to access the refunds and support to which they are entitled’. To address this, the aviation white paper advised that the Australian Government planned to establish an Aviation Industry Ombuds Scheme (ombuds scheme) and an Aviation Customer Rights Charter (the charter).²⁴
- 1.26 The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, said in a media release that the introduction of the ombuds scheme and the charter would boost consumer rights, increase competition and support regional and general aviation. Airlines would also have a new requirement to ‘show cause’ when flights are delayed or cancelled.²⁵

Aviation Industry Ombuds Scheme

- 1.27 The aviation white paper signalled the intention of the Australian Government to establish an Aviation Industry Ombuds Scheme before the end of 2024 and introduce legislation to enshrine the power of the Ombudsperson by 2026. The ombuds scheme would apply to domestic airlines operating within Australia, and international airlines flying to and from Australian airports. Proposed powers available to the ombudsperson include:
- providing external dispute resolution processes regarding airline and airport conduct;
 - setting specific remedies for customers issues that airlines and airports must abide by;

²² Airline Passenger Protections (Pay on Delay) Bill 2024, subcl. 5(4).

²³ DITRDCA, [Aviation White Paper: Towards 2050](#), August 2024, p. 4.

²⁴ DITRDCA, *Aviation White Paper: Towards 2050*, August 2024, p. 4.

²⁵ The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, [Media Release](#), 26 August 2024, (accessed 1 October 2024).

- providing information to the public on the obligations airports and airlines have to their customers; and
 - referring potentially illegal misconduct to the ACCC, with the possibility of investigation and enforcement ensuing.²⁶
- 1.28 The aviation white paper noted that similar ombuds schemes in the telecommunications, energy and water, financial services and aged care sectors have proved successful at handling large numbers of complaints.²⁷
- 1.29 In August 2024, a consultation paper was released and submissions opened to contribute to the policy design of the ombuds scheme. Consideration and drafting of the proposed legislation continues in 2025. In the meantime, an interim ombudsperson has been appointed from within the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) with a limited set of functions. The interim ombudsperson will focus on:
- drafting and consulting on the Aviation Customer Rights Charter;
 - reviewing and producing a report on aviation industry complaints handling; and
 - establishing systems and processes to respond to customer complaints about the aviation industry, with complaints handling expected to commence in 2025.²⁸
- 1.30 The department said that the complaints handling abilities of the interim ombudsperson will be limited initially, with greater scope to make decisions following the passage of legislation to support the independent ombuds scheme.²⁹

Aviation Customer Rights Charter

- 1.31 A focus of the new ombuds scheme will be the development of an Aviation Customer Rights Charter. The charter is being developed with the aim of defining the obligations that the aviation industry has to its customers.
- 1.32 The aviation white paper emphasised that the charter should set out what the ombudsperson considers to be fair and reasonable conduct by airlines and airports, and should include:
- customers entitlements to refunds for flights that are disrupted, cancelled or unreasonably delayed;
 - timely and accessible provision of refunds;

²⁶ DITRDCA, *Aviation White Paper: Towards 2050*, August 2024, p. 55.

²⁷ DITRDCA, *Aviation White Paper: Towards 2050*, August 2024, p. 55.

²⁸ DITRDCA, [Aviation Industry Ombuds Scheme](#) (accessed 6 March 2025).

²⁹ DITRDCA, *Aviation Industry Ombuds Scheme* (accessed 6 March 2025).

- the length of flight delays that would be considered unreasonable;
- circumstances that are considered reasonable for disruptions, delays and cancellations;
- accessible and timely communication with passengers to provide services in line with customer rights; and
- providing support to make alternative travel arrangements when flights are disrupted or cancelled.³⁰

1.33 On 22 December 2024, the Minister announced the release of the draft Aviation Customer Rights Charter.³¹ The department called for submissions on the scope and detail of the draft through a consultation process which closed on 28 February 2025.³² The charter is expected to be finalised later in 2025.³³

Consideration by other parliamentary committees

1.34 When examining a bill, the committee considers any relevant comments made by the Senate Standing Committee for the Scrutiny of Bills (Scrutiny Committee) and the Parliamentary Joint Committee on Human Rights (Human Rights Committee).

Scrutiny Committee consideration

1.35 In its Scrutiny Digest 4 of 2024, the Scrutiny Committee raised potential scrutiny concerns relating to the inclusion of significant matters in delegated legislation. The relevant provisions within the legislation are Subclause 4(1) and 5(1) which rely on the minister making rules within 12 months of the commencement of the act for carriers' obligations and aviation industry code of conduct respectively.³⁴

1.36 The Scrutiny Committee considers that leaving significant elements of a legislative scheme to delegated legislation may considerably limit the ability of Parliament to exercise appropriate oversight of legislative schemes.

Human Rights Committee consideration

1.37 The Human Rights Committee had no comment on the bill.³⁵ However, the statement of compatibility with human rights contained in the Explanatory

³⁰ DITRDCA, *Aviation White Paper: Towards 2050*, August 2024, p. 55.

³¹ The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, [Media Release](#), 22 December 2024, (accessed 23 December 2024).

³² DITRDCA, [Have your say on the draft Aviation Customer Rights Charter](#), 21 December 2024 (accessed 6 March 2025).

³³ DITRDCA, *Aviation Industry Ombuds Scheme* (accessed 6 March 2025).

³⁴ Scrutiny Committee, *Airline Passenger Protections (Pay on Delay) Bill 2024*, *Scrutiny Digest 4 of 2024*, 20 March 2024, p. 16.

³⁵ Parliamentary Joint Committee on Human Rights, *Human Rights Scrutiny Report 2 of 2024*, 20 March 2024, p. 2.

Memorandum concluded that the bill is compatible with the 'human rights and freedoms recognised or declared in the international instruments listed in Section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*'.³⁶

³⁶ Explanatory Memorandum, p. 4.

Chapter 2

Views on the bill

- 2.1 This chapter considers inquiry participants' views on the provisions of the *Airline Passenger Protections (Pay on Delay) Bill 2024* (the bill). Inquiry participants were generally supportive of the need for strong passenger protections in Australia's aviation industry. However, concerns were raised about whether the bill will be effective in meeting its stated aims and whether it places undue burden on airlines.
- 2.2 The chapter begins by examining some of the evidence received in favour of the bill before turning to views from airlines and their representative groups about how the bill might negatively affect them and the broader aviation industry.
- 2.3 The chapter concludes with the committee's views and recommendation.

Issues for consumers in the Australian aviation industry

- 2.4 The COVID-19 pandemic heightened a range of issues in Australia's aviation industry, particularly in relation to passenger protections. One submitter stated that they now 'feel anxious' that their travel plans may suddenly change because of disruptions caused by the airline, but that 'consumers have limited choice' to book with different carriers due to the airline duopoly in Australia.¹ Another submitter highlighted the 'painful experiences' caused by airlines in Australia and how there is no accountability for distress caused to passengers:

Everything is done to avoid responsibility for any of their actions and they simply get away with it as most people just give up trying to talk to them. Other businesses in Australia would be dragged through the coals if they acted in the same manner so why should airlines be allowed to operate the way they do?²

- 2.5 Current airline compensation policies were criticised for being too narrow, only focusing on an individual flight, rather than the entire itinerary of a traveller. Mr Robert Woodbridge expressed frustration that an entire trip could be impacted by one cancelled or delayed flight, causing 'no end of constant rearrangements'. Mr Woodbridge lamented that 'failures in operations' have negatively impacted him through the constant rearrangement of 'connecting flights with other airlines, additional accommodation, car hire...[and] bad stress'.³

¹ Ms Samantha Roberts, *Submission 11*, pp. 1–2.

² Mr Mark Stevenson, *Submission 12*, pp. 1–2.

³ Mr Robert Woodbridge, *Submission 13*, p. 2.

- 2.6 Although customers have certain rights afforded to them under Australian Consumer Law (ACL) and respective airline policies, Mr Adam Glezer—who goes by the moniker ‘Consumer Champion’—highlighted that Australia’s passenger protections are lacking in comparison to other countries. Mr Glezer noted that customers have limited options when trying to escalate a complaint and that one of the only options available, the Airline Consumer Advocate (ACA), is ‘funded by the airlines and is therefore not impartial in resolving consumer complaints’. According to Mr Glezer, the ACA ‘does very little more than give Australian consumers a false sense of security’ that they are supported and will get a fair result in disputes with the airlines.⁴
- 2.7 Lack of transparency and access to information on refunds in the case of delays and cancellations was an issue raised by multiple stakeholders.⁵ AirHelp, an international online service that helps passengers seek compensation, emphasised that a lack of transparency restricts customers’ understanding of the compensation process and that ‘if passengers don’t know they have rights, they can’t use them’.⁶
- 2.8 Ms Victoria Roy, Chair, Travel Law Special Interest Group, Australian Lawyers Alliance (ALA), made the point that ACL is ‘vague and complex to navigate’. She expressed concern that the Aviation Customer Rights Charter currently in development will run alongside ACL and remain unclear to the average consumer. According to Ms Roy, ‘there’s no simple, affordable way in Australia for air passengers to actually enforce the few rights they do have’. She argued that ACL requires service providers to make refunds in a timely manner, but ‘airlines and consumers both have very different views of what reasonable time is’.⁷
- 2.9 Although airlines currently have compensation policies in place, and customers are protected by consumer law, the ability for these mechanisms to protect customers has been limited.

Support for the bill

- 2.10 The committee heard evidence from passengers, consumer advocates and industry groups strongly in favour of increased passenger protections in the aviation industry. Supporters of the bill felt that dedicated regulations which set clear standards of passenger protection would better hold airlines accountable for their performance and result in positive outcomes for affected consumers.

⁴ Mr Adam Glezer – Consumer Champion, *Submission 17*, pp. 2–3.

⁵ Australian Lawyers Alliance (ALA), *Submission 2*, p. 24; AirHelp, *Submission 22*, p. 3.

⁶ AirHelp, *Submission 22*, p. 5.

⁷ Ms Victoria Roy, Chair, Travel Law Special Interest Group, ALA, *Proof Committee Hansard*, 17 March 2025, pp. 9–10.

2.11 AirHelp was supportive of dedicated regulation that would set clear standards of passenger protection for all carriers operating in Australian airspace. It submitted that ensuring airlines treat their customers with ‘care and dignity’ is of paramount importance and that any regulations should be succinct and simple to understand for passengers who simply want to know what assistance they are entitled to. AirHelp made the following recommendations for obligations that should be made under the proposed carrier rules:

- set compensation amounts that rise depending on severity of delay or cancellation;
- prohibit the use of flight vouchers as compensation;
- place the burden of proof on airlines to show that they were not at fault for a disruption;
- offer passengers the option of continuing their journey or receiving a refund; and
- allow adequate time to make a claim following a delay or cancellation.⁸

2.12 Mr Glezer submitted that the only way to enact change in the aviation industry is to force airlines to act properly. He felt that this bill would provide protection that is currently lacking in the industry:

If deterrents aren’t put in place for the airlines, nothing will change. The lack of competition in the Australian aviation industry makes these protections even more important as consumers have very limited options, even if they’ve been wronged by an airline. Consumer Protection when it comes to Aviation has to be taken seriously. Nothing has happened in this space for way too long and action in this area that affects millions of Australians is well overdue.⁹

2.13 Mr Glezer listed two main changes that he believed were needed to protect Australian consumers: the automatic right to a refund for all airline cancellations; and the right to compensation for delayed and cancelled flights when it is within the airline's control. Mr Glezer noted that, living in a geographically large country, ‘Australians rely on airlines to get to destinations’ on time and that ‘significant delays and last-minute cancellations are a great inconvenience and can prove to be very costly’.¹⁰ He supported a compensation scheme similar to the one used in the European Union (EU) and addressed concerns that such a scheme could result in higher fares:

We need a 261-like system; that's what they have over in Europe. The airlines, for example, are saying that it's going to cost a significant amount. What I can tell you...is that Eurocontrol data from 2022 shows that the estimated cost of compensation per passenger across the EU and [United Kingdom] was between 60c and US\$1.20. Despite the scare tactics that are

⁸ AirHelp, *Submission 22*, pp. 4–6.

⁹ Mr Adam Glezer – Consumer Champion, *Submission 17*, p. 4.

¹⁰ Mr Adam Glezer – Consumer Champion, *Submission 17*, p. 1.

used by the airlines, saying that it's going to go up significantly, there's absolutely no evidence that it will lead to a price rise of any note to consumers. Have a look in Europe. The prices are extraordinarily competitive.¹¹

- 2.14 Evidence received from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department/DITRDCA) indicated that fares in the EU had risen by \$4 to \$16 per ticket as a result of the compensation scheme in place there.¹²
- 2.15 The Australian Travel Industry Association (ATIA) commended the bill for focusing on fair and transparent standards in the aviation industry and made it clear that the 'right frameworks need to be in place to better incentivise airlines to invest' in customer service across their operations. ATIA was particularly supportive of the simplification of refund rights and the requirement to process refunds in a timely manner. ATIA said that the change would benefit travel agents who currently must navigate the terms and conditions of airlines to provide their customers with refunds on behalf of the airlines. This issue was heightened during the COVID-19 pandemic when airlines deactivated the refund function available in the travel agent booking system, and instead prioritised those refunds that were booked directly through the airline.¹³
- 2.16 Mr Dean Long, Chief Executive Officer, ATIA, explained that this bill, and other measures currently in development in response to the Australian Government's (the government) *Aviation White Paper: Towards 2050* (the aviation white paper), would aid in shifting the burden of delays and cancellations from consumers to airlines:

At the moment, the airlines can create greater profits by maximising fleet usability by cancelling and moving things around. At the moment, the economic loss is occurring with the consumer, the travel agent, the corporate travel management company et cetera. Whoever that might be, they're bearing the cost of that, not the airline. What both bills are looking at, including not only the one we're talking about today—pay-on-delay—but also some of the outcomes of the white paper, are how you build an economic impact for the airlines to try to drive behaviour. It will be a small quantum, but that can be enough, particularly in a highly competitive market, where you can get some better outcomes... I think what we need to have a look at is how we create that economic cost for the airline to offset the idea that we can do this with no economic cost to the bottom line.¹⁴

¹¹ Mr Adam Glezer, Owner, Consumer Champion, *Proof Committee Hansard*, 17 March 2025, p. 8.

¹² Ms Jennifer Stace, Acting First Assistant Secretary, Domestic Aviation and Reform, Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA), *Proof Committee Hansard*, 17 March 2025, p. 29.

¹³ Australian Travel Industry Association (ATIA), *Submission 19*, pp. 1–2.

¹⁴ Mr Dean Long, Chief Executive Officer, ATIA, *Proof Committee Hansard*, 17 March 2025, p. 17.

- 2.17 The ALA expressed its support for the bill's aim to establish carrier obligations to 'hold airlines accountable'.¹⁵ However, it argued that there needs to be greater passenger protections in the form of a Passenger Bill of Rights. ALA emphasised that, in order to properly protect consumers, 'these rules should be mandatory legislative provisions', and that any new code of conduct would need to be made mandatory for it to have any real effect.¹⁶
- 2.18 The Justice and Equity Centre (JEC) argued that protections for passengers with disabilities should be specifically referenced in the bill. JEC made the point that passengers with disabilities often need to make more extensive preparations than other travellers to ensure their needs are met, including by hiring support persons or obtaining advance permissions to carry health equipment. These preparations are hard to make on short notice in the event of a delay or cancellation.¹⁷ Given the particularly difficult circumstances for passengers with disabilities, JEC made the following recommendation:
- Subsections 4(2) and 5(2) of the Bill should be amended to specifically include 'people with disability and their representative organisations' among stakeholders that must be consulted in the development of the Bill's proposed carriers obligation rules and aviation industry code of conduct.¹⁸
- 2.19 JEC concluded that 'the only way governments can ensure any consumer protection scheme meets the needs of people with disability is by designing those systems with people with disability' and that consultation alone would not be sufficient. Full co-design of the relevant systems will be required.¹⁹
- 2.20 The Transport Workers Union's (TWU) highlighted the poor treatment of employees by the aviation industry during the COVID-19 pandemic, with approximately 13 500 people losing their jobs. Since pandemic restrictions have been lifted, the TWU advised that airlines have been 'outsourcing' ground staff roles, like baggage handling, to third parties, and drew a correlation between these changes to the workforce and airlines' decreased reliability. The TWU emphasised that improved job security in the aviation sector was needed to improve reliability, performance and passenger experience.²⁰

Concerns with the bill

- 2.21 Airlines and their representative organisations acknowledged that flight delays and disruptions are a frustrating experience for passengers, and that such

¹⁵ ALA, *Submission 2*, p. 5.

¹⁶ ALA, *Submission 2*, p. 9.

¹⁷ The Justice and Equity Centre (JEC), *Submission 20*, p. 8.

¹⁸ JEC, *Submission 20*, p. 9.

¹⁹ JEC, *Submission 20*, p. 9.

²⁰ Transport Workers Union, *Submission 10*, p. 3.

occurrences are a challenge across the globe.²¹ However, many submitted that the bill will not alleviate these issues and that 'there is no evidence that prescriptive, aviation-specific regimes deliver improved performance in terms of delays or cancellations'.²²

- 2.22 Virgin Australia submitted that it believed that 'ACL is fit-for-purpose as it provides a comprehensive framework for consumers including guaranteed rights and appropriate compensation'. Virgin Australia advised that airlines already provide their own compensation policies in addition to ACL, and that a Passenger Bill of Rights, pay-on-delay scheme or fixed compensation regime of any kind would not meet 'the intention of the proposed bill'.²³
- 2.23 Virgin Australia emphasised that airlines face intense competition in Australia and are already incentivised to ensure they meet consumer guarantee obligations.²⁴ The Association of Asia Pacific Airlines (AAPA) agreed, noting that on-time performance is an advantage in such a competitive marketplace. AAPA argued that a delay in a particular flight could have a downstream effect of further delays in an airline's network, resulting in increased operational costs and inconvenience to passengers. Airlines, it argued, already strive to avoid this.²⁵
- 2.24 Qantas agreed that ACL is sufficient to regulate the aviation industry and made the point that any regulatory mechanisms that force airlines to fly could have unintended safety consequences. While noting that 'safety will always be our first priority', Qantas submitted that economic penalties for delays 'would put undue pressure on critical operational and safety functions and could lead to poor safety practices across the entire aviation industry'.²⁶ Mr Markus Svensson, Chief Executive Officer, Qantas Domestic, told the committee that Qantas supported the Aviation Industry Ombuds Scheme, but that incentives for airlines to avoid delays and cancellations already exist:

We support the Aviation Industry Ombuds Scheme and the charter, and we're happy to work with the government in developing these ones. When it comes to cancellations, I can't stress the point enough...nobody wants to cancel a flight. It's not good for the customer; it's not good for operations. You can ask the Virgin team. You can ask any of the other airlines you want.

²¹ Airlines for Australia and New Zealand (A4ANZ), *Submission 3*, p. 2; Virgin Australia, *Submission 4*, p. 1.

²² International Air Transport Association (IATA), *Submission 7*, p. 1.

²³ Virgin Australia, *Submission 4*, p. 2.

²⁴ Virgin Australia, *Submission 4*, p. 2.

²⁵ Association of Asia Pacific Airlines (AAPA), *Submission 18*, p. 2.

²⁶ Qantas, *Submission 24*, p. 2.

Nobody wants to cancel flights. There's absolutely no incentive for us to cancel flights.²⁷

- 2.25 The Regional Aviation Association of Australia (RAAA) warned that imposing penalties for delays or cancellations could have adverse effects on services to regional communities.²⁸ This point was also raised by Rex Airlines, which illustrated how such a scheme could impact regional airlines that run on thin margins:

Rex could not afford to pay customers for delays on regional routes as its margins are too small. The provision of regional air services is challenging for a number of unique reasons. For example, nearly all regional airports do not have licensed aircraft maintenance engineers on site. If an aircraft has a technical issue, Rex must organise engineers from a metropolitan hub, in addition to a recovery flight to get passengers to their final destination. The cost of such disruptions must be absorbed by Rex. Similarly, the airline cannot afford to compensate for hotel accommodation because, in most instances one hotel room costs more than the ticket.²⁹

- 2.26 To address this issue, RAAA suggested that 'any new scheme should consider the type of airline operation and the locations they are operating to' in order to protect regional services. This could be done by excluding certain airline operators or locations from any proposed scheme.³⁰

Issues outside of airline control

- 2.27 The primary reason for opposition to the bill from airlines and their representatives was the potential for airlines to be penalised for factors that are outside of their control. Adverse weather, air traffic control issues, airport infrastructure and passenger management were all raised as considerations for flight delays that are not directly attributable to air carriers.³¹
- 2.28 Qantas argued that the aviation industry is 'an intricate ecosystem with multiple dependencies', and that performance depends on the entire ecosystem—including airlines, air traffic control, border agencies, travel agents and airports—working together seamlessly. Without acknowledging the complexity of the industry, Qantas argued, the bill 'will not achieve its intended outcome as it will do nothing to address systemic issues to further reduce delays or cancellations'.³²

²⁷ Mr Markus Svensson, Chief Executive Officer, Qantas Domestic, *Proof Committee Hansard*, 17 March 2025, p. 4.

²⁸ Regional Aviation Association of Australia (RAAA), *Submission 8*, p. 7.

²⁹ Rex, *Submission 6*, p. 2.

³⁰ RAAA, *Submission 8*, p. 7.

³¹ RAAA, *Submission 8*, pp. 2–4.

³² Qantas, *Submission 24*, p. 2.

- 2.29 Airlines for Australia and New Zealand (A4ANZ) explained that the primary cause for flight delays is adverse weather. A4ANZ advised that up to 75 per cent of all flight delays can be attributed to poor weather, particularly in Australia where storms, flooding and cyclones are not uncommon.³³ AAPA agreed, saying that ‘there may be safety reasons for delays, and no air carrier would operate in conditions where safety may be called into question’.³⁴
- 2.30 Issues with air traffic control and the performance of Airservices Australia were also cited as reasons for delays that airlines could not influence. Rex Airlines noted that ongoing operational disruptions at Airservices Australia had resulted ‘in a cascading effect of flight delays and cancellations across the country’. Unplanned absences and staff shortages have led to restricted flights and landings.³⁵
- 2.31 Virgin Australia reported that the aviation industry’s ability to recover from the COVID-19 pandemic was impeded by a large turnover of experienced personnel in the aviation industry, including pilots and air traffic controllers.³⁶ The International Air Transport Association (IATA) stated that Airservices Australia, who train and employ air traffic controllers, was responsible for 16.2 per cent of ground delay minutes in December 2023. Disruptions such as these to an airline’s supply chain impact airline performance, with IATA believing that airlines are unfairly blamed rather than examining the wider aviation industry. IATA expressed frustration that, although these issues are outside of an airline’s control, airlines are often regarded as the responsible party for compensating passengers for such events.³⁷
- 2.32 To account for the intricate and interconnected nature of the aviation industry, A4ANZ cautioned that any ombuds scheme in development to protect passengers should be focused on being an aviation ombudsman ‘not just [an] airline ombudsman’. Airlines are a part of a complex aviation industry, and A4ANZ believed that airports, travel agents and other service providers should also be covered by any scheme or code of conduct to ensure shared accountability.³⁸ Mr Stephen Beckett, General Manager, Government and Industry Affairs, Virgin Australia, concurred, arguing that all levels of the aviation industry need to be included in any prospective solution:

³³ A4ANZ, *Submission 3*, p. 3.

³⁴ AAPA, *Submission 18*, p. 2.

³⁵ Rex, *Submission 6*, p. 2.

³⁶ Virgin Australia, *Submission 4*, p. 1.

³⁷ IATA, *Submission 7*, p. 1.

³⁸ A4ANZ, *Submission 3*, p. 5.

Part of what we're talking about is that there are many participants in the aviation ecosystem that need to be captured, whether we're looking at an ombuds scheme or improving customer rights. One of the things that we did provide to the government about the ombuds scheme was the number of participants left out of the system. Those airports with fewer than a million passengers aren't covered by the scheme. Travel agents aren't covered by the scheme, and we've all seen countless examples of somebody not being able to board a flight, because a travel agent has spelt a middle name wrong or got the details wrong, and that customer being left out of pocket. One of the things we think is that everybody—air services, airlines and airports—needs to be part of the solution.³⁹

- 2.33 AAPA suggested that 'compensation-based regimes are blunt instruments that ignore the fundamental causes of delays and cancellations' and that it was unfair to burden airlines alone with penalties.⁴⁰ A4ANZ also cautioned against overreacting to delays and cancellations, warning that any regulatory response should be proportionate to the scale of the problem, based on evidence of what actually works and focused on outcomes, including reduced disruption, better complaints handling and affordable fares.⁴¹

Efficacy of international compensation schemes

- 2.34 Supporters of the bill cited the use of compensation schemes in other jurisdictions as examples of how similar regulatory mechanisms could be used in Australia. However, opponents of the bill argued that these international schemes do not achieve their desired outcome and, in some cases, can even make conditions worse for passengers.
- 2.35 A4ANZ noted that, since the introduction of the EU261 compensation regime in use in the EU, customer complaints have increased, and fares have risen to account for possible penalties. Similar increases have been noted elsewhere, including in Canada where the introduction of consumer protection regulations resulted in a large backlog of unresolved compensation complaints.⁴² Mr Beckett told the committee that, despite billions of dollars being made payable in penalties, cancellations have also risen in the EU:

With the situation in the EU and Canada, at one time in the EU, we've seen about \$9 billion in compensation being made payable to customers. At the same time, we've seen almost a doubling in the number of cancellations. The type of performance that you're looking to improve is connected not to what

³⁹ Mr Stephen Beckett, General Manager, Government and Industry Affairs, Virgin Australia, *Proof Committee Hansard*, 17 March 2025, p. 6.

⁴⁰ AAPA, *Submission 18*, pp. 2–3.

⁴¹ A4ANZ, *Submission 3*, p. 5.

⁴² A4ANZ, *Submission 3*, p. 1.

is paid and what's not paid but to the root causes of delays and cancellations, such as weather, air traffic control, engineering, people being sick et cetera.⁴³

- 2.36 A4ANZ expressed its belief that it is 'highly likely' that the costs of a compensation scheme would place upward pressure on airfares and impact scheduling, thereby reducing access and choice for consumers. It stated that where it is not possible to pass on the costs to passengers through higher ticket prices—generally due to competitive factors—regulation costs are internalised by airlines and manifest in reduced service. The impact is greater on less-utilised regional routes—a particular concern in the context of the Australian aviation industry.⁴⁴
- 2.37 AAPA argued that there is 'no evidence that these aviation-specific schemes have successfully reduced the number of flight delays or cancellations in their respective jurisdictions'. It pointed out that the *Montreal Convention 1999*⁴⁵, to which Australia is a signatory, sets out the obligations and liability limits of airline carriers. Rather than introducing a defined compensation scheme, it instead urged the government to 'fully align its regulatory initiatives with the principles and guidelines enshrined in such international conventions'.⁴⁶
- 2.38 Virgin Australia expressed its belief that compensation schemes could result in adverse conditions for passengers. It advised that 'automatic, blunt penalty regimes like the EU's passenger compensation scheme risk leading to increased fares, but not necessarily improved customer outcomes or operational performance'.⁴⁷ Qantas agreed, saying that 'these schemes do not deliver better outcomes for consumers in terms of reduced delays and cancellations and they increase the cost of travel'. Additionally, Qantas noted that the inflationary effect on ticket prices could have significant implications for low-cost carriers. This would likely have a particularly negative effect on economically marginal routes in Australia's regional network.⁴⁸
- 2.39 IATA asserted that compensation schemes like those used internationally 'do not comply with the basic principles or objectives of good policymaking'. In its view, customer protection regulation should be used to create incentives for airlines to operate in the consumer's interest. Compensation schemes that

⁴³ Mr Beckett, Virgin Australia, *Proof Committee Hansard*, 17 March 2025, p. 6.

⁴⁴ A4ANZ, *Submission 3*, p. 4.

⁴⁵ The Montreal Convention 1999 establishes airline liability in the case of death or injury to passengers, as well as in cases of delay, damage or loss of baggage and cargo. It is designed to be a single, universal treaty to govern airline liability around the world.

⁴⁶ AAPA, *Submission 18*, p. 2.

⁴⁷ Virgin Australia, *Submission 4*, p. 2.

⁴⁸ Qantas, *Submission 24*, p. 2.

penalise airlines do not incentivise airlines to reduce delays and cancellations, as carriers already have strong economic incentives to operate on-time.⁴⁹

Current initiatives to protect aviation consumers

2.40 The government is already taking action to address the concerns expressed by inquiry participants in favour of increased passenger protections in the aviation industry. In response to the aviation white paper, the government has commenced work to establish an Aviation Industry Ombuds Scheme (ombuds scheme) and an Aviation Customer Rights Charter (the charter).

2.41 Mr Steve Weber, Acting Assistant Secretary, Aviation Industry Ombuds Scheme, DITRDCA, advised that the charter would include six overriding principles for the protection of passengers including:

- the right to be treated with dignity and respect in an accessible and inclusive environment;
- the right to accurate, timely and accessible information and customer service;
- the right to prompt and fair remedies and support during and after cancellations, delays and disruptions;
- the right to safe and timely baggage handling and fair remedies for damage and delays;
- the right to the protection of their personal information; and
- the right to provide feedback, make complaints and exercise their rights without retribution.⁵⁰

2.42 Mr Weber confirmed that the draft charter would ‘[go] into more detail about what we would expect for each of those rights’.⁵¹

2.43 Mr Benjamin Meagher, Assistant Secretary, Sydney Airport Slots and Consumer Aviation Reforms, DITRDCA, assured the committee that the establishment of the ombuds scheme and the charter would create the regulatory framework for compliance and enforcement of passenger rights. He advised of the scope of the new reforms and relayed that enforcement will be part of the final legislation:

In drafting the legislation, we're looking at how the system can be structured to incentivise compliance; how decisions can be enforced—looking at constitutional powers of the Commonwealth—and implications for different entities; what inquiry and remedy powers would look like; and what appropriate penalties would be for noncompliance with the powers—for example, not cooperating with requests for information or investigating consumer complaints or not meeting the obligations within the charter.

⁴⁹ IATA, *Submission 7*, p. 1.

⁵⁰ Mr Steve Weber, Acting Assistant Secretary, Aviation Industry Ombuds Scheme, DITRDCA, *Proof Committee Hansard*, 17 March 2025, p. 29.

⁵¹ Mr Weber, DITRDCA, *Proof Committee Hansard*, 17 March 2025, p. 29.

We'll look at the government's civil penalties framework for what appropriate penalty rates would be.⁵²

- 2.44 Mr Rami Greiss, Executive General Manager, Consumer and Fair Trading Division, Australian Competition and Consumer Commission (ACCC), noted that there is already a right for consumers to seek compensation from companies for failure to comply with the consumer guarantees. However, the issue is that the onus is on the consumer to pursue that compensation. This is particularly difficult to do when facing large corporations, like airlines. Mr Greiss indicated that the ACCC believed an ombuds scheme would 'provide a framework in which it is easier to understand the mutual obligations both of the consumer, in terms of pursuing those rights, and of the business, in terms of a framework to provide quantified amounts of compensation'.⁵³
- 2.45 Ms Jennifer Stace, Acting First Assistant Secretary, Domestic Aviation and Reform, DITRDCA, noted that the legislation would also include additional arrangements that would allow for the compulsory provision of information. Such a measure would allow the government to strengthen reporting and transparency arrangements, including by introducing a requirement for airlines to 'show cause' on the reasons for delays and cancellations. Although court action is an option under the draft scheme and charter, 'the intention is that that's a last point of call and that the independent framework would help resolve disputes'. Ms Stace emphasised that the introduction of the ombuds scheme and charter 'would set out those obligations and expectations for the industry which don't currently exist'.⁵⁴

Committee view

- 2.46 The committee thanks all organisations and individuals for their engagement with the inquiry. The committee acknowledges the distress and inconvenience that passengers suffer as a result of cancellations and delays to flights.
- 2.47 The Australian Government has long been aware of the issues with consumer protection in the aviation industry and has been proactive in addressing them. The *Aviation White Paper* chartered a way forward in strengthening Australia's aviation industry for the future, including in the protection of rights for passengers and consumers.
- 2.48 Key elements of this pathway are the Aviation Industry Ombuds Scheme and Aviation Customer Rights Charter which will strengthen the regulatory framework for compliance and enforcement of passenger rights. These

⁵² Mr Benjamin Meagher, Assistant Secretary, Sydney Airport Slots and Consumer Aviation Reforms, DITRDCA, *Proof Committee Hansard*, 17 March 2025, p. 29.

⁵³ Mr Rami Greiss, Executive General Manager, Consumer and Fair Trading Division, Australian Competition and Consumer Commission, *Proof Committee Hansard*, 17 March 2025, pp. 21–22.

⁵⁴ Ms Stace, DITRDCA, *Proof Committee Hansard*, 17 March 2025, pp. 28–29.

measures will establish a clear and transparent enforcement and complaints handling process that will empower consumers in their dealings with airline carriers.

- 2.49 The committee endorses the principles included in the draft Aviation Customer Rights Charter. The introduction of the charter will see passengers treated with dignity and respect, and provide fair remedies and support during and after cancellations, delays and disruptions.
- 2.50 While the committee acknowledges that this bill seeks to improve customer protections, the committee believes that its provisions duplicate work that the government already has well underway. The obligations provided for in this bill ignore wider issues and factors that affect flights in Australia and could result in negative unintended consequences, particularly for rural and regional Australia. As such, this bill is not the appropriate means for improving Australian aviation.
- 2.51 The committee supports the work currently being undertaken by the government to strengthen passenger protections and believes this is the best approach to maintain healthy consumer-airline relationships into the future.

Recommendation 1

- 2.52 The committee recommends that the Senate does not pass the bill.**

Senator Glenn Sterle
Chair

Dissenting report from Coalition Senators

Introduction

- 1.1 Coalition Senators thank all people and organisations who participated in this inquiry, including those who attended the public hearing on 17 March 2025.
- 1.2 Evidence to the inquiry shows that the Airline Passenger Protections (Pay on Delay) Bill 2024 (the bill) is a necessary and overdue reform that places the rights of Australian airline passengers front and centre.
- 1.3 The Albanese Government has failed to address the systemic issues in aviation and ensure that passengers are treated with dignity and respect when travelling by air. This bill reflects the Coalition's firm policy commitment to restore fairness, transparency and accountability to a sector where consumer confidence has been eroded.
- 1.4 There has been a steep change in the level of flight cancellations and delays—and therefore a severe reduction in customer service experience—under the Albanese Government compared to the long-term average performance prior to the COVID-19 pandemic.
- 1.5 According to the Bureau of Infrastructure and Transport Research Economics (BITRE) the long-term average rate of cancellations pre-pandemic was 1.5 per cent and the average of delayed flights (arrivals delayed by more than 15 minutes) was 17.8 per cent.¹
- 1.6 Flight cancellations and delays hit a peak of 39.5 per cent in December 2023 (BITRE), representing two in every five flights being cancelled or delayed. Economy airfares have also surged under Labor, peaking at 53.1 per cent higher in October 2024 compared to prices when the Albanese Government was elected.
- 1.7 Under the Albanese Government almost one in three flights have been cancelled or delayed.
- 1.8 There have been almost 50 000 flights cancelled at a rate of 3.4 per cent and more than 400 000 flights delayed at a rate of 28.7 per cent. These official statistics reveal a 126 per cent increase in cancellations and 61 per cent increase in delays compared to pre-COVID long term average levels.
- 1.9 The need to act to protect Australian travellers could not be clearer.
- 1.10 The Coalition has introduced this bill to seek to legislate clear, enforceable rights that recognise the power imbalance between consumers and dominant airline carriers, and to restore fairness to Australia's aviation system. The bill is

¹ Bureau of Infrastructure and Transport Research Economics (BITRE), [Aviation: Domestic airline on time performance 2019](#), p. 1.

essential to address longstanding market failures in the aviation sector, which have seen consumer rights routinely disregarded with little consequence.

- 1.11 This inquiry, and other similar Senate inquiries, have heard from a significant number of individuals who have long suffered from cancellations and delays across the sector. Senators have heard many personal stories of poor customer service, inconsistent airline policies, ineffective consumer laws and inadequate policing of complaints.
- 1.12 The urgency of this legislation is underscored by the continued prevalence of delays, cancellations, and poor treatment of passengers in a heavily concentrated airline market under the Albanese Government. Despite repeated warnings from consumers, regulators, and advocates, the Albanese Government has offered a lacklustre and delayed response to these systemic issues—proposing instead a Charter and Ombuds scheme that are intended to operate in tandem, but neither the legislative instruments nor enforcement mechanisms will be in place until 2026, and it remains unclear who will be responsible for enforcing passengers’ rights.
- 1.13 The Pay on Delay bill is not only timely, but necessary to rebalance the relationship between passengers and carriers and to restore trust in the aviation sector.

The bill

- 1.14 The Chair’s report, endorsed by Labor Senators on the committee, fails to adequately reflect the weight of evidence provided to the inquiry or engage with the full scope and intent of the bill.
- 1.15 The bill directs the Minister to establish a legislated and enforceable framework that guarantees automatic compensation for airline passengers affected by significant flight delays, cancellations where those issues have been within the control of the airline, lost or delayed baggage, and instances of being denied boarding. It also sets out a requirement to create a set of mandatory standards for customer care during disruptions, including provisions for food, accommodation, and communication during long delays, and requires airlines to offer timely refunds or rebooking options.
- 1.16 Additionally, the bill includes protections for vulnerable passengers such as mandatory seating proximity for children under 14 and mandates the creation of an aviation industry code of conduct to ensure consistency and fairness across the sector.
- 1.17 It responds to widespread, documented consumer dissatisfaction, systemic market failure in Australia’s domestic aviation sector, and a lack of enforceable remedies under existing consumer law.
- 1.18 After three years in office, the Albanese Government’s alternative approach is still under development. While the inquiry heard that the Albanese Government

intends for the Charter to be legally binding, officials from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) could not advise the committee who would enforce it or how, and did not rule out individuals having to take legal action at their own expense, as exists today under Australian Consumer Law. This uncertainty further underscores the need for clear legislative action.

Albanese Government's overdue aviation response

- 1.19 The Albanese Government's response to these challenges has been appalling.
- 1.20 After nearly three years in office, the lengthy Aviation White Paper process has so far produced no tangible improvements for airline passengers. Instead, the result has been a further two-year delay to any meaningful passenger rights scheme.
- 1.21 The Government's clear preference for protecting incumbent players, particularly Qantas, was evident in its refusal to approve Qatar Airways' request to operate additional services into Australia—only for Qatar to later acquire a stake in Virgin Australia and begin operating those flights anyway.
- 1.22 The Albanese Government also refused to scrutinise the conduct of former Qantas CEO Alan Joyce at a time when the airline's practices were subject to public outrage and regulatory investigation. These decisions reflect a pattern of protecting dominant market players at the expense of consumers.
- 1.23 The Pay on Delay bill offers the only comprehensive and enforceable alternative to this inaction.
- 1.24 After three years in office, the Albanese Government's alternative approach is lacking in any detail, doesn't have a start date and at best won't be in operation until 2026.
- 1.25 The Government advised the committee that its forthcoming Aviation Customer Rights Charter (the charter) will be made binding. However, officials from the Department were unable to advise the committee what rights passengers held beyond the published six principles that give no clarity, who would enforce the charter or how penalties would be applied in practice.
- 1.26 In a submission to the charter consultation process, CHOICE stated that the charter 'may be weaker than existing consumer protections under the Australian Consumer Law, such as consumer guarantees, or the airlines' own policies' and 'lacks the necessary clarity'.²

² CHOICE, [Submission - Aviation Customer Rights Charter](#), March 2025, p. 4.

- 1.27 Submissions from the ALA and the Justice and Equity Centre argued persuasively that the charter will not address systemic gaps without a clear enforcement regime.³
- 1.28 The Albanese Government's proposed Aviation Industry Ombuds is not yet legislated and currently operates under interim arrangements with limited powers.
- 1.29 The acting ombuds position is vacant, and even when appointed, the scheme cannot make binding decisions or impose penalties until 2026 at the earliest.
- 1.30 The ombuds' role in enforcing the charter remains unclear.
- 1.31 Submissions highlighted this ambiguity as a serious shortcoming of the Albanese Government's plans.

The case for action

- 1.32 This bill would not be necessary if the Albanese Government in its three years in office, had acted to address the substantial concerns of Australian travellers.
- 1.33 The Chair's report acknowledges a significant increase in airline cancellations and delays since the COVID-19 pandemic. In 2023 alone, 29.4 per cent of all flights were delayed, and 3.7 per cent were cancelled—well above the pre-pandemic averages of 17.8 per cent and 1.5 per cent, respectively.⁴ Airline performance has not rebounded to pre-pandemic levels, competition has declined with the exit of three major domestic carriers (Tiger, Rex and Bonza) and consumers face repeated disruptions with little recourse.
- 1.34 The Australian Competition and Consumer Commission (ACCC) confirmed in evidence that, while experiences vary, and some improvements have been made since the end of the pandemic, consumer complaints and dissatisfaction are ongoing, especially in relation to achieving quick and meaningful resolutions.⁵
- 1.35 The Australian Consumer Law has proven inadequate in providing timely and enforceable remedies for affected passengers. As highlighted in multiple submissions, including those from CHOICE⁶, the Australian Lawyers Alliance (ALA)⁷, and individual consumers⁸, obtaining refunds or compensation under

³ Australian Lawyers Alliance (ALA), *Submission 2*, pp. 31–32; The Justice and Equity Centre, *Submission 20*, pp. 9–10.

⁴ BITRE, *Aviation: Domestic airline on time performance 2019*, p. 1.

⁵ Mr Rami Greiss, Executive General Manager, Consumer and Fair Trading Division, Australian Competition and Consumer Commission (ACCC), *Proof Committee Hansard*, 17 March 2025, p. 20.

⁶ CHOICE, *Submission - Aviation Customer Rights Charter*, March 2025, p. 4.

⁷ ALA, *Submission 2*, pp. 6–7

⁸ Ms Samantha Roberts, *Submission 11*, pp. 1–2.

current arrangements requires lengthy and often unsuccessful complaints processes.

- 1.36 Under questioning from Senators on how effectively Australian airlines are dealing with these consumer complaints, the ACCC's Mr Rami Greiss noted:

We continue to hear of complaints with respect to meaningful, timely engagement even in more recent times.⁹

- 1.37 In the Aviation Green Paper and elsewhere, the ACCC stressed the importance of airlines taking proactive steps to mitigate consumer complaints. Coalition senators requested an update on whether the ACCC believed this is occurring:

Senator Smith: How proactive are Australian domestic airlines in doing what they can to mitigate customer complaints, and have you seen an improvement or a worsening of that proactivity in recent years?

Mr Rami Greiss: In a sense, the numbers of complaints have definitely tailed off since then, but it's fair to say that consumers continue to be frustrated on an ongoing basis by the lack of timely engagement and information received from the airlines.¹⁰

- 1.38 Asked whether it believes there is currently sufficient incentive for airlines to provide a more reliable product, the ACCC observed performance is still below where it should be – and below the standard expected by the travelling public:

Mr David Cranston: I think we've seen, over the last few years of cancellations and delays, that performance has not been up to scratch ... It has now settled down to some degree, but performance is not where we'd like to see it. On the basis of that, even at this point, there are probably some incentives for airlines to improve performance but probably not to the degree that the public would like to see. We're not seeing performance—particularly on-time performance—getting back to where it was pre COVID. Cancellations performance has improved of late, and hopefully that'll continue, but there are still too many delays in the system.¹¹

- 1.39 The sector is dominated by a duopoly: Qantas and Virgin control 98 per cent of the domestic aviation market following the withdrawal of other competitors, including Rex from key capital city routes. As noted in the second reading speech, this duopoly exerts market power beyond that of even the supermarket sector, with the ACCC repeatedly warning that high barriers to entry, control of airport slots, and weak regulatory settings are impeding competition and driving poor consumer outcomes.¹²

⁹ Mr Greiss, ACCC, *Proof Committee Hansard*, 17 March 2025, p. 20.

¹⁰ Mr Greiss, ACCC, *Proof Committee Hansard*, 17 March 2025, p. 20.

¹¹ Mr David Cranston, Executive Director, Airports and Aviation, ACCC, *Proof Committee Hansard*, 17 March 2025, p. 21.

¹² Senator the Hon Bridget McKenzie, *Senate Hansard*, 27 February 2024, p. 514.

1.40 The ACCC's Domestic Airline Monitoring Reports have detailed how this market concentration allows the two major airlines to delay service improvements without fear of losing passengers.¹³ Mr Long from Australian Travel Industry Association pointed out:

If you look at the performance between international and domestic, we do see an elevated domestic cancellation structure—maybe not a structure, but an occurrence. In the Sydney/Melbourne route, which is, I think, still the fifth most profitable route in the world, you've got Qantas still running at 7.2 per cent above pre-pandemic levels of cancellations. Jetstar is at 4.1 per cent. Virgin is at 5.5 per cent...There's no doubt we can see, particularly when we look at leisure routes, that there do seem to be some targeted cancellations that occur. We can't work out any other reasons for those targeted cancellations, other than it being a commercial reason.¹⁴

1.41 Fares remain volatile, particularly in regional areas, and the ability of new entrants to disrupt the market has been severely curtailed. The absence of strong passenger protection laws compounds these problems by removing incentives for better service. Mr Long went on to point out:

...we do have a very consolidated, concentrated market, which doesn't lead to the types of reforms that are great for consumers or also trade.¹⁵

1.42 This lack of competitive pressure and legal consequence contributes to the persistent underperformance in customer care, delayed flights, and weak refund practices that are now routine in Australia's aviation system.

Ghost flights

1.43 The ACCC has taken legal action against Qantas for advertising and selling tickets on cancelled flights—commonly referred to as 'ghost flights'—impacting over 86 000 passengers. This practice involved Qantas continuing to list flights for sale and accept bookings even after they had been cancelled, misleading consumers into purchasing non-existent services that were in direct competition with other airlines.

1.44 Such conduct not only erodes public trust, but also disadvantages competing airlines that operate with greater transparency. Qantas ultimately agreed to a \$100 million penalty and \$20 million in compensation, but only after sustained public and regulatory pressure.

1.45 The case underscores the urgent need for a legislated consumer compensation framework. When dominant airlines can engage in such practices with limited accountability, it illustrates the deep power imbalance in the sector and the lack

¹³ ACCC, [Domestic airline competition monitoring reports](#).

¹⁴ Mr Dean Long, Chief Executive Officer, Australian Travel Industry Association (ATIA), *Proof Committee Hansard*, 17 March 2025, p. 16.

¹⁵ Mr Long, Chief Executive Officer, ATIA, *Proof Committee Hansard*, 17 March 2025, p. 16.

of effective deterrents to poor service. Legal action after the fact is no substitute for timely, automatic compensation and enforceable consumer rights.

ACCC believes reform is necessary

- 1.46 The ACCC confirmed the four reforms it has previously flagged as having the potential to improve customer protections in the aviation sector—economy-wide civil penalties where a business fails to provide a remedy to a consumer, an economy-wide prohibition on unfair trading practices, a targeted fit-for-purpose compensations scheme, and an independent airline ombudsman scheme—all remain ‘in progress with Treasury’ or ‘at the department stage.’¹⁶
- 1.47 When questioned by Senator Smith on when Australian consumers would have a mandatory compensation scheme in place, the ACCC referred him to the department, with Mr Greiss confirming he was unaware of any deadline for delivering it.¹⁷
- 1.48 The ACCC took the opportunity to re-state the power of a mandatory compensation scheme in improving airline conduct. In doing so, however, it noted the effectiveness of the scheme would hinge on the scale of the penalty relative to the financial benefit to the airline to continue bad practices:

Mr Rami Greiss: If you take any business in the industry and there was a financial result from a failure to exercise due care and skill in the provision of a service, then that would have to create an incentive to avoid having to pay out in a compensation scheme. I think it's a matter of economic and financial logic. There will be an incentive built in, but, as to the detail of that, that will depend on the weighting that's given to the various circumstances of arriving on time, performance and the lack of cancellation versus what the compensation scheme will require them to pay.¹⁸

Airlines inadequate response

- 1.49 In testimony from Qantas Domestic Chief Executive Officer, Mr Markus Svensson, he repeatedly referred to a 2020 EU-commissioned review¹⁹ into the efficacy of its compensation scheme, which he told the committee:

I have nothing good to say about it...I also know from all the studies that the EU's done that it increases the cost. It hasn't improved in terms of cancellations and delays.²⁰

¹⁶ Mr Greiss, ACCC, *Proof Committee Hansard*, 17 March 2025, p. 20.

¹⁷ Mr Greiss, ACCC, *Proof Committee Hansard*, 17 March 2025, p. 21.

¹⁸ Mr Greiss, ACCC, *Proof Committee Hansard*, 17 March 2025, p. 21.

¹⁹ European Commission: Directorate-General for Mobility and Transport, [Study on the current level of protection of air passenger rights in the EU – Final report – Study contract](#), 2020.

²⁰ Mr Markus Svensson, Chief Executive Officer, Qantas Domestic, *Proof Committee Hansard*, 17 March 2025, p. 6.

- 1.50 In the period 2011–2018, the total number of delays did increase from 60.8 million to 109.4 million. However, the same EU study shows that 79.9 per cent of all two-hour or longer delays in 2011 were attributable to airlines but by 2018, this figure had dropped to 69.7 per cent.²¹
- 1.51 This evidence by Mr Svensson was misleading and should be explained.
- 1.52 Industry representatives, including Qantas and Virgin, argued that a compensation scheme would increase costs and lead to higher fares.
- 1.53 However, international experience does not support this claim.
- 1.54 According to a 2020 study commissioned by the European Commission, the average cost of compliance with Regulation (EC) No 261/2004 across all European carriers is €4.40 per passenger, whilst other European union (EU) studies indicate that cost being as low as €1.20.²²
- 1.55 Despite this, low-cost carriers such as Ryanair (average fare in 2023–24, €41.93), easyJet, Wizz Air and Norwegian continue to operate profitably and competitively within the EU market. This demonstrates that fair and automatic compensation regimes can coexist with low fares and healthy airline profitability.
- 1.56 Moreover, such regimes have been credited with increasing transparency, driving better service, and restoring consumer confidence in the aviation system. As noted by Mr Adam Glezer in evidence, the argument that compensation increases fares is a ‘scare tactic’.²³
- 1.57 The real driver of cost increases in Australian aviation is limited competition—a problem the Albanese Government has failed to address meaningfully.

COVID credits

- 1.58 Qantas's issuing of around \$2 billion in flight credits during the COVID-19 pandemic—and delaying refunds despite persistent consumer complaints for up to three years—further illustrates the need for stronger and clearer passenger protections.
- 1.59 These flight credits were issued with fixed nominal values based on pre-pandemic fare levels. By the time consumers were able to redeem them, the cost of equivalent flights had often increased significantly—sometimes doubling or tripling—due to inflation, capacity constraints, and shifting market conditions.

²¹ European Commission: Directorate-General for Mobility and Transport, *Study on the current level of protection of air passenger rights in the EU – Final report – Study contract*, 2020.

²² European Commission: Directorate-General for Mobility and Transport, *Study on the current level of protection of air passenger rights in the EU – Final report – Study contract*, 2020.

²³ Mr Adam Glezer, Owner, Consumer Champion, *Proof Committee Hansard*, 17 March 2025, p. 18.

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- 1.60 As a result, the purchasing power of the credits was substantially eroded, leaving passengers with far less value than originally promised and highlighting the inadequacy of credits as a substitute for refunds in certain situations.
- 1.61 By mid-2023, \$570 million in unused credits remained, highlighting how many consumers were either unaware of or unable to reclaim their value from the airline.
- 1.62 It was only after sustained public scrutiny and parliamentary pressure through the Senate Committee system that Qantas removed expiry dates on these credits. This experience exposed the inadequacy of relying on voluntary codes of conduct or non-binding commitments in times of mass disruption.
- 1.63 It also demonstrated that without legislated rights, passengers are left vulnerable to arbitrary airline policies.
- 1.64 As noted in the inquiry, the Albanese Government's draft charter does not prevent this from happening again. There is no mandated obligation for airlines to issue refunds instead of credits, nor are there any legislated timeframes for resolution or enforcement.

Consumers case for action

- 1.65 Submissions to the inquiry reveal a strong and consistent public desire for reform of airline passenger protections.
- 1.66 Samantha Roberts outlined in Submission 11 the significant challenges she faced in securing refunds for cancelled flights. Her experience highlights how even motivated and articulate consumers face systemic delays and obfuscation from airlines, illustrating that even proactive individuals struggle to exercise their rights effectively.²⁴
- 1.67 In Submission 13, Robert Woodbridge recounted the cascading personal and financial consequences of airline delays. His experience reflected a broader sentiment that passengers bear the full cost of operational disruptions, with no compensatory relief from carriers.²⁵
- 1.68 Submission 25, authored by Dr Andy Schmulow, provided a detailed submission on the vulnerability faced by consumers in Australia's aviation market. He argued that structural and regulatory deficiencies leave consumers exposed to the discretionary conduct of powerful market incumbents. Dr Schmulow rejected industry claims that the proposed compensation scheme would lead to higher fares, stating that this was an unfounded argument regularly used by entrenched interests to avoid accountability and cited

²⁴ Ms Samantha Roberts, *Submission 11*, pp. 1–2.

²⁵ Mr Robert Woodbridge, *Submission 13*, pp. 1–2.

evidence from European examples. He further observed that, in the absence of enforceable obligations, consumers must rely on goodwill from airlines that operate in a market with high barriers to entry and limited competition. His submission underscored the importance of legislated, automatic entitlements to correct this imbalance and restore consumer trust.²⁶

- 1.69 These testimonies are reinforced by CHOICE's national consumer surveys, which revealed persistent frustration among Australian travellers. There is a widely held consumer perception that airlines often prioritise operational convenience over customer welfare, particularly when the financial burden of delays or cancellations is shifted to passengers.
- 1.70 While airline safety must always remain the paramount concern, this perception reflects growing public frustration that timeliness and service standards are not being treated with equal urgency by carriers.

Passengers rights must be uniform and understandable

- 1.71 Clear, easily understandable rights are fundamental to ensuring consumers can assert those rights effectively. As Mr de Silva from CHOICE noted during the hearing:

...the key issue here is that there isn't a clear fallback for consumers to define what it is that they're entitled to and when. So they are left to the varying policy approaches of different airlines rather than a set of standards that all airlines are abiding by.²⁷

- 1.72 This lack of consistency deters passengers from pursuing compensation or refunds, with many consumers reporting that the process is confusing, opaque, or burdensome. Ms Victoria Roy, Chair, Travel Law Special Interest Group, ALA, highlighted the current system's reliance on consumers initiating legal action for small claims as a major barrier to justice:

The Australian Lawyers Alliance is of the view that any scheme or charter needs to be simple for consumers to follow. Ideally, consumers should be able to get a remedy themselves from the airline... There needs to be a better alternative than consumers ultimately going to court.²⁸

- 1.73 International evidence supports the need for simplicity and automaticity. In the EU, the implementation of Regulation 261/2004 has led to significantly increased passenger claims, largely because rights are publicly communicated, codified, and linked to automatic financial compensation.

²⁶ Dr Andy Schmulow, *Submission 25*, pp. 2-4.

²⁷ Mr Ashley de Silva, Chief Executive Officer, CHOICE, *Proof Committee Hansard*, 17 March 2025, p. 12.

²⁸ Ms Victoria Roy, Chair, Travel Law Special Interest Group, Australian Lawyers Alliance, *Proof Committee Hansard*, 17 March 2025, p. 12.

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- 1.74 By contrast, Australia's lack of clarity has created an environment where airlines routinely delay, deny, or deflect refund requests seemingly without consequence. This is unacceptable.
 - 1.75 Legislation should empower consumers with rights they can actually use, not place the burden of enforcement solely on individuals.
 - 1.76 Passenger rights should be clearly defined, easy to understand, and publicly available.
 - 1.77 Airlines should be required to inform passengers of their rights at the time of booking and again when disruptions occur, ensuring that consumers are aware of their entitlements and can assert them confidently when service failures happen.
 - 1.78 At its heart, the Pay on Delay bill seeks to ensure passengers' rights are clear, actionable, and automatic—ensuring that passengers do not need to be lawyers or consumer advocates to secure fair treatment.

Frequent flyer redemptions and downgrading

- 1.79 The inquiry also heard evidence of consumer confusion and frustration when passengers are downgraded or travel on frequent flyer redemptions.
- 1.80 In both cases, current consumer law offers little clarity about entitlements. There is no legal obligation for airlines to compensate passengers who are involuntarily downgraded from a higher travel class to a lower one. Nor is it clear whether compensation should be in the form of a partial refund, frequent flyer points, or other remedy.
- 1.81 This ambiguity disproportionately affects passengers who have redeemed points, as the monetary value of redemptions is often opaque, and airlines set their own internal policies without oversight.
- 1.82 During the hearing, witnesses and Senators highlighted the gap in consumer understanding and protection in these scenarios. The lack of a clear legal framework means that many passengers who experience downgrading or poor service on reward bookings are left without redress or guidance on how to lodge complaints.
- 1.83 Coalition Senators believe that rights should not only be clear and enforceable but should apply equally to all passengers regardless of how they booked their fare.
- 1.84 A comprehensive passenger protection regime must include specific provisions for involuntary downgrades and redemptions using frequent flyer points, ensuring that all travellers are afforded equal and transparent protections.

Protection of minors

- 1.85 A further key area of concern is the seating of minors. The Pay on Delay bill proposes to mandate that children under 14 years of age be seated in close proximity to a parent, guardian or responsible adult at no additional charge.
- 1.86 This protection addresses an issue of both safety and welfare, ensuring that children are not separated from trusted adults in a way that causes distress or leaves them vulnerable in the event of an emergency, disruption, or in-flight problem.
- 1.87 Submissions and public commentary reveal that the current system allows airlines to charge fees for seat selection, which in some cases has resulted in families being separated unless they pay additional fees.
- 1.88 The US Department of Transportation recently finalised guidance requiring US carriers to ensure that children 13 and under are seated next to an accompanying adult at no extra cost, and the EU's regulation similarly presumes proximity unless operationally impossible.
- 1.89 Australia currently lacks any such clear requirement.
- 1.90 Coalition Senators believe this is an area where the law must step in to ensure basic protections for vulnerable passengers, rather than leaving the issue to commercial discretion. Family cohesion during air travel should not be dependent on the ability to pay, and carriers should not be permitted to monetise child safety.

International examples of passenger rights

- 1.91 Australia remains significantly behind international standards in passenger protection. Airlines operating here already comply with stronger overseas regimes.
- 1.92 In the EU, Regulation 261/2004 provides compensation ranging from €250 to €600, as well as entitlements to care and re-routing during disruptions.
- 1.93 Canada's Air Passenger Protection Regulations guarantee timed refunds, standardised compensation, and obligations to provide assistance.
- 1.94 The United Kingdom has retained its EU-style regime post-Brexit, and the United States has expanded DOT regulations to mandate refunds, increase transparency of ancillary fees, and is moving toward mandating compensation for controllable delays and cancellations.
- 1.95 Coalition Senators believe that Australia urgently needs more transparent and assertable rights that meet the needs of a 21st century economy and regulatory environment—one that does not leave Australia behind and one that improves aviation competition whilst also protecting passengers who suffer from the lack of it.

Conclusion

- 1.96 The Coalition's Pay on Delay bill 2024 is a necessary legislative response to clear, systemic market failure.
- 1.97 The fact remains that Australian travellers under the Albanese Government remain without adequate passenger protections in place.
- 1.98 The Albanese Government has not acted quickly or decisively to address the growing concerns of travellers. The Albanese Government's protection of former Qantas CEO Alan Joyce from scrutiny of the Senate in a related inquiry is a demonstrable example of Labor's decision not to side with frustrated Australian travellers that have been treated poorly, and as we now know, unlawfully by Australia's largest airline.
- 1.99 This bill forces the Government to introduce enforceable, automatic, and fair compensation and care standards for all airline passengers.
- 1.100 It brings Australia into alignment with global best practice and ensures that passengers, not airlines, are the priority.

Recommendation 1

- 1.101 That the Airline Passenger Protections (Pay on Delay) Bill 2024 be passed.**

Senator the Hon Matthew Canavan
Deputy Chair
Nationals Senator for Queensland

Senator the Hon Bridget McKenzie
Participating member
Nationals Senator for Victoria

Senator Dean Smith
Participating member
Liberal Senator for Western
Australia

Appendix 1

Submissions and additional information

- 1 Name Withheld
- 2 Australian Lawyers Alliance
- 3 Airlines for Australia and New Zealand
- 4 Virgin Australia
- 5 Department of Infrastructure, Transport, Regional Development,
Communications and the Arts
- 6 Rex Airlines
- 7 International Air Transport Association
- 8 Regional Aviation Association of Australia
- 9 Board of Airline Representatives Australia
 - Attachment 1
- 10 Transport Workers Union
- 11 Ms Samantha Roberts
 - 11.1 Supplementary to submission 11
- 12 Mr Mark Stevenson
- 13 Mr Robert Woodbridge
- 14 Carol Baiton
- 15 Name Withheld
- 16 Sydney Airport
- 17 Mr Adam Glezer — Consumer Champion
- 18 Association of Asia Pacific Airlines
- 19 Australian Travel Industry Association
- 20 The Justice and Equity Centre
- 21 Name Withheld
- 22 AirHelp
 - Attachment 1
 - Attachment 2
- 23 Name Withheld
- 24 Qantas
- 25 Dr Andy Schmulow

Additional information

- 1 Opening statement prepared by the Australian Lawyers Alliance for a public hearing in Canberra on 17 March 2025 (received 17 March 2025)
- 2 Opening statement prepared by the Justice and Equity Centre for a public hearing in Canberra on 17 March 2025 (received 17 March 2025)
- 3 Opening statement prepared by Qantas for a public hearing in Canberra on 17 March 2025 (received 17 March 2025)

- 4 Correction of evidence received from Mr Dean Long, Chief Executive Officer, Australian Travel Industry Association, at a public hearing in Canberra on 17 March 2025 (received 19 March 2025)
- 5 Clarification of evidence received from Mr Matteo Zanarini, Area Manager South West Pacific, International Air Transport Association, in response to evidence given by Mr Dean Long, Chief Executive Officer, Australian Travel Industry Association, at a public hearing in Canberra on 17 March 2025 (received 21 March 2025)

Appendix 2

Public hearings and witnesses

Monday 17 March 2025

2S1 Parliament House

Canberra

Qantas

- Mr Markus Svensson, Chief Executive Officer, Qantas Domestic

Virgin Australia

- Mr Stephen Beckett, General Manager Government and Industry Affairs
- Ms Natalie Mason, General Manager Guest Contact Centre

Regional Aviation Association of Australia

- Mr Rob Walker, Chief Executive Officer

Australian Travel Industry Association

- Mr Dean Long, Chief Executive Officer

Australian Lawyers Alliance

- Ms Victoria Roy, Chair, Travel Law Special Interest Group

CHOICE

- Mr Ashley de Silva, Chief Executive Officer
- Ms Rosie Thomas, Director of Campaigns

The Justice and Equity Centre

- Ms Erin Turner Manners, Senior Solicitor
- Ms Sheetal Balakrishnan, Senior Solicitor

Mr Adam Glezer, Private capacity

Australian Competition and Consumer Commission

- Mr Rami Greiss, Executive General Manager Consumer Fair Trading
- Ms Nicole Ross, Executive General Manager Infrastructure Division
- Mr David Cranston, Executive Director Airports and Aviation

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

- Ms Jennifer Stace, Acting First Assistant Secretary, Domestic Aviation and Reform
- Mr Benjamin Meagher, Assistant Secretary, Sydney Airport Slots and Consumer Aviation Reforms

- Mr Steve Weber, Acting Assistant Secretary, Aviation Industry Ombuds Scheme