



Tuesday, 4 March 2025

Steve Weber  
Assistant Secretary  
Department of Infrastructure, Transport, Regional Development  
Communications and the Arts  
GPO BOX 594  
Canberra ACT 2601

Dear Steve,

**RE: Aviation Customer Rights Charter – Consultation Paper**

Thank-you for the opportunity to comment on the draft Aviation Customer Rights Charter (Charter).

Brisbane Airport Corporation Pty Limited (BAC) remains committed to supporting an experience that meets the expectations of our passengers and we agree that airports can build upon existing initiatives to improve passenger outcomes and maintain public confidence in the sector. That said, and as outlined in our response to the Aviation Industry Ombuds Scheme (AIOS), aviation is a highly complex operating environment, with multiple participants facilitating the passenger journey. This complexity also needs to be taken into account when developing the Charter.

We strongly believe any proposed regulatory intervention needs to be appropriate, in that the proposed framework represents a reasonable way to proceed in this area; and equitable, in that the proposed framework will be fair and reasonable to both passengers and industry. A new regulatory regime also needs to focus on passenger outcomes, building a clear picture of passenger rights (as well as passenger responsibilities) without adding additional unreasonable burdens on industry in what is already a highly complex regulatory environment.

Our feedback builds upon our previous submission on the AIOS and is split into general feedback (strategic considerations) and feedback on specific individual rights as they apply to an airport:

**General Feedback on the Charter**

Consistent with our submission to the Aviation Industry Ombuds Scheme on 15 October 2025, BAC notes the need to co-ordinate and integrate a Charter within existing legislative and regulatory frameworks. This includes the role of the Charter within Australian Consumer Law (ACL), and whether it seeks to complement, interpret or guide decision making on the application of ACL on aviation customer matters. While we understand the intent of the Charter is to better define customer rights within an aviation context, the codification of the Charter within a regulatory instrument will require the careful balancing of two separate pieces of legislation. A failure to get this balance right risks further confusing customers and undermining the underlying intent of both regimes. The same matters should also be considered for revisions to the *Disability Standards for Accessible Public Transport 2002* (Cth).

Similarly, under the *Airports Act 1996* (Cth), the Australian Competition and Consumer Commission (ACCC) is required to review *Quality of Service* metrics at airports based on a variety of measures, including airport access

facilities, car parking facilities, check-in facilities, baggage systems and flight information, amongst others. These measures are reviewed annually and weighted against previous results to provide a longitudinal view of airport customer performance. Any Charter (and its interpretation) will need to accommodate these measures (and results) when set against any customer inquiries or complaints within the AIOS.

We also note the Department's current work in implementing Initiative 15 of the Aviation Whitepaper: reviewing both financial performance and QoS metrics in line with the ACCC's Recommendations provided in early 2023. Given the changing environment, we would recommend consideration be given to establishing the Charter as a Guideline at first instance, which would provide the ability for an Ombuds or similar review body to apply its intent in a more flexible manner when compared to a legislative instrument.

While a Customer Charter helps to set expectations of aviation industry participants, it is also important to consider the responsibility of customers as part of their aviation experience and the responsibility of other stakeholders in the aviation industry. Through BAC's analysis of its own customer complaints data, we find a sizeable portion of complaints relate to matters controlled by airlines or government authorities (e.g. lost baggage or passport processing). Despite this distinction, passengers often direct complaints towards airports, given their role as a facilitator of the passenger journey. In other instances, BAC receives customer complaints that are the product of legislative requirements, rather than BAC's performance or procedures. For example, BAC has received complaints about the change to security screening equipment directed by the Commonwealth. Given our security process is dictated by the Department of Home Affairs, we must adhere to a process that prioritises security over speed. This is particularly the case with Standard 3 security screening, which requires additional steps to ensure the accurate screening of individuals. This can cause particular angst and annoyance with passengers, particularly where further interventions are required due to individual passenger characteristics (e.g. prosthetics or medical devices). While we work hard with our security screening provider to educate and guide passengers through the process, there are instances where misunderstandings and frustration can cause a negative passenger experience. We are of the view better passenger education and understanding will help improve the passenger journey, particularly as Standard 3 security screening is fully implemented throughout our terminals.

As discussed in our AIOS submission, the lack of government agency participation in the Scheme is an unfortunate omission. Nevertheless, where government agencies are responsible for specific actions resulting in passenger issues, avenues for customer feedback and recourse should be straightforward and accessible, as is required for airports under the Charter. Indeed, the need for better passenger and customer focus in the development and delivery of aviation services (whether by regulatory mandate or otherwise) is a theme that has endured across specific agencies. We believe the application of the Charter should consider the impact of agency decisions or alternatively, the Charter should be incorporated into agency performance metrics, where applicable.

## **Feedback on Specific ACRC Rights**

### ***Right 1: Be treated with dignity and respect, in an accessible and inclusive environment***

Airports are required to comply with existing discrimination legislative requirements, including the *Racial Discrimination Act 1975* (Cth); *Sex Discrimination Act 1984* (Cth); *Disability Discrimination Act 1992* (Cth) and the *Age Discrimination Act 2004* (Cth), amongst others. As part of those regimes, customers have access to Commonwealth and State Human Rights Commissions to have complaints investigated. While we presume the Charter's scope is intended to complement the existing legislative frameworks, it is unclear, in its current form, how it will better define industry obligations or guide industry practice.

In addition, accommodation needs to be provided within the application of the Charter for airports with mature, well developed customer service frameworks. For example, Brisbane Airport (BNE) has been voted the best Airport in Australia/Pacific in the Skytrax World Airport Awards in 2016, 2017, 2019, 2021 and 2022, and continues in the Top 40 best airports worldwide. The Skytrax awards are regarded as the quality benchmark for the world airport industry, assessing customer service and facilities across 500 airports worldwide. As a customer

led initiative (rather than industry funded), Skytrax reflects a high level of customer service maturity at BNE. The Charter should complement existing practices.

BAC currently provides traveller information through various channels, including its website, social media, telephone and its airport ambassador program. BAC has also partnered with Google to provide augmented navigation through our domestic and international terminals. From a practical standpoint, certain elements outlined in the Consultation Paper require further refinement. For example, the suggested requirement that information and wayfinding to be provided in multiple languages and formats. This requirement could be challenging given BNE's direct connections to 32 international destinations. Determining which languages are to be prioritised for translation may require further consideration, particularly for certain regions such as India and China, that have multiple dialects. Rather than simplifying the passenger journey, such a requirement could cause further confusion and delay given the vast amount of information directed at passengers through an airport journey.

***Right 2 – Aviation industry customers have the right to accurate, timely and accessible information and customer service***

It is important that the Charter recognise that passengers have a direct contractual relationship with the relevant airline. Airports provide aviation services via commercial relationships with airlines. A range of metrics and mechanisms are utilised to manage this relationship to ensure a high standard of service. Accordingly, it is important any relevant customer right is managed between airlines and passengers, particularly in instances of delays, refunds, changes and cancellations.

Our understanding of this issue relates to the intersection between airline ticket conditions, the separate conditions of carriage, and their interaction with Australian Consumer Law rights. In particular, previous reviews undertaken by consumer groups highlighted the complexity of these conditions. By contrast, airports have not been subject to similar wide-spread consumer complaints. BAC already has systems and processes in place to manage car parking enquiries and complaints, including a dedicated direct hotline and intercoms, website enquiry form and social media chat links. These mechanisms represent a high standard of service for car parking arguably over and above what may be found outside of the airport.

Further, as discussed in our previous AIOS submission, car parking at BNE is monitored by the ACCC to both ensure value for money to customers (via financial disclosures) and quality of service (via mandated customer surveys). It is therefore important that a Charter complement existing regulatory requirements.

***Right 5 – Aviation industry customers have the right to the protection of their personal information***

BAC has obligations regarding the protection of personal information under the *Privacy Act 1988* (Cth). For example, BAC's privacy policy outlines how personal information is collected, the types of information collected, how the information is used and the security measures to protect this information. It also provides guidance on customer rights to their information and avenues to seek further information or lodge complaints. Amendments are also proposed to the *Aviation Transport Security Act 2005* (Cth) in relation to data security. This will require critical infrastructure assets such as airports to report both breaches and attempted breaches to the Cyber and Infrastructure Security Centre (Home Affairs) and Australian Federal Police.

Similar to our general feedback, a Charter needs to complement existing requirements. With a comprehensive privacy and data security framework already in place (as driven by existing legislation requirements), we question whether this right will enhance privacy outcomes for the airport sector, or lead to further regulatory overlaps and complexity.

**Right 6 – Aviation industry customers have the right to provide feedback, make complaints and exercise their rights without retribution**

The Department’s Consultation Paper states, ‘*in many cases where customers have made complaints or provided feedback to airlines or airports, those complaints have not been responded to, or have had no response for several months*’. BAC is not aware of systematic issues with its complaints resolution model, either where customer complaints have not been responded to, or have led to no response for several months. We are also not aware of instances of retribution where customers have voiced complaints. As outlined in Right 1, such behaviour will already be captured and addressed through the existing legislative framework.

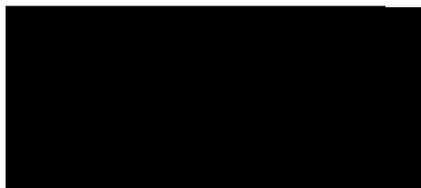
BAC provides multiple avenues to address customer complaints, including the provision of Airport Ambassadors at terminals, a dedicated customer complaints line, an online feedback system and the monitoring of social media messaging. In addition, our Community Engagement team directly respond to customer concerns, working across the business to ensure the resolution of queries or complaints. We have internal guidelines and metrics to ensure complaints are acknowledged and responded to within a reasonable time frame. Again, given the maturity and effectiveness of our current systems, we seek the Department’s guidance on how the Charter seeks to complement or enhance these systems.

BAC supports the objective of the Charter in ensuring customer complaints are handled adequately at first instance, and minimising escalation to external complaints agencies. This principle is particularly important to the operation of an AIOS, which seeks to investigate those complaints that cannot be resolved through existing avenues. Ideally, through working with industry, a well-functioning Ombuds framework should seek to minimise referrals, concentrating on those matters of high complexity or systematic application.

Thank-you for considering our feedback. We stand ready to engage with DITRDCA to develop a Charter and AIOS that meets government policy objectives, while reflecting the need to function effectively in what is a complex operating environment.

If you have any questions regarding this correspondence, please contact Mr Rishi Wijesoma on [REDACTED] or [REDACTED]

Yours sincerely,



Rachel Crowley

**Executive General Manager  
Communications and Public Affairs**