

7 March 2025

Stephen Weber
Acting Interim Aviation Ombuds Person
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
CANBERRA ACT 2601

Via email: aviationcustomerrights@infrastructure.gov.au

Dear Mr Weber,

RE: TTF Feedback on the Aviation Customer Rights Charter Consultation Paper

Tourism & Transport Forum Australia (TTF) is the peak industry group representing the aviation, tourism, transport and related infrastructure sectors. TTF welcomes the opportunity to provide feedback to the proposed Aviation Customer Rights Charter (the Charter) consultation paper.

TTF supports the development of the Charter and its role in the Aviation Industry Ombuds Scheme, taking this opportunity to recommend improvements to ensure the Charter reflects operational best practices and aligns with existing legislation and regulation. It is also important to acknowledge the industry-led improvements in aviation performance, particularly given the many challenges the aviation industry faced during the Covid-19 pandemic. This context should be considered as the Charter is further developed and finalised.

This submission is made up of three sections, each focusing on key concerns and offering recommendations to address critical areas that require attention, ensuring that the Charter not only meets its objectives but also aligns with best practices. These sections include:

1. Clear delineation of roles and responsibilities
2. Composition of stakeholders in the Charter
3. Timelines for implementation of the Charter and complaints handling

Thank you for considering our submission and recommendations. Please do not hesitate to contact TTF's Head of Public Affairs directly at [REDACTED] as we welcome the opportunity to discuss this further.

Yours sincerely,

[REDACTED]

Margy Osmond

Chief Executive

Tourism & Transport Forum

1. Clear delineation of roles and responsibilities

The aviation industry is a highly complex and heavily regulated operating environment, with many stakeholders contributing to the customer journey. It is essential that the Charter is inherently clear on the obligation of each stakeholder and delineates clear responsibilities among each institution. The final Charter should clearly outline the role of airlines, airports, government agencies and other third parties throughout the entire customer journey. Some aspects of the journey involve shared responsibilities, so it is crucial to avoid confusion and set clear expectations. By providing clear guidelines, roles, and delineations of responsibilities, the Charter will aim to:

- Maintain accountability, leading to more optimal operational efficiencies and creating better customer outcomes, which is what the Charter ultimately seeks to achieve.
- Make it easy for travellers to know which organisation to contact for specific issues or complaints, allowing proactive resolutions without the need for Charter or Ombud intervention.
- Present information in a simple and easy-to-understand format, reducing customer confusion and minimising industry impacts from addressing misdirected complaints.
- Help avoid confusion while accounting for shared responsibilities in areas such as accessibility, security, and customer service.
- Ensure that customer grievances are accurately attributed to the responsible party, promoting fairness and consistency among stakeholders.

2. Composition of stakeholders in the Charter

Responsibilities contained within the Charter should not rest solely with airports and airlines, the Charter must also acknowledge the integral roles played by all parties in the delivery of aviation services to passengers. It is essential to recognise that each stakeholder contributes to different aspects of the customer journey and overall service quality. To ensure a fair and comprehensive allocation of roles and responsibilities, TTF recommends that the following parties be included in the Charter.

Airservices Australia (Airservices)

As the managers and facilitators of all air traffic within the Australian airspace, Airservices is responsible for the safety and timeliness of all aircraft flying around, in and out of airports. As such, this important role can have an impact on delays and cancellations – as has been seen with historical examples of strikes and shortages of air traffic controllers. Air traffic control is also subject to weather, with unfavourable conditions reducing arrival and departure rates. These circumstances can lead to delays, cancellations or miscommunications despite being out of the control of airlines and airports. It is therefore vital that the role of Airservices be recognised and included within the remit of the Charter.

Australian Border Force (ABF)

The Charter should also recognise the role that ABF plays in the aviation journey. ABF is responsible for immigration and customs processing, acting as a critical touchpoint for all travellers entering and leaving Australia. Their responsibilities include inspecting customer documentation, conducting security checks, and ensuring compliance with Australia's biosecurity regulations. TTF strongly supports the work of ABF as these processes are vital for maintaining national security and public safety, however they can sometimes lead to unintended delays that are beyond the control of airlines and airports.

Indirect Bookings

Indirect reservations represent a significant portion of airline passenger bookings. These third-party agencies play an important role by establishing direct relationships with customers who purchase their travel arrangements through the operator's booking channels. While there is no intention to create additional burdens on agencies and the business community, challenges still arise. This is because agencies are responsible for ensuring the accuracy of the original flight booking details, processing any changes to bookings and refunds when a booking is cancelled, and advising customers of any changes during disruptions. If not incorporated into the Charter, as a minimum it should become a mandatory requirement that travel agents include contact details in the booking.

Customer Responsibility

It is also of note that the Charter has omitted any statement of customer responsibility. TTF would like to highlight the importance of aviation, airline, and airport staff being treated with dignity and respect by travellers, particularly when handling complaints. In instances where aviation staff are subject to abusive or inappropriate behaviour, we recommend that the obligations on timely complaint resolution should not apply.

3. Timelines for implementation of the Charter and complaints handling

Complaint resolution timelines

TTF would like to highlight that the proposed 30-day complaint resolution timeline, as outlined in the Charter, differs from the eight-week timeline initially suggested by TTF and industry members. The eight-week timeframe aligns with the UK's dispute resolution scheme and is necessary to ensure that customers receive fair and timely responses. It also provides stakeholders with adequate and actionable time to address and resolve complaints effectively. This extended period is particularly important when complaints involve multiple factors or parties, which require systematic investigation. A 30-day complaint turnaround time is unlikely to achieve the best outcomes for either consumers or the industry in reaching a resolution. Additionally, the 24-hour requirement for acknowledging a complaint is reasonable, provided that automated email responses are considered acceptable by the Charter. However, if an acknowledgment must come from a team member, a timeframe of two to three business days would be more realistic to ensure complaints are managed appropriately.

Implementation timelines

While airlines and airports already proactively comply with many of the requirements outlined in the draft Charter, it is likely that the final version will impose additional obligations on the industry, which may require adjustments to processes, facilities, or infrastructure. As substantial infrastructure and service entities, airports follow long-term master planning. Similarly, as large organisations, airlines are also bound by fixed timelines for operational planning, policy implementation, and process adjustments. Therefore, it is essential that the final Charter allows sufficient time for the industry to comply with any new requirements. TTF recommends that the Charter adopt a phased implementation period, giving airlines and airports 12-24 months to make the necessary changes to their organisations, policies, and procedures.