



## **Newcastle Airport Submission**

**Friday, 7 March 2025**

### **Refining the draft Aviation Customer Rights Charter: Newcastle Airport's Perspective**

Newcastle Airport welcomes the opportunity to provide feedback on the [Aviation Industry Ombuds Scheme's \(AIOS\)](#) draft Aviation Customer Rights Charter, released in late 2024 as part of the Aviation White Paper. We commend the government's commitment to improving customer experience and ensuring fair and reasonable practices across the aviation sector.

With the opening of our international terminal in August this year, Newcastle Airport continues its commitment to being the airport our region deserves. As a key regional airport serving a catchment of 1.2 million people, we are committed to delivering high-quality services to our passengers, airport users and stakeholders, and we support initiatives that enhance the travel experience for all travellers.

We appreciate the government's efforts to address the challenges faced by Australian travellers, particularly considering issues such as flight delays and cancellations. [The Cirium On Time Performance Review 2024](#) on Australian airlines' poor on-time performance in 2024 shows the complexity of aviation operations and the need for a nuanced approach to customer rights.

However, while we support the overall objectives of the draft Charter, we firmly believe there are several areas where it needs further refinement to ensure it achieves its goals effectively and equitably. Newcastle Airport is broadly aligned with the [Australian Airports Association](#) (AAA) in its feedback to the draft Charter.

As per the AAA's feedback, we are united in our wish for the AIOS in its draft Charter to:

1. Establish clear responsibilities with delineation between airports, airlines and government agencies.
2. Conduct a thorough review of potential unintended consequences for airports. We note that airports don't all fit the same mould and smaller regional airports should not be treated with the same lens as bigger airlines and airports.
3. Develop airport-specific standards that reflect the unique operational challenges we face.
4. Reassess the scope of the draft Charter, particularly regarding the justification for airport inclusion.
5. Conduct a formal review of the draft Charter to identify any instances where it references rights already covered by existing laws that airports are required to follow. Ensure the draft Charter directly cites those laws instead of paraphrasing or duplicating them using broad language, as this could potentially cause confusion for passengers.

### **Clarity in Roles and Responsibilities**

In noting the importance of clearly defining expectations for all stakeholders in the aviation industry, the current draft lacks sufficient clarity regarding the delineation of responsibilities between airports, airlines, and government agencies. This ambiguity will lead to confusion or redundancy in obligations. It will certainly place additional undue load on airports where there shouldn't be.

To address this, we recommend:

- Clearly outlining the respective roles of airports and airlines, particularly in areas of shared responsibility such as accessibility, security, and customer service. (The airline owns the relationship with the customer and determines the service level the customer receives. It controls communication, notifications, rules, check in staff, baggage handling staff, basically every aviation related interaction.

Exceptions where the airport is responsible are airport security, airport infrastructure, airport retail, ground transport services.)

- Ensuring that the draft Charter recognises the operational realities of airports, which often have zero or limited influence over airline-specific matters.
- Aligning with international best practices and referencing [IATA's Common Use Standards](#), to create a framework that helps avoid misunderstandings and ensures all parties can work collaboratively to meet customer expectations.

Like the AAA, we also believe the draft Charter should look to successful models in existence globally for guidance. In particular, models like [Canada's Air Passenger Protection Regulations](#), which emphasise airline responsibilities and focus on accessibility through airport-airline collaboration. In particular, Canada's Air Passenger Protection Regulations provide for clearer and more consistent air passenger rights by imposing certain minimum airline requirements in air travel – including standards of treatment and, in some situations, compensation for passengers.

Similarly, both the European Union (EU) and United States (US) frameworks for passenger rights focus primarily on airline obligations, while recognising the auxiliary role of airports. However, they do not impose penalties on airports for issues caused by airlines, reflecting a clear distinction in accountability. If airports are to be included in the scope of the draft Charter, then this framework is the only fair and equitable one to base the draft Charter on,

While acknowledging potential airline claims about airport operations impacting on-time performance, the draft Charter should recommend evidence-based attributions of delays. This approach aligns with the [Airline Customer Advocate's 2023 Annual Report](#), which shows that a significant proportion of customer complaints are directed towards airlines rather than airports.

By adopting these international best practices and considering the available data, the draft Charter can create a balanced framework that promotes collaboration between all parties, ultimately benefiting passengers and the air transport industry.

### **Potential Unintended Consequences**

While we support efforts to enhance customer rights, it is important to consider the potential unintended consequences for airports:

- **Infrastructure Planning:** Airports operate with long-term master plans, often spanning 25 years or more. The proposed obligations within a relatively short timeframe (e.g., 6 months) may not align with these long-term strategies, potentially disrupting planned infrastructure developments.
- **Regulatory Risks:** There is a risk that perceptions of price-related issues could lead to formal regulation by bodies such as the ACCC. While we support transparency and fairness, such measures could expose airports to significant penalties and may inadvertently hinder our ability to invest in critical infrastructure or maintain operational efficiency.

We encourage a balanced approach that accounts for these considerations while still achieving the draft Charter's goals of fairness and clarity for consumers.

### **Need for Airport-Specific Standards**

Airports face unique challenges that differ significantly from those encountered by airlines. To ensure effective implementation of the draft Charter, we advocate for:

- The development of tailored, airport-specific standards that align with existing laws and address the unique challenges of airport operations.
- The introduction of joint education initiatives to inform customers about the distinct roles and responsibilities of airlines and airports. This would help manage passenger expectations and provide greater understanding across the industry.

We suggest establishing a working group comprising airport representatives, consumer advocates, and government officials to develop these standards, ensuring they are practical, effective, and aligned with the draft Charter's objectives. These should include an acknowledgement of the variation in standards that may reasonably exist between major airports and smaller regional airports (sub 2 million pax), such as economies of scale, practical availability of the best infrastructure due to cost and poorer service response time from service providers due to location or scale, etc.

### **Accessibility and Inclusivity**

Newcastle Airport is committed to improving accessibility and inclusivity for all passengers. We adhere to accessible services under existing laws such as the *Disability Discrimination Act 1992* and the proposed Aviation-Specific Disability Standards, which are in development.

We have implemented several initiatives outlined in our *2022 Disability Access Facilitation Plan* – [Read here!](#) Information on travelling with a disability is available on our web site – [Read here!](#) Accessibility considerations have also been a large part of the design of our new international terminal, due to open in August 2025, making it an accessible space for everyone.

We recommend that the draft Charter acknowledges these efforts, providing guidance on how airports like Newcastle Airport can continue to improve accessibility within the constraints of existing infrastructure and operational requirements.

### **Lack of Evidence for Airport Inclusion in the draft Charter**

Airlines own the customer journey/experience except for airport security, airport infrastructure (BHS), ground transport and retail. We respectfully question whether sufficient evidence exists to justify including airports within the scope of the draft Aviation Customer Rights Charter.

- No comparable global schemes have adopted this approach of including airports alongside airlines in customer rights charters.
- The [\*Airline Customer Advocate's 2023 Annual Report\*](#) provides data that supports the assertion that a significant proportion of customer complaints are directed towards airlines rather than airports. Key findings from the report include:
  - The top complaint categories were flight delays and cancellations, refund requests, and fees and charges, which are airline-related issues, rather than airport services.
  - Out of 1,286 eligible complaints received in 2023, only a small number were related to airport services. For instance, airport customer service accounted for just 11 complaints, while airport lounges and security received 13 and 14 complaints respectively.
  - Most complaints were centred around airline operations and policies, such as flight disruptions, refund processes, and ticketing issues.
  - This data and the aviation customer journey clearly demonstrate that passenger concerns are predominantly focused on airline services rather than airport operations. The low number of airport-related complaints show that airports are generally meeting customer expectations in terms of service quality.
  - Airlines own the customer journey/experience, except for airport security, airport infrastructure (BHS), ground transport, retail

While we remain committed to addressing passenger concerns, this information should inform a proportionate approach when determining airport obligations under the draft Charter and needs to be clear on the things the airport does and controls, and the things the airlines control. The data overwhelmingly indicates that efforts to improve customer satisfaction are more effectively directed towards airline operations and policies, as these areas generate the bulk of customer complaints.



**In summary**

Newcastle Airport supports the government's efforts to enhance customer rights and improve experiences across Australia's aviation sector. We believe that by addressing the points raised in this submission, the draft Aviation Customer Rights Charter can be strengthened to better serve all stakeholders in the aviation ecosystem. In saying this, we question the need to include airports at all within the scope of this Charter.

We look forward to further consultation and remain committed to working collaboratively with the government, airlines, and other stakeholders to enhance the aviation experience for all customers.

Andrew Warrender

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