

# Response to the Aviation Green Paper

**Australian Chamber – Tourism Submission November 2023** 





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Telephone 02 6270 8000 | Email info@acci.com.au | Website www.acci.com.au

### **Media Enquiries**

Telephone 02 6270 8020 | Email media@acci.com.au

### **Canberra Office**

Commerce House Level 3, 24 Brisbane Avenue Barton ACT 2600 Kingston ACT 2604

### **Melbourne Office**

Level 3, 150 Collins Street Melbourne VIC 3000

### **Perth Office**

Bishops See Level 5, 235 St Georges Terrace Perth WA 6000

ABN 85 008 391 795

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# Summary

Australian travel and tourism heavily relies on a strong and competitive aviation industry. The Aviation White Paper process presents an opportunity to recalibrate Australia's aviation industry to support Australian travel and tourism into the future.

Australian Chamber – Tourism has identified several crucial areas to support Australian travel and tourism, which continues to recover following COVID-19 restrictions.

In its submission, Australian Chamber – Tourism makes the following recommendations:

### International competition:

Improve competition for international travel by increasing capacity. Airlines that can add capacity should be allowed to do so within the national interest.

### Review of the Sydney Airport Demand Management Scheme (the Harris Review):

The government should implement the recommendations of the Harris Review as soon as practicable.

### Cabotage:

The government should trial cabotage on some routes as a means to improve competition.

Following industry consultation, the government should publish the decision-making framework and guide for short-term cabotage dispensations.

### Australian Competition and Consumer Commission airline monitoring:

Quarterly Australian Competition and Consumer Commission airline monitoring should continue indefinitely.

Industry should be consulted ahead of any decision to conclude monitoring. This consultation should occur well in advance of the expiry date of the monitoring.

For future monitoring reports, consideration should be given to including a further breakdown of cancellations, including the reason for the cancellation.

### Regional competition:

The Productivity Commission should inquire into the determinants of domestic airfares on routes to and between regional centres. The terms of reference should consider the role of increased airfares on travel and tourism and the importance of travel and tourism for regional locations.



### **Consumer protections:**

Following initiatives to increase competition, the government should review the impact on consumer outcomes and determine whether further measures are needed. Clear timeframes should be set out in the Aviation White Paper for implementation, trialling and review.

Should the government implement a consumer compensation scheme:

- this needs to be between the airline and the consumer, and
- an independent agency should be set up to determine the fault of delays and cancellations.

Full and equal rights should be provided to travel agents for customer refunds and cancellations that occur so that airlines cannot discriminate against agents by disabling access to the refund system for their customers as they did during the pandemic.

### **Economic regulation of Australian airports:**

Current airport regulatory settings should remain in place. Further regulatory action should only occur where airports display concerning behaviours regarding the exercise of their power.

### **Working Holiday Makers:**

The second and third-year Working Holiday Maker (WHM) visa and specified work requirements should remain in place.

The government should provide financial incentives to support the return of WHMs to Australia.

### Support for rural and regional airport upgrades:

As airlines upgrade their ageing fleets, all levels of government should support rural and regional airports in upgrading their facilities to accommodate larger aircraft. This will also be required if cabotage restrictions are eased.

Upgrades should occur sustainably to maximise aviation's contribution to net-zero.

### Impact of climate change:

Support is needed to equip airports, specifically those in rural and regional areas, to adapt to the impact of climate change on operations.



### Role of government and agencies:

An analysis of the roles and responsibilities of government departments, agencies and ministers involved in passenger facilitation should be undertaken to determine whether these involvements are necessary and where efficiencies can be identified.

### Incoming passenger declaration:

The incoming passenger declaration process should be digitised. SmartGate software should be updated as a first step to remove the need for the physical passenger declaration card.

### **Tourist Refund Scheme:**

The Tourist Refund Scheme should be digitised and outsourced. The government should evaluate the option to transition to a user-pay system where a commission is deducted from the traveller refund amount to self-fund the digital enhancements.

### **Passenger Movement Charge:**

The revenue derived from the Passenger Movement Charge (PMC) should be reinvested into improving the passenger experience and funding agencies that support passenger facilitation.

There should be increased transparency as to how PMC revenue is allocated throughout the Budget.

### Aviation-adjacent workforce:

Supports must be in place for the aviation-adjacent workforce, including travel agents.

Industry Skills Australia should work closely with other Jobs and Skills Councils aligned with sectors with a high dependence on aviation, such as SkillsEquipped.

### **Bilateral Air Service Agreements:**

Bilateral Air Service Agreement (BASA) decisions should be clear and transparent, with a clear understanding of the guiding principles, consultation requirements and timeline for agreement.

When making decisions relating to BASAs, the government should:

- Allow the ACCC to review the consumer benefit of each BASA application and publicly release its findings
- Consult widely with critical stakeholders from tourism, travel, aviation and other export-sensitive industries, including the Australian Chamber – Tourism



• Publish the decisions.

BASA negotiations should be conducted proactively.

Consultations regarding the bilateral air services forward negotiation program should be conducted with more industry stakeholders.



# Introduction

The Australian Chamber – Tourism (the Chamber) welcomes the opportunity to respond to the Aviation Green Paper (the Green Paper).

As the Green Paper notes, a "strong and competitive aviation industry is a prerequisite for growing Australia's visitor economy, which is vital for Australia's national prosperity". This is a welcomed and important acknowledgement.

Before the pandemic restrictions in Australia, domestic and international tourism and travel spending totalled \$166 billion and was the fourth largest export sector.<sup>2</sup> In the regions, there was a direct benefit too, with 44 cents of every tourism dollar spent in regional destinations,<sup>3</sup> and the industry supported over one million jobs, directly or indirectly.<sup>4</sup>

The COVID-19 pandemic and accompanying restrictions saw Australian travel and tourism shut down entirely for an extended period with minimal certainty about its future.

The Chamber recognises and thanks the government for its commitment to recovering tourism and travel. To further aid this recovery, particularly in international travel and tourism, the government must support industry using the policy and decision levers at its disposal across various sectors, and aviation is crucial in this endeavour.

# Airlines, airports and passengers – competition, consumer protection and disability access settings

The Green Paper recognises that increased competition in Australia's aviation industry can help deliver better value, service and more choices for travellers.<sup>5</sup> The Chamber supports measures to increase competition to drive down travel costs and aid the recovery of Australian tourism and travel. Increased competition through additional capacity will lead to cheaper flights and more opportunities for visitors travelling to and throughout Australia.

While Australia is not a cheap or close destination, most travellers consider it offers value for money. To ensure this remains the case, supporting inexpensive and reliable airfares to, from and around Australia is essential.

<sup>&</sup>lt;sup>1</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.30.

<sup>&</sup>lt;sup>2</sup> Ibid.

<sup>&</sup>lt;sup>3</sup> Tourism Australia n.d., <u>The Economic Importance of Tourism</u>.

<sup>&</sup>lt;sup>4</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.30.

<sup>&</sup>lt;sup>5</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.3.



# A competitive aviation sector

### International

Australian tourism and travel is heavily dependent on inbound and outbound air capacity. While other international travel methods contribute to the visitor economy, air travel carries most travellers to and from Australia. Any limitations on inbound and outbound capacity will stunt the growth of tourism and travel through seat numbers and price competitiveness.

Australia is an expensive destination due to the distance from other countries and our tourism destinations which are geographically disparate. As a consequence, Australia is acutely affected by price increases, which can result from a lack of competition and inflationary pressures.

Data from industry ticketing systems analysed by the Australian Travel Industry Association (ATIA) shows that price increases on international fares from Sydney in 2023 are up to 99 per cent higher than the same period before the pandemic.<sup>6</sup>

Significant price increases are not confined to a specific class of travel. However, the growing popularity of premium economy seating has seen even more significant price rises for this category. Some of the highest price increases include:

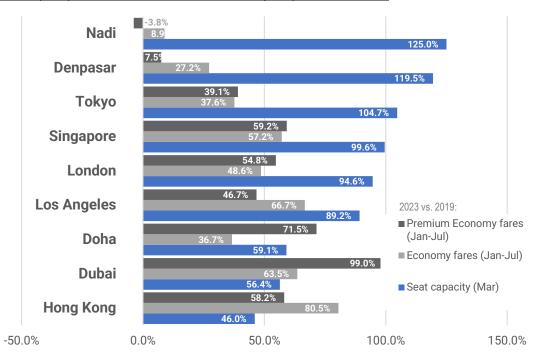
- Sydney to Hong Kong Economy \$853 one-way (81 per cent increase)
- Sydney to Los Angeles Economy \$1254 one-way (67 per cent increase)
- Sydney to Dubai Economy \$853 one-way (64 per cent increase)
- Sydney to Dubai Premium Economy \$2224 one-way (99 per cent increase)
- Sydney to Doha Premium Economy \$959 one-way (72 per cent increase)
- Sydney to Singapore Premium Economy \$1057 one-way (59 per cent increase)
- Sydney to Doha Business/First \$3165 one-way (68 per cent increase)
- Sydney to Hong Kong Business/First \$3692 one-way (56 per cent increase)

ATIA research indicates a correlation between capacity and airfares – reduced capacity results in higher airfares. This strong link is demonstrated in the below graph of selected international routes from Sydney:

<sup>&</sup>lt;sup>6</sup> Data source ATIA 2023 data is based on Jan-Jul, while 2019 data is full-year.



### Seat Capacity and Fares, selected routes ex-Sydney, 2023 vs. 2019



Source: Market Intelligence Global Demand Data (GDD) and Growth Potential for Foreign Airlines.7

Although costs have increased across all these destinations, aside from premium economy class fares to Nadi, the increases have been kept lower where capacity has returned to or exceeded from 2019.

In 2022, actual international passenger numbers were down 43 per cent on 2019 levels, with forecast recovery not expected until at least late 2025.8

Adding to these factors, carriers including Qantas acknowledge they will not return to full international capacity until at least March 2024.9

While the 'capacity ahead of demand' approach may be consistent with government policy,<sup>10</sup> the decision to deny Qatar Airways' application for additional flights contradicts this, given demand currently outweighs capacity.

The Chamber took significant issue with the Qatar Airways decision. By denying Qatar Airways additional flights to and from Australia, the government has restricted the number of tourists who can visit. This has effectively inflated the cost of airfares, which is detrimental to Australian travel and tourism recovery.

Decisions regarding the number of flights available are more crucial for travel and tourism than in the past. 11 Australian travel and tourism is in a comparatively weaker position than in the past when previous BASA decisions were made.

<sup>&</sup>lt;sup>7</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Growth Potential for Foreign Airlines</u>, 26 April 2023.

<sup>&</sup>lt;sup>8</sup> Deloitte Access Economics (2023), <u>Taking Flight: The economic and social contribution of Australia's airports</u>, November 2023, pg.32.

<sup>&</sup>lt;sup>9</sup> Qantas (2023), Qantas adds more than 250,000 international seats as aircraft return, 21 August 2023.

<sup>&</sup>lt;sup>10</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> *Towards* 2050, September 2023, pg.186.

<sup>&</sup>lt;sup>11</sup> Hart OAM, J. (2023), 'Commonwealth Bilateral Air Services Agreements' public hearing, 26 September 2023, pg.64.



A solution to existing competition issues would be to increase capacity through additional flights, upscaled aircraft or a combination of the two. Airlines that can add capacity immediately or in the short term should be allowed to do so where requested and within the national interest.

#### Recommendation:

Improve competition for international travel by increasing capacity. Airlines that can add capacity should be allowed to do so within the national interest.

### **Domestic**

A strong, competitive domestic aviation sector is crucial for tourism and travel. While many travellers come to Australia through international air services, they also travel within the country. The geography of Australia demands that this travel occurs by air. However, the high and rising costs of domestic airfares are a disincentive.

Domestic airfares in Australia have increased by 22.6 per cent between 2019 and 2022, surpassing cost increases reasonably expected in line with inflation. Domestic airfares have increased 19.3 per cent between Q1 2020 and Q1 2023. We fear that this will worsen given the recent Qantas announcement of increased fares from October 2023.<sup>12</sup>

Domestic airfares are at an all-time high due to sustained low competition. The Australian Competition and Consumer Commission (ACCC) recognises this results from an effective duopoly, which delivers underwhelming results for consumers and increases airfares, acting as a disincentive to travel. While the market may be experiencing a change, this will not have a substantial impact for some time to come. The ACCC notes that Rex and Bonza would need to expand significantly if they were to become viable competitors to Qantas and Virgin Australia. Australia.

### Review of the Sydney Airport Demand Management Scheme (the Harris Review)

The Chamber agrees with the recommendation of the Australian Airports Association (AAA) and the ATIA that the Review of the Sydney Airport Demand Management Scheme (the Harris Review) be implemented as soon as practicable. <sup>15</sup> Sydney Kingsford Smith Airport (Sydney Airport), Australia's largest and busiest airport, operates under a unique framework of operational restrictions and regulations, more stringent than those applied to other Australian airports or other airports globally. The framework was mainly introduced to address community concerns about aircraft noise and to manage airport capacity. A fundamental feature of the framework is managing the demand for airport infrastructure to mitigate congestion and facilitate the efficient operation of the airport. Effective implementation of the framework is essential to maximise efficiency at one of Australia's most critical infrastructure assets while balancing noise impact protections for the community.

The demand management framework, or 'slot regime', is the regulation that requires the most urgent reform. Sydney Airport is the only airport in Australia subject to a 'slot regime'. Under the regulatory

<sup>&</sup>lt;sup>12</sup> McGuire, A. (2023), Qantas passengers to pay more for flights as fuel costs bite, 20 October 2023, Sydney Morning Herald.

<sup>&</sup>lt;sup>13</sup> ACCC (2023), Airline Competition in Australia, Final Report, June 2023, pg.2

<sup>14</sup> Ibid.

<sup>&</sup>lt;sup>15</sup> Harris AO, P (2021), Review of the Sydney Airport Demand Management Scheme, February 2023.



framework that was introduced in 1997 to address noise concerns, the airport is restricted to no more than 80 movements per rolling hour. Practically, Sydney Airport reaches this 80-movement limit less than 1 per cent of the time, which restricts its ability to meet airline and passenger demand, reduces competition amongst airlines, provides less choice and higher airfares for consumers, more noise and emissions, and less economic benefit to NSW and Australia. The arrangement needs to be updated and reflect recent developments in noise management technologies.

The slot regime also entrenches inefficiency as it is open to manipulation by airlines and permits misuse. Addressing inefficient slot allocation and slot misuse is critical to ensuring competition amongst airlines, efficient use of critical infrastructure, and value for consumers and the Australian economy.

### Recommendation:

The government should implement the recommendations of the Harris Review as soon as practicable.

### Cabotage

Another way to potentially curb the domestic duopoly is through adjusting cabotage settings.

In its final airline monitoring report, the ACCC noted that removing cabotage restrictions may promote competition on some domestic routes. <sup>16</sup> While some airports are not equipped to support cabotage, some can make the requisite accommodations quickly. The Chamber supports the recommendation made by the AAA that the government should trial cabotage on some routes to improve competition. For example, Qatar Airways could fly from Melbourne to Adelaide and then internationally, where it is currently unable to do so. Any additional steps and outcomes of a trial should be published for the industry and stakeholders to consider.

The Chamber welcomes the proposal to publish the decision-making framework and guide for short-term cabotage dispensations.<sup>17</sup> This increased transparency should be encouraged as it provides some certainty for the industry and those affected.

### **Recommendations:**

The government should trial cabotage on some routes as a means to improve competition.

Following industry consultation, the government should publish the decision-making framework and guide for short-term cabotage dispensations.

### ACCC airline monitoring

The Chamber welcomes the government's direction to have the ACCC recommence monitoring of Australia's airlines.<sup>18</sup> This monitoring provides increased accountability in operational performance and customer service management, and is essential to public confidence in Australia's aviation industry.

<sup>&</sup>lt;sup>16</sup> ACCC (2023), Airline Competition in Australia, Final Report, June 2023, pg.30.

<sup>&</sup>lt;sup>17</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.47.

<sup>&</sup>lt;sup>18</sup> Chalmers MP, Hon Dr J. and King MP, Hon C. (2023), ACCC to monitor Australia's air passenger services, 18 October 2023.



However, we urge the government to continue this indefinitely, given the domestic market concentration. If this is not an ongoing measure, the ACCC and relevant stakeholders should have an opportunity to publicly provide feedback on whether the monitoring should continue and a definitive decision made on whether the monitoring will be extended well ahead of the prospective expiry date.

A key element impacting consumer experience is cancellations. The ACCC's previous reports contained helpful information about each airline's cancellation rates and tracking rates, along with the industry average and industry long-term average. A helpful addition would be to break down the cancellations further and follow the reason for cancellations.

#### Recommendations:

Quarterly ACCC airline monitoring should continue indefinitely.

Industry should be consulted ahead of any decision to conclude monitoring. This consultation should occur well in advance of the expiry date of the monitoring.

For future monitoring reports, consideration should be given to including a further breakdown of cancellations, including the reason for the cancellation.

# Productivity Commission inquiry into determinants of domestic airfares on routes to and between regional centres

The Chamber would welcome the proposed Productivity Commission inquiry into determinants of domestic airfares on routes to and between regional centres. We recommend that the role of increased airfares on travel and tourism, as well as the importance of travel and tourism for regional locations, be considered when drafting the terms of reference for the inquiry. We address the importance of regional and remote aviation services to support Australian travel and tourism later in this submission and believe that it would benefit any inquiry to consider this as well.

### Recommendation:

The Productivity Commission should inquire into the determinants of domestic airfares on routes to and between regional centres. The terms of reference should consider the role of increased airfares on travel and tourism and the importance of travel and tourism for regional locations.

# Consumer protections

The ACCC has noted that "the lack of effective competition over the last decade has resulted in underwhelming outcomes for consumers in terms of airfares, reliability of services and customer service". 19 While these comments referred to domestic aviation, it is also true of international aviation.

Increasing competition will lead to better consumer outcomes, and should be a priority. Consumer protections without competition reforms will be ineffective. Before considering a compensation scheme, the government must make appropriate changes to allow additional competition within Australia's aviation

<sup>&</sup>lt;sup>19</sup> ACCC (2023), Airline Competition in Australia, Final Report, June 2023, pg.2.



sector. Reducing barriers to competition will increase Australians' opportunities regarding how and the types of products they purchase.

Following the implementation of initiatives to increase competition, an assessment can be made as to whether a European Union-style compensation scheme is necessary. The Aviation White Paper should provide clear timeframes for how long such measures should be trialled and monitored, and when the impact of those should be assessed to determine whether further steps to increase consumer outcomes are necessary.

If any such scheme is to be pursued, it must operate effectively and have the intended outcome. Generally, the compensation scheme should not apply where the reason behind the flight disruption can be connected to 'extraordinary circumstances' and the issue is outside the airline's control. Any compensatory scheme should operate between airlines and the consumer directly. This would avoid unnecessary problems and delays involving intermediaries such as travel agents and provide the customer with any entitlements more promptly.

If a compensation scheme were established, an independent body should also be established to determine the fault of delays and cancellations and the appropriate course of action for consumers.

Globally, consumer rights have been strengthened following the performance of airlines regarding cancellations and credits during the COVID-19 restriction period. Reform is needed to simplify refund rights for flight cancellations and passengers not being accommodated on the same day. The Chamber agrees with the ATIA's recommendation that full and equal rights should be provided to travel agents for customer refunds and cancellations that occur so that airlines cannot discriminate against agents by disabling access to the refund system for their customers as they did during the pandemic.

### Recommendations:

Following initiatives to increase competition, the government should review the impact on consumer outcomes and determine whether further measures are needed. Clear timeframes should be set out in the Aviation White Paper for implementation, trialling and review.

Should the government implement a consumer compensation scheme:

- this needs to be between the airline and the consumer and
- an independent agency should be set up to determine the fault of delays and cancellations.

Full and equal rights should be provided to travel agents for customer refunds and cancellations that occur so that airlines cannot discriminate against agents by disabling access to the refund system for their customers as they did during the pandemic.

# Disability access

Accessibility has implications for both visitation and workforce opportunities.

At present, responsibilities between important interfaces, such as ground transport, check in and security screening can be key drivers of a poor traveller experience. As the industry moves towards more user-friendly and modern technologies to support an improved traveller experience, genuine engagement and co-design with users who have lived experience with disabilities will be crucial to progress all touchpoints for all passengers on their traveller journey.



Accessibility is a key facet of Queensland's approach to more inclusive travel and tourism, with 2023 being declared the Year of Accessible Tourism (YOAT). One action implemented as part of this initiative includes Brisbane Airport taking a proactive step towards enhancing passenger wellbeing by introducing therapy dogs in its domestic terminal. This trial employs canine ambassadors to provide emotional support, particularly for anxious passengers. This innovative approach aims to reduce stress levels and create a more relaxed environment, contributing to an inclusive and positive travel experience. YOAT has recently been extended to 2024, presenting an opportunity for the initiative to be adopted nation-wide.

# Economic regulation of Australian airports

Airport regulation attempts to balance incentivising investment with keeping costs low. Underinvestment by an airport could adversely affect competition and consumers by constraining capacity, reducing customer satisfaction or failing to modernise where efficient. On the other hand, if an airport over-invests, it may be unable to recoup the losses required to maintain the airport and may have to increase costs, which may ultimately be passed on to travellers.

Major airports are incentivised to keep prices low through the threat of heavier regulation and competition from other transport modes and, in limited circumstances, competition from other airports.

Competition from other airports is likely higher for some tourist locations as travellers may be looking for a particular environment or activity that is wider than one location. For example, tourists interested in a tropical holiday may be willing to substitute holidays between Cairns, Townsville and Mackay depending on airfares, which vary based on airport charging. This reduces the market power of these airports compared to the business hubs of Sydney, Melbourne, Perth and Brisbane, as they must compete to attract tourists.

It is a similar situation where a customer base partially overlaps. In South-East Queensland, for example, three airports can service the same travellers: Brisbane, Gold Coast and Sunshine Coast. For these airports, landing fees and other aeronautical services are essential to suppress prices and attract those customers.

Aside from the overt threats to increased regulation and competition, Australian airports have been the subject of several reviews and inquiries into the use of their market power, including those conducted by the Productivity Commission and the ACCC. These inquiries have consistently determined that airports do not abuse their market power, and the current regulatory framework as it relates to airports is fit for purpose.

Further, the Chamber understands that airports are satisfied with the current regulatory regime regarding their role in Australia's aviation sector.

While this remains the case, the Chamber supports the current regulatory settings. Should airports be found to be displaying concerning behaviours about the exercise of their powers, further regulatory action could be considered.

### Recommendation:

Current airport regulatory settings should remain in place. Further regulatory action should only occur where airports display concerning behaviours regarding the exercise of their power.



# Regional and remote aviation services

# The role of airlines and airports in supporting regional economies

Regional and remote airports are vital gateways for travel and tourism. Tourists and travellers tend to come to Australia to see the main cities; however, due to the spread of our destinations, many of which are in rural and regional Australia, air travel is required. Without airports in these regional areas, many locations would be too far away, largely inaccessible or too expensive to travel to. Even with an airport in these areas, many are costly and only available to more affluent travellers.

Competition within the aviation sector is crucial to the recovery of Australian tourism and travel. This is especially true for regional and remote travel and tourism, which is more sensitive to price and availability instability.

If airfares rise above what they currently are, which is likely,<sup>20</sup> travellers may decide to travel to a cheaper, closer location where the main sights are easier to access. Even if visitors do come to Australia, they may be less likely to travel around. This would be disappointing for regional tourism operators and locations that often depend on travellers and tourists to support their businesses and regions more broadly.

### Importance of Working Holiday Makers

Working Holiday Makers (WHMs) are essential for Australian tourism, particularly in regional and remote Australia, due to their spending as visitors and contribution to the labour market. The WHM program delivers enthusiastic and mobile workers to regions where labour is most needed, which enables regions and businesses to meet seasonal labour needs thanks to the flexibility of the visa.

WHMs contributed \$3.2 billion to the Australian economy in the year immediately before COVID-19 restrictions,<sup>21</sup> much of which was spent in the regions. Before the COVID-19 restriction period, 22 per cent of WHMs extended their visa past the first year, accounting for around \$577 million of spending in the visitor economy. This is a significant contribution, especially when spent in regional tourism areas struggling to recover after years of disruption.

In the medium term, it is likely to be more challenging to encourage WHMs to return to Australia. This is due to several factors, including the increase in visa costs and travel taxes incurred when travelling to Australia – the 2023-24 Federal Budget increased a WHM visa to \$640. Reduced numbers of WHMs are also due to increased airfares because of reduced capacity and competition, and as set out above, this may remain the same in the immediate future. Additionally, from 1 July 2024, there will also be an increase to the Passenger Movement Charge (PMC) of \$10, which is another disincentive for WHMs to come to Australia.

WHMs must spend at least 88 days working in a rural or regional location as part of their current visa requirements. For many, the only way to access their destination is through regional airports, and even then, it is expensive to travel to these locations. When combined with other costs, Australia may not be the destination of choice for WHMs.

<sup>&</sup>lt;sup>20</sup> McGuire, A. (2023), Qantas passengers to pay more for flights as fuel costs bite, 20 October 2023, Sydney Morning Herald.

<sup>&</sup>lt;sup>21</sup> Tehan, Hon D. and Hawke, Hon A. (2022), Attracting more Working Holiday Makers, 31 January 2022.



The government may be removing the 88-day requirement following receipt of the Review of the Migration System (the Parkinson Review) earlier this year. <sup>22</sup> We understand the recommendation was made based on the possible exploitation of workers in the specified work requirements. However, we do not believe that the removal of this requirement, nor the removal of the potential to extend the WHM visa beyond the first year, will effectively stem any possible exploitation in a substantial manner. Further, if this requirement is removed, noting the significant costs incurred when travelling to rural and regional Australia, it may have a detrimental impact on the viability of some rural and regional Australian towns.

We note that the government has embarked on other reforms to address the exploitation of vulnerable migrant workers, such as the Migration Amendment (Strengthening Employer Compliance) Bill 2023. Until this and other simultaneous measures have been given time to operate and their effectiveness determined, we ask the government to maintain the 88-day requirement for WHMs.

In addition, we ask the government to provide financial incentives through reduced airfares and visas for WHMs to support their return to Australia and the regions in the medium term.

### **Recommendations:**

The second and third-year WHM visa and specified work requirements should remain in place.

The government should provide financial incentives to support the return of WHMs to Australia.

### Impact of cancellations and delays

The Green Paper identifies the economic benefits for regional and remote airports with more significant passenger numbers: these airports are more likely to derive enough revenue to sustain themselves financially.<sup>23</sup> Tourism and travel is imperative for many of these airports, and one can only function well with the other succeeding.

Given the reliance on rural and regional tourism and travel on flights into airports in their area, cancellations affect these locations more significantly than they do for major airports and cities. Any rural or regional location may only have one inbound or outbound flight daily. If that is cancelled, it may lead to a significant revenue loss for the area through lost accommodation, hospitality and broader tourism spending. Airports in these regional locations may only be open to the public to receive, refuel and reboard an aircraft; airports may not be open outside of scheduled flights. If a flight is cancelled with short notice, it may set the airport back in fees required to open and staff the centre and maintain relevant regulatory requirements.

While ensuring that flights into and out of rural and regional airports are available and accessible, it is essential to recognise that many of these flights come from and go to major cities and airports, including Sydney Airport. Flights to and from Sydney Airport play a significant role in facilitating rural and regional travel and tourism, and any issues in Sydney can have substantial repercussions for these rural and regional areas.

As set out above, the Chamber would welcome implementing the Harris Review recommendations, particularly those aiming to alleviate regional and rural travel and tourism issues.

<sup>&</sup>lt;sup>22</sup> Parkinson AC PSM, Dr M., Howe, Prof. J. and Azarias, J (2023), <u>Review of the Migration System: Final Report</u>, March 2023, ng 89

<sup>&</sup>lt;sup>23</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.66.



### Support will be required to adapt

The Green Paper identifies a situation where airlines that service regional and rural airports may have ageing fleets that require replacing.<sup>24</sup> While this may be a necessary outcome for airlines to ensure their aircraft meet safety standards and requirements, it will be essential to ensure that rural and regional airports can accommodate these larger aircraft. Many rural and regional locations depend on a functioning airport to facilitate travellers, tourists and workers; without this source of access, these locations would be largely isolated. It will be crucial to maintain access to these regional and rural centres.

Should the government consider expanding cabotage restrictions, supporting regional and remote airports in upgrading their facilities to accommodate larger aircraft will be essential. While easing cabotage restrictions may be immediately possible for some larger airports, it will be essential to ensure that more regionally located airports have the same capabilities to encourage increased competition along these routes and provide more opportunities for travellers to reach more regional locations. While it would not be realistic to presume that changes to cabotage restrictions would mean that foreign airlines travel to rural airports, it may allow foreign aircraft to add competition to routes to and from larger, regional and under-served locations that can accommodate their aircraft.

Additional and targeted funding would be one mechanism that may support regional and remote airports to upgrade their capabilities. While funding for regional airports has typically been at the behest of state and territory governments, the federal government has also recently taken a funding role. This recognises the importance of regional and rural airports in facilitating inter and intrastate travel and supporting the towns in which they operate.

Support should be provided by all levels of government so airports can accommodate larger aircraft. This will be critical to ensure that these regional and remote airports can sustain services for travellers and facilitate business for the local area and tourism operators. Support will be necessary to help avoid the consolidation of regional routes, which is also foreshadowed in the Green Paper.<sup>25</sup> Financial support should also subsidise airfares to support affordable and accessible air travel to ensure these areas remain viable locations for tourists and travellers.

Any funding program should also assist regional airports to modernise and upgrade their facilities within the airport to provide a better passenger experience.

Importantly, it will be imperative to ensure that upgrades to facilities are done sustainably. While aviation is a hard-to-abate sector, mechanisms are in place to assist the industry transition to net zero. While upgrades to all airports, mainly rural and regional airports as set out above, are necessary, these can not come at the cost of the sustainability measures necessary to maximise aviation's contribution to net zero.

### Recommendations:

As airlines upgrade their ageing fleets, all levels of government should support rural and regional airports in upgrading their facilities to accommodate larger aircraft. This will also be required if cabotage restrictions are eased.

Upgrades should occur sustainably to maximise aviation's contribution to net-zero.

<sup>&</sup>lt;sup>24</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.69.

<sup>&</sup>lt;sup>25</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.65.



### Impacts of climate change

Just as support is needed to ensure upgrades are done sustainably, support will be necessary to equip rural and regional airports to adapt to the impacts of climate change on their operations. This will be more important for some airports than others, for example, those in low-lying or coastal areas due to rising sea levels and tropical weather events; however, it will be necessary across the board as the climate continues to change.

The government's Intergenerational Report (IGR) has highlighted the concerns for Australian tourism over the coming decades due to climate change. For example, the IGR highlights that Australia has many natural attractions at risk of environmental degradation, which may attract fewer tourists in a world of higher global temperatures.<sup>26</sup> At least 50 per cent of Australia's coastline, a major drawcard for tourism, is under threat of erosion due to climate change.<sup>27</sup> Many of Australia's top attractions are in regions likely to be increasingly susceptible to natural disasters, risking travel disruption and reputational harm.<sup>28</sup>

The aviation sector is moving towards more environmentally friendly technologies, which regional and remote airports must accommodate to remain accessible by these aircraft. Funding should be made available to these airports to allow them to make the necessary accommodations and stay viable for new and improved aircraft access.

### Recommendation:

Support is needed to equip airports, specifically those in rural and regional areas, to adapt to the impact of climate change on operations.

# Fit-for-purpose agencies and regulations

# Role of government and agencies

Powers and responsibilities associated with the passenger facilitation process are split across several government departments and agencies, and a number of ministers are involved in some capacity.<sup>29</sup> Some of these powers and responsibilities are more significant than others. Still, all are integral to how travellers get to and from Australia in a manner safe to them and to Australia's national and biosecurity.

The broad spread across portfolios and government infrastructure complicates and slows the day-to-day operations of passenger facilitation and means that reform is more complex than necessary.

An untangling of responsibilities within this process should be prioritised. Dysfunction and delay do not need to be an outcome of a passenger's journey to or from Australia, and ironing out any unnecessary bureaucratic involvement would alleviate some of these issues.

<sup>&</sup>lt;sup>26</sup> The Treasury (2023), Intergenerational Report 2023: Australia's Future to 2063, 24 August 2023, pg.103.

<sup>&</sup>lt;sup>27</sup> Ibid.

<sup>28</sup> Ibid

<sup>&</sup>lt;sup>29</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.130.



There needs to be a clear leadership and co-ordination role in administering major policy and legislative initiatives, in addition to interdepartmental, cross-government and industry collaboration. The ability to plan and implement future challenges such as decarbonisation, regulations and passenger facilitation are contingent on leadership and driving outcomes on behalf of the sector.

Accordingly, we recommend that the passenger facilitation process be reviewed to identify where key roles and responsibilities lie and where efficiencies can be implemented.

### Recommendation:

An analysis of the roles and responsibilities of government departments, agencies and ministers involved in passenger facilitation should be undertaken to determine whether these involvements are necessary and where efficiencies can be identified.

# Passenger facilitation

An essential aspect of the passenger experience is that which is spent in our airports. Airports are the gateways to Australia and are the first experience a traveller has while visiting the country. The experience must be positive to entice travellers back to Australia on future journeys.

All travellers to Australia undertake a similar journey in terms of the steps undertaken to arrive physically. Briefly summarised, travellers must first apply for and obtain the correct visa before travel, arrive at the departing airport and check-in, pass through security, immigration and depart, arrive at the destination airport, pass through customs, quarantine and security before finally entering the country. The main difference between the journey once in Australia is the often-tedious nature compared to other countries.

When Australia invested in SmartGate infrastructure, it was ahead of many countries in modernising this aspect of the passenger journey. Unfortunately, as other countries have improved their incoming passenger technology and processes, Australia remains largely reliant on manual processes.

The Chamber is undertaking a comprehensive review of the passenger journey to make informed and practical suggestions for improvements. While several steps in the passenger facilitation process need to be upgraded to align with international standards, two are of high priority and could be addressed quickly.

### **Tourist Refund Scheme**

Australia has never been and will never be a 'stopover' destination and does not depend on state-of-theart shopping opportunities to attract travellers. While this is unlikely to change, it is not justification for not improving the traveller's experience, which includes the time spent in our airports.

The Tourist Refund Scheme (TRS) was established to facilitate the refund of Goods and Services Tax (GST) and Wine Equalization Tax (WET) to international travellers on goods they purchased in Australia and took overseas in their accompanying baggage. Both overseas visitors and Australians travelling abroad can claim a TRS refund.

The TRS is jointly administered by the Department of Home Affairs (Home Affairs), of which the Australian Border Force (ABF) is a part, and the Australian Taxation Office (ATO). ABF officers undertake the processing of TRS claims and the inspection of goods in person at Australian airports.

Australia still requires travellers to have original paper invoices for purchases they wish to claim under the TRS. Travellers must make claims in person by showing their passport, boarding pass and original tax



invoices to the TRS facility on the day of departure. Claims must be made by the person who bought the goods, and the person must be travelling – a passenger cannot make a TRS claim on behalf of someone else. Claims must be made before the traveller departs Australia, even though the ABF's website warns travellers that they might "queue for more than 90 minutes" and "have to leave for TRS facility before you get to claim".<sup>30</sup> This alone is hardly an incentive to shop at Australian airports.

The most progressive element of Australia's TRS system is the app. The app allows travellers to reduce the time spent at a TRS facility as the ABF officer does not have to enter the traveller's details manually. Unfortunately, the app does not allow a passenger to submit their refund claim – they are still required to line up in person, offering only a slight advantage for those with the foresight to download and pre-fill their information.

Australia's TRS is far from best practice or in line with international standards. An example of a modernised refund scheme exists in Singapore. Tourists buying goods from retailers who participate in the electronic TRS (eTRS) can claim a refund of the GST paid on purchases made in Singapore. Tourists are required to depart with the goods within two months from the date of purchase and within 12 hours after obtaining approval of the GST refund. They can claim the refund from an approved self-help kiosk within two months from the application's acceptance date.

Retailers issue an eTRS transaction to eligible passengers at the point of purchase with their passport details. Passengers then apply for their GST refund at the airport's eTRS self-help kiosk with their passports, whereby their transactions are automatically retrieved. Travellers can also recover their refunds through an app that manages the final step of customs validation through a facial recognition authentication feature.

Passengers receive a refund slightly below the total GST amount paid for as the additional revenue directly funds the eTRS system. This commission-based funding enables the more modern approach to function without appropriation from the government or agencies.

The eTRS system allows the Inland Revenue Authority of Singapore (IRAS) to promptly detect any usual claim. Physical inspection of goods promptly may be carried out by Singapore Customs officers. It does not require a Customs officer to manually check all details – the traveller can do this through the electronic self-help kiosk. This a more accessible and efficient way for a passenger to obtain their GST refund and alleviates the pressure on Singapore's ABF officer equivalents to process refunds.

### Incoming passenger card

Another example of modernisation could be the incoming passenger card. Currently, travellers to Australia – whether returning citizens, migrants or tourists – must fill out a paper slip noting their name and passport number, which country they have travelled from, where they have spent time, and declaring any goods that may be harmful to Australia's biosecurity. While the details sought through the card are necessary to protect Australia, requiring passengers to fill out a card manually can be tedious and, for those unable to comprehend English well, can be difficult to complete.

Furthermore, upon arrival into Australia, there are electronic stations, or SmartGates, where passengers with ePassports are required to provide similar information again, doubling up unnecessarily. These stations produce a ticket for passengers, which must be scanned and shown to ABF officers during the customs and quarantine process. These two steps are redundant and should be combined to avoid needing a physical passenger declaration card.

<sup>&</sup>lt;sup>30</sup> Australian Border Force (2020), <u>Tourist Refund Scheme: Making The Claim</u>, 17 March 2020.



The existing electronic stations would allow passengers to select their preferred language, reducing the prevalence of some mistakes when filling out the form. It would ask all the same questions but avoid having to fill in all the exact details, instead allowing a passport to be scanned and the form pre-filled based on that information. A passenger would still be required to declare goods they bring into Australia and where they have been travelling to alert ABF officers to potential hazards. Once complete, the station would produce a physical, scannable ticket for ABF officers to review and use to determine the best progression for passengers as they proceed through customs. The infrastructure for the digital declaration card is mostly in place already; this would require an update to the software.

It may be advisable to establish a concept case between some popular destinations and Australia to ensure the system works effectively before broadening to more arrival countries; however, the Chamber notes that this system is already in place in some capacities in other countries. For example, passengers arriving in Indonesia are able to fill out an online customs declaration form before they depart for Indonesia or once they have arrived. The document is publicly available online, and there are QR codes throughout the airport to provide travellers with easy access once they have landed before going through customs. Once the online form is complete, a QR code is produced and scanned by border officers, who can direct passengers through relevant customs areas depending on what is declared.

This entirely electronic system is one that Australia should consider moving forward.

#### Recommendation:

The incoming passenger declaration process should be digitised. SmartGate software should be updated as a first step to remove the need for the physical passenger declaration card.

# Agency funding and cost recovery approaches

### Tourist Refund Scheme

The Chamber has previously called for the government to evaluate the option to transition to an outsourced system where a commission is deducted from the traveller refund amount to self-fund the digital enhancements. This is the global standard for other countries that operate similar schemes.

Any costs incurred through modernising the TRS through new technology, processing, and operation costs would be covered by the commission paid by travellers from their TRS refund. This would not need to be a significant commission and, for many travellers, would likely be considered a worthy contribution towards a more efficient refund scheme. It would enable travellers to purchase items and claim eligible refunds without manually filling in documentation or lining up in person ahead of their flight. It would allow travellers to take control of their shopping experience instead of depending on the resourcing of the ABF on any given day when they may need help to receive their eligible refund.

Outsourcing this process would also reduce the administrative burden on ABF officers.

We again call on the government to move towards this global standard.



### Recommendation:

The TRS should be digitised and outsourced. The government should evaluate the option to transition to a user-pay system where a commission is deducted from the traveller refund amount to self-fund the digital enhancements.

### Passenger Movement Charge

Australia competes with the rest of the world for tourists and is disadvantaged by the high cost of airfares and its distance. While travellers choose to come to Australia on account of the many positives we have to offer and despite these factors, some policy settings may still dissuade travellers from making the journey.

An example of this is the Passenger Movement Charge (PMC). The PMC is a tax travellers incur when they leave Australia, which Home Affairs administers.

The 2023-24 Federal Budget increased the PMC by \$10 from 1 July 2024. This will raise an additional \$520 million in revenue, another increase to potential passenger costs, and a reason to travel elsewhere.<sup>31</sup> The Chamber does not support additional revenue raising through increased taxes on tourists and travelling Australians.

The PMC is directed into consolidated revenue, as will the proposed increase; it is not reinvested in improving passenger facilitation or bettering the travel experience. This is disappointing, especially when considering the need for more transparency regarding where and how these funds are allocated throughout the Budget. Currently, funds raised through the PMC are directed elsewhere in the Budget however, there is no way to observe where or how it is directed.

Just like an outsourced and modernised TRS would be paid for by commissions from the refund amount, funds derived from the PMC should be reinvested into passenger facilitation.

The Chamber urges the government to direct funds received through the PMC to modernising passenger facilitation to improve the passenger experience and fund agencies who support this process. At the very least, there should be some transparency as to how the funds are allocated throughout the Budget.

### **Recommendations:**

The revenue derived from the PMC should be reinvested into improving the passenger experience and funding agencies that support passenger facilitation.

There should be increased transparency as to how PMC revenue is allocated throughout the Budget.

<sup>&</sup>lt;sup>31</sup> ATIA (2023), <u>Passenger Movement Change increase will see an extra \$520M lost out of Travel Sector</u>, 10 May 2023.



# Future industry workforce

An economic analysis commissioned by the AAA highlights airports' vital role in connecting communities and enabling economic activity.<sup>32</sup> The report provides some insight into the importance of jobs in and around airports – this was more than one in 20 jobs in Australia in 2022.

Airports support many jobs in and around their precinct as well, not solely related to aviation. A wide range of businesses and services operate from airport precincts, including aircraft maintenance, warehouse and logistics, hotels, cafes and restaurants, and professional services. Airports also serve as hubs for business and government activity, as well as provide space for retail trading, ranging from standard on-airport retail options to discount factory outlets and high-end brands. In 2022, over 91,000 FTE employees were directly employed in airport precincts, supporting almost 70,000 indirect FTE jobs, resulting in a total employment contribution of more than 161,000 FTE employees.<sup>33</sup>

It will be essential to ensure that there are supports in place to assist aviation in fulfilling its workforce demand. Not only are these jobs crucial to the effective functioning of our domestic and international airports, but they are also crucial to the visitor economy. Without the right workforce to staff aircraft, airports and adjacent jobs, there will be fewer flights and capacity, and travel and tourism will suffer.

This is also the case for the workforce that operates around aviation, such as travel agents and tourism operators. As gateways for domestic and international travel and tourism, well-operating airports are necessary to support Australia's visitor economy. In 2022, airports facilitated 3.4 million international visitors to Australia, leveraging \$14.2 million in expenditure.<sup>34</sup> Domestically, Australian airports facilitated 110 million visitor nights with an associated \$28 billion in visitor expenditure.<sup>35</sup>

Just as solid support needs to be in place for the aviation workforce, there needs to be support for the surrounding workforce, including travel agents. At least 70 per cent of all international air sales and over 90 per cent of corporate sales are through agencies rather than direct with airlines, reflecting how Australians like to book their travel. Travel agents were significantly impacted by COVID-19 pandemic restrictions, with over a third of the workers in the industry lost. In 2022, 'travel consultants' were added to the Jobs and Skills Australia (JSA) Skills Priority List,<sup>36</sup> recognising the widespread shortage in each state and territory, and it has remained on the list in 2023. It is a similar situation for tour operators.

As highlighted above, Australia must move towards modernising its passenger journey. Airports are already investing in the modernisation of the passenger experience and upgrades to accommodate different aircraft and become more sustainable. These moves are welcomed, but for this to continue, and at the increasing rate necessary, appropriate training and jobs will need to be in place to ensure transitions and upgrades occur as seamlessly as possible.

The Chamber and ACCI have welcomed the establishment of JSA and the Jobs and Skills Councils (JSCs), and we note that one of the JSCs focuses on aviation. We encourage Industry Skills Australia to

<sup>&</sup>lt;sup>32</sup> Deloitte Access Economics (2023), <u>Taking Flight: The economic and social contribution of Australia's airports</u>, November 2023, pg.32.

<sup>&</sup>lt;sup>33</sup> Deloitte Access Economics (2023), <u>Taking Flight: The economic and social contribution of Australia's airports</u>, November 2023, pg.17.

<sup>&</sup>lt;sup>34</sup> Deloitte Access Economics (2023), *Taking Flight: The economic and social contribution of Australia's airports*, November 2023, pg.23.

<sup>&</sup>lt;sup>35</sup> Deloitte Access Economics (2023), <u>Taking Flight: The economic and social contribution of Australia's airports</u>, November 2023, pg.20.

<sup>&</sup>lt;sup>36</sup> JSA (2023), Skills Priority List, 4 October 2023.



work closely with other JSCs aligned with sectors that have a high dependence on aviation, such as SkillsEquipped, which covers arts, personal services, retail, tourism and hospitality.

#### Recommendations:

Supports must be in place for the aviation-adjacent workforce, including travel agents.

Industry Skills Australia should work closely with other Jobs and Skills Councils aligned with sectors with a high dependence on aviation, such as SkillsEquipped.

# International aviation

Analysis undertaken by Deloitte Access Economics, commissioned by the AAA, indicates that passenger levels are expected to grow more slowly than they did before the COVID-19 pandemic, at slightly below 3 per cent a year from 2025-40 compared to 5.6 per cent from 2012 to 2019.<sup>37</sup> The slower recovery of international aviation, travel and tourism can be attributed to border closures, ongoing capacity constraints, and lingering travel hesitancy.

The analysis suggests that international arrivals will not recover to 2019 levels until late 2025.<sup>38</sup> This is two years slower than domestic travel, which is expected to recover to 2019 levels in 2023 and grow strongly in 2024.<sup>39</sup>

However, the economic analysis also considers the global inflation and supply chain issues and their impacts on international travel and tourism. With a more significant share of international visitors being economically sensitive leisure travellers, international demand is more substantially impacted by both of these factors. As a result, the recovery may not be until 2027.<sup>40</sup>

Given this, it is crucial that Australia's policies regarding international travel appropriately reflect what is needed to facilitate this recovery as expediently as possible.

### Bilateral settings

Australia's bilateral air service agreement (BASA) settings can be improved to be more fit for purpose. The current BASA arrangements will not produce benefits in the national interest, especially not for tourism and providing competition benefits for passengers.

This was demonstrated extensively following the Qatar Airways decision. The decision to deny Qatar Airways' application for additional routes under their BASA has been estimated to cost Australian tourism and travel up to \$788 million in foregone revenue.<sup>41</sup> Another estimate puts the cost of the decision at up

<sup>&</sup>lt;sup>37</sup> Deloitte Access Economics (2023), <u>Taking Flight: The economic and social contribution of Australia's airports</u>, November 2023, pg.32.

<sup>38</sup> Ibid.

<sup>&</sup>lt;sup>39</sup> Deloitte Access Economics (2023), <u>Taking Flight: The economic and social contribution of Australia's airports</u>, November 2023, pg.31.

<sup>&</sup>lt;sup>40</sup> Deloitte Access Economics (2023), <u>Taking Flight: The economic and social contribution of Australia's airports</u>, November 2023, pg 33

<sup>&</sup>lt;sup>41</sup> de Kretser, A (2023), <u>Blocking flights 'could cost \$500m', but minister says it saves jobs</u>, Australian Financial Review, 9 August 2023.



to \$1 billion in lost income when considering business travel and freight as well as tourism.<sup>42</sup> These costs do not account for the foregone reduction in airfares that Qatar Airways' increased competition offered, either.

Regarding the Qatar Airways decision, the Minister for Trade and Tourism informed the Senate that he received no advice, briefings or submissions from his department regarding the application.<sup>43</sup> Given this admission, it is difficult to understand how the recovery of Australian tourism and travel was adequately considered when the decision was being considered and ultimately made.

The Chamber believes BASAs should be undertaken in a clear and transparent process, with a clear understanding of the guiding principles and consultation and timeline for the agreements.

It would be appropriate for the ACCC to review the consumer benefit of each BASA application and publicly release its findings. It is the only Government agency that can assess competition settings and ultimate consumer impacts.

Noting the ACCC regulates some aspects of the aviation sector, its findings would need to be appropriately considered against those views put forward by other stakeholders. In addition, there should be sufficient opportunity for tourism, travel, aviation and other export-sensitive industries to provide feedback on each BASA request. In making the decision, the approving authority should have regard to the views of relevant stakeholders, such as ministers, departments, agencies, tourism, travel and aviation industry bodies, as well as the findings of the ACCC.

The outcome of decisions should be published. This should include decisions to grant or deny applications for additional bilateral air rights and any appeal of a decision. It would also be appropriate for the approving authority to justify the reasons why they agree or disagree with advice provided during the decision-making process.

In addition, noting the government's consistent 'capacity ahead of demand' approach,<sup>44</sup> BASA negotiations should be conducted proactively to avoid capacity issues. We appreciate that the bilateral air services forward negotiation program is not publicly available for good reason,<sup>45</sup> but we urge the government to consider widening the industry stakeholders it consults in line with those suggested above so as to receive more informed advice about priorities moving forward.

As a peak representative of businesses engaged in the visitor economy, the Chamber reasonably expects consultation in some capacity for future BASA decisions. These decisions significantly impact tourism and travel, and this must be considered so that the government can make an appropriately informed decision in the national interest.

Improving these processes will significantly enhance the approving authority's ability to receive and consider relevant information before making a more informed decision.

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<sup>&</sup>lt;sup>42</sup> Merkert, R (2023), What will putting the interests of Qantas ahead of Qatar Airways cost? \$1 billion per year and a new wave of protectionism of legacy carriers, The Conversation, 1 September 2023.

<sup>&</sup>lt;sup>43</sup> Farrell, Senator the Hon D (2023), <u>Order of 5 September 2023 (302) relating to Qatar Airways - flight services to Australia [11 September 2023]</u>, Parliament of Australia, 11 September 2023.

<sup>&</sup>lt;sup>44</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts (2023), <u>Aviation Green Paper:</u> <u>Towards 2050</u>, September 2023, pg.186.

<sup>45</sup> Ibid.



### Recommendations:

Bilateral Air Service Agreement (BASA) decisions should be clear and transparent, with a clear understanding of the guiding principles, consultation requirements and timeline for agreement.

When making decisions relating to BASAs, the government should:

- Allow the ACCC to review the consumer benefit of each BASA application and publicly release its findings
- Consult widely with critical stakeholders from tourism, travel, aviation and other export-sensitive industries, including the Australian Chamber – Tourism
- Publish the decisions.

BASA negotiations should be conducted proactively.

Consultations regarding the bilateral air services forward negotiation program should be conducted with more industry stakeholders.



# About Australian Chamber – Tourism

Australian Chamber – Tourism is a peak body representing Australian businesses engaged in the visitor economy. It brings together key participants in the tourism and travel sector to advocate better policies, including tax, regulation, tourism marketing, research, labour supply, visas and infrastructure. The Chamber is part of the Australian Chamber of Commerce and Industry, Australia's largest and most representative business network.

The Australian Chamber of Commerce and Industry represents hundreds of thousands of businesses in every state and territory and across all industries. Ranging from small and medium enterprises to the largest companies, our network employs millions of people.

ACCI strives to make Australia the best place in the world to do business – so that Australians have the jobs, living standards and opportunities to which they aspire.

We seek to create an environment in which businesspeople, employees and independent contractors can achieve their potential as part of a dynamic private sector. We encourage entrepreneurship and innovation to achieve prosperity, economic growth, and jobs.

We focus on issues that impact on business, including economics, trade, workplace relations, work health and safety, and employment, education, and training.

We advocate for Australian business in public debate and to policy decision-makers, including ministers, shadow ministers, other members of parliament, ministerial policy advisors, public servants, regulators and other national agencies. We represent Australian business in international forums.

We represent the broad interests of the private sector rather than individual clients or a narrow sectional interest.



### **Australian Chamber - Tourism Members**

























































