

Emirates Airline feedback on the Aviation Green Paper

30 November 2023

Chapter 2 – Likely future directions out to 2050

- What emphasis should the Australian Government place on these trends to help guide the future of the sector? Are there any other trends the Australian Government could add?
 - The Australian aviation sector has maintained high standards of safety and security – this should continue to be a priority focus area and improvised where possible.
 - Net zero initiatives require a coordinated effort from all aviation industry stakeholders (airlines, airports, air navigation service providers, ground service providers, manufacturers, suppliers, etc.), as well as a significant level of government support.
 - IATA’s roadmaps provide a benchmark for key steps required to achieve this goal.
 - Respecting global standards and best practices as far as possible in various areas (beyond safety) is integral to achieving higher efficiency and integration across the global aviation sector, resulting in greater benefits for the Australian aviation sector.
 - Artificial Intelligence has potential to create new capabilities across the aviation value chain, which could be implemented in specific areas without compromising integrity of core operations.

Chapter 3 – Airlines, airports and passengers – competition, consumer protection and disability access settings

- Should the Australian Government look to revise current consumer protection arrangements and, if so, through existing or new mechanisms?
- Previous consultation processes have explored options to refine the passenger liability and insurance framework under the Civil Aviation (Carriers’ Liability) Act 1959 – do stakeholders still consider amendments to this framework are needed?
- Would policies pursued in other jurisdictions – such as a Passenger Bill of Rights or a stronger ombudsman model – deliver benefits to Australia’s aviation sector?

Emirates agrees with IATA that the Australian model of general consumer law applying to air travel can be considered an effective model. However, if the Australian Government insisted on developing aviation-specific consumer protection laws, Emirates would suggest the following key components. Such legislation should:

- apply only to events occurring within the territory of Australia;
- be consistent with and take into account the exclusivity of the Montreal Convention 1999;
- not compromise safety to the benefit of passenger rights protection: safety-related disruptions, such as those resulting from technical issues with an aircraft, should always exonerate air carriers from liability for such disruptions;
- not impose a financial burden on carriers in case of flight delays, as most delays arise from circumstances beyond the control of carriers, such as bad weather conditions or crowded airspace; and
- not take European Union passenger protection legislations as a model (for the reasons underlined in IATA’s submission).

The government should also consider that compensation-based schemes increase the cost of travel at the risk of connectivity, competition and consumer choice.

If the Australian Government considers developing aviation-specific consumer protection laws, IATA recommends establishing a task force involving Government and stakeholders from across the aviation ecosystem to develop a shared accountability model for passenger rights. Ideally, such a

framework would bring together all aviation stakeholders with a common objective to maximise consumer outcomes, while preserving safety standards.

- What further improvements can be made to the Disability Standards for Accessible Public Transport to accommodate the unique requirements of air travel?
- What improvements can be made to aviation accessibility that are outside the scope of the Disability Standards for Accessible Public Transport?
- How can Disability Access Facilitation Plans by airlines and airports be improved?
- How should the AAF be restructured to be more effective and better able to drive and enforce change to address issues faced by travellers living with disability?

No comments.

- What measures should be taken to ensure Australian aviation markets operate efficiently, improve competition settings, and deliver optimal consumer outcomes?
 - Currently, airport users and passengers are not sufficiently protected from the exercise of market power by airports in Australia, in relation to airport charges.
 - Airport coordination at capacity constrained airports should be aligned with Worldwide Airport Slot Guidelines (WASG).

Chapter 5 – Maximising aviation’s contribution to net zero

Emirates supports IATA’s position and recommendations relating to aviation’s contribution to net zero.

Chapter 6 – Airport development planning processes and consultation mechanisms

- Do you have comments on how the operation and effectiveness of the Noise Complaints Information Service could be improved?
- How could the Australian Noise Exposure Forecast, and use of the ANEF in Government planning processes, be improved?
- What are appropriate, modern noise metrics that should be used to communicate aircraft noise impacts?
- How can governments better communicate with potential purchasers of properties which will be affected by aircraft noise in the future?
- How can new and different types of noise impacts from projected growth in drone use best be managed?
- Do these processes provide sufficient opportunity for impacts on the community to be identified and taken into account? How can they be improved?
- What can be done to proactively mitigate noise impacts by better informing residents and land-use planners?
- What else can airlines and airports do to support better management of aircraft noise?
- What can be done to facilitate increased adoption and implementation of the National Airports Safeguarding Framework principles for land planning to optimise land-use activity and reduce community impacts?
- Could governance arrangements for the Aircraft Noise Ombudsman be improved to provide greater independence, including publishing its findings and reports?
- Are there opportunities to improve transparency by publishing information about other decisions made by Civil Aviation Safety Authority (CASA), Airservices or airports around flight paths, and how aircraft approach and depart airports?
- How can the flight path design principles be improved?

Emirates supports IATA's position and recommendations relating to mitigating the impacts of aircraft noise.

Chapter 8 – Fit-for-purpose agencies and regulations

- What should the Australian Government consider when determining cost recovery arrangements to ensure a safe, equitable and accessible aviation system?

Any new or increase in taxation should be consulted with the industry in advance, and allocation of these funds thereof should be fully transparent.

- How can Government optimise partnerships with industry to streamline the movement of passengers and modernise the border, while also enhancing security?
 - Pursue closer collaboration with industry partners by developing a common roadmap, along with standards and recommended practices to streamline the movement of passengers.
 - Establish trust frameworks between industry stakeholders to promote seamless processing.
 - Identify existing and potential regulatory obstacles to enable end-to-end biometric processes.

Chapter 9 – Emerging aviation technologies

- How can we build on Australia's strengths to ensure that Australian industry in the sector is able to be competitive internationally?

No comments.

Chapter 10 – Future industry workforce

- How should governments and industry prepare Australian workers for the new skills required for the technological transition and net zero fuels?

The Australian Government should actively engage with authorities and stakeholders, both locally and on an international level, to ensure there is alignment in the identified skills required to support and drive the technological transition and net zero fuels.

This would drive more collaborative and inclusive outcomes, which could lead to addressing:

- A long-term vision for the aviation industry, including strategic workforce planning
 - Analysis of future skill requirements for the industry more broadly
 - Identification of entry and transition pathways, including for foreign workers
 - Development of enabling governance frameworks
 - Evolution and enhancement of education and training infrastructure
- How can government policy enable industry to support the net zero economy and the future skills, training, and workforce needs that entails (including future fuels)?
 - Consultation/inputs:
The Australian Government should continue to engage and consult industry bodies and other aviation stakeholders on the development of any applicable policy and/or regulation impacting the 'net zero economy'. This should include a mixture of both local and international stakeholders.
 - Incentivise:
Government policy should incentivise both business and individuals to pursue investment, research, and careers that support the net zero economy. Whether this includes subsidies or other incentivised approaches, it should create a drive towards delivering the pathways for future skills, training and workforce needs.

- Would an analysis of future skills and workforce needs help position the aviation industry to pre-emptively respond to emerging needs?

Conducting an analysis of future skills and workforce needs would substantially assist to pre-emptively identify and respond to emerging needs. Challenges that are faced within the Australian aviation sector are not isolated. The anticipated acceleration of growth in the aviation sector towards 2050 highlights the importance of addressing these issues with a broader global lens.

- How can industry and Government help industry to attract a more diverse workforce, and increase the number of women and young employees who pursue aviation careers?

It is noted that there are several initiatives in place already, such as the Women in Aviation/Aerospace Australia, to promote gender diversity and the participation of women within the aviation, aerospace and space sector in Australia. The Australian Government should take an active role in reviewing the evolving needs in this area and build upon the success of this initiative.

In addition to this, consideration should be given to targeted programmes aimed at supporting under-represented areas of the workforce, either through training or incentivised pathways to employment in the aviation sector.

- What role can reforms to skilled migration pathways play in addressing immediate aviation personnel shortages?

For positions which hold specific qualifications and skills, and can experience challenges sourcing candidates with the necessary skills locally e.g. Aircraft Engineers and Aircraft Technicians, visa restrictions can act as roadblocks. The holders of such positions are often required to travel off-station for training or to provide emergency technical support at other AU/NZ locations. From an organisation level, all candidates must hold the legal right to work and live in Australia, so if the visa status restricts a candidate's ability to work to the role requirements, this becomes a barrier to their employment prospects.

- Are there opportunities to improve recognition of overseas training qualifications?

It is important to recognise that a degree of candidate mobility/transferability already exists for training qualifications within the aviation sector. For example, frameworks are already in place to recognise overseas qualifications in some jurisdictions.

Further broadening or extension of these frameworks to include additional training qualifications relevant to the aviation sector will help to address key skill areas need in the future workforce.

Chapter 11 – International aviation

- Are there other issues or concerns associated with the Australian Government's approach to negotiating aviation bilateral agreements that you wish to highlight? What opportunities exist to improve the approach to international negotiations?

Whilst fully respecting the Australian Government's current approach to negotiating aviation bilateral agreements, Emirates notes that decisions regarding bilateral air services agreements fall within the scope of inter-governmental negotiations, and is therefore not in a position to comment on this matter further.

- Are there problems or potential improvements related to the Australian Government's approach to managing foreign investment in Australian international airlines?

Emirates notes that decisions relating to foreign investment policy rests with the Australian Government, and is therefore not in a position to comment on this matter.

- What areas should Australia target through its international aviation programs? Are there opportunities for improvement and where would the greatest benefits be achieved?

Australia should continue to take the lead in the Pacific region through its leadership in the ICAO council.