



13 February 2025

Committee Secretary
Parliamentary Joint Committee on Intelligence and Security
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CANBERRA ACT 2600

via email: pjcis@aph.gov.au

SUBMISSION TO THE REVIEW OF THE TRANSPORT SECURITY AMENDMENT (SECURITY OF AUSTRALIA'S TRANSPORT SECTOR) BILL 2024

The Qantas Group (the **Group**) welcomes the opportunity to make a submission to the review of the Transport Security Amendment (Security of Australia's Transport Sector) Bill 2024 (the **Review**) by the Parliamentary Joint Committee on Intelligence and Security. The Group supports regulatory change that is proportional to the risks, provides flexibility, removes duplication for the Department and operators and has a positive, clear and measurable aviation security outcome.

The Group supports the findings of the 2023 Hartland Review and of some amendments to the Aviation Transport Security Act (**ATSA**) and associated regulations - to the extent they bring about compliance clarity and improved resilience across the transport industry. However, the measures identified in recent consultation papers and impact analyses are not well aligned or complete with respect to previous industry consultation. We consider this is a missed opportunity of the consultation and drafting process to date.

For example, the Group considers the ATSA should be amended to provide power to the Department of Home Affairs to grant on request an alternative method of compliance and to vary a regulatory requirement with a specific Aviation Industry Participant (**AIP**) or class of AIP. We consider a mechanism that could achieve the required flexibility to permit a different AIP to achieve (with different approaches) a required security outcome would be for the Department to seek a power in the ATSA or ATSR. This is similar to the Civil Aviation Safety Regulations 1988 which permit the regulatory authority to apply exemptions and approvals to specific regulations based on detailed safety and risk assessments and approved alternate means of compliance.

Such a mechanism would permit the Secretary, upon application and subsequent approval, to:

- temporarily or permanently permit an alternate means of compliance to that stipulated in the regulations; and/or
- delay the implementation of a requirement; and/or
- temporarily or permanently suspend or provide an exemption to a regulatory requirement; and/or
- issue an official regulatory instrument approving a means of compliance.

We note that several other regulators, including CASA, the New Zealand Civil Aviation Authority and the Transportation Security Administration have implemented similar provisions.

The Group does not support duplication of obligations that either already exist in existing regulations or will soon be introduced in other frameworks.

The Group has made several detailed and comprehensive submissions regarding the Transport Security Reforms to the Department of Home Affairs and the Hartland Review. The submission in



respect of the draft Bill provided to the Department of Home Affairs is provided at Confidential Attachment A.

The Group continues to support a regulatory reform agenda that delivers better regulation and outcomes and encourages continued review and improvement beyond this tranche of changes.

Yours sincerely,



Luke Bramah
Qantas Group Chief Security Officer