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17 February 2025

Committee Secretary  
Parliamentary Joint Committee on Intelligence and Security  
PO Box 6021  
Parliament House  
Canberra ACT 2600

## **Virgin Australia Response to Transport Security Reforms Parliamentary Joint Committee on Intelligence and Security**

Dear Committee Secretary

Thank you for the opportunity to provide a submission to Transport Security Reforms Parliamentary Joint Committee on Intelligence and Security's review of the Transport Security Amendment (Security of Australia's Transport Sector) Bill 2024. Virgin Australia supports regulatory review and change which has the potential to enhance the safety and security of Australia's aviation systems, while also promoting innovation and efficiency. Furthermore, Virgin Australia supports the width of recommendations relevant to aviation security within the Independent Review into Australia's Aviation and Maritime Transport Security Settings.

Virgin Australia acknowledges that the Department of Home Affairs has been working on these legislative amendments for a few years now, and when doing so has demonstrated a desire to consult with a diverse range of industry partners. While there are some measures within the Transport Security Amendment (Security of Australia's Transport Sector) Bill 2024 (TSA Bill) that seek to address modern aviation security threats, and some that seek to provide administrative improvements, Virgin Australia is of the opinion that the Bill, as yet, has not achieved the holistic review of the regulations, as recommended in the Independent Review into Australia's Aviation and Maritime Transport Security Settings, namely recommendation 5.2.

Virgin Australia supports regulatory change and co-design that results in modern legislation, which is proportional, cost effective to the risk, and has clear and measurable aviation security outcomes. While the Department's consultation process outlined the desire to achieve similar objectives, the methodology and timeframes did not appear conducive to achieving these.

Virgin Australia, like other industry participants and industry peak bodies, has identified several areas where the inclusion of additional legislative requirements is duplicative of existing measures in alternate legislative framework and industry practices that are well entrenched current processes. Examples of this are the supply chain and natural hazards elements of the 'all-hazards' obligations. Further, there are missed opportunities to explore alternate models for outcomes-based legislation. These consultation limitations were exemplified by the simultaneous consultation of two diverse industry sectors such as aviation and maritime through the one process, and the release of supplementary reforms to transport security reform package, which were later excluded from the reform package.

Virgin Australia through the consultation process raised concerns that several areas of the proposed amendments lacked clarity in their intended future policy implementation. These examples are provided within the confidential Attachment A. While it is recognised that ongoing consultation will occur during the future regulatory design phase should the Bill proceed, the current absence in clarity of the policies and



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intended regulatory setting has led to some ambiguity in both intent and public benefit. Virgin Australia has made a detailed and comprehensive submission to the consultation on the proposed reforms; however, we have not yet received direct feedback or explanatory information which provides clear regulatory direction.

Virgin Australia supports the Committee's consideration of Virgin Australia's and industry's previous feedback to the Department during the consultation process. Noting the implementation of the Aviation Transport Security Act and Regulations more than 20 years ago, we seek the Committee's consideration of whether the current Bill aligns with the Independent Review's themes of updating legislative and policy frameworks to enable iterative, risk-based, and scalable legislation.

Virgin Australia continues to support a reform agenda for aviation security which delivers a framework in which industry can adapt and respond to current and emerging threats in a risk-based and scalable way.

Should the Parliamentary Joint Committee wish to discuss the Virgin Australia submission further, I can be reached on [REDACTED]

Yours Sincerely,

[REDACTED]

Stewart Lawson  
Head of Group Security