

**From:**  
**To:** [RRAT, Committee \(SEN\)](#)  
**Subject:** Airline Passenger Protections (Pay on Delay) Bill 2024 submission  
**Date:** Sunday, 7 July 2024 2:18:25 PM

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To whom it may concern,

In my capacity as a private citizen and airline customer, I wish to make a submission to the committee on the [Airline Passenger Protections \(Pay on Delay\) Bill 2024](#) as I believe my example is emblematic of many others, who may not know about this Bill or have the time or inclination to make a submission. Given my holiday has been delayed (reduced) three days, I have unexpected time on my hands and thought I would make good use of it.

My 13 year old son and I were looking forward to our skiing holiday in New Zealand during the term two Victorian school holidays from 6 to 14 July 2024 (eight nights) inclusive. It was to be our first overseas trip together.

On Saturday 6 July, our outbound direct flight with Virgin Australia (VA 145) from Melbourne Tullamarine to Queenstown, New Zealand, was cancelled via text 2 hours and 40 minutes before the flight was due to depart. We were already at the airport. The only "automatic re-booking on the next available flight without charge" departed Monday night via Sydney with the flight to Queenstown the following morning which would result in a three day delay to the start of our holiday (a three day reduction), two flights instead of one, four luggage check ins and collections instead of two, 4 hours 25 minutes flying time instead of 3 hours 10 minutes, a return taxi ride to the hotel and airport in Sydney and a maximum of six hours sleep (13-year old's need a minimum of nine hours plus). The hotel in Sydney and taxi ride was paid for by Virgin Australia and we were offered a \$30 food voucher each. We returned to our home in Melbourne to wait out the three days.

On Sunday 7 July, I cancelled the "automatic re-booking on the next available flight without charge" and instead booked a direct flight with Qantas. It will save time, energy, money and sleep without having to go via Sydney. I just hope Virgin Australia doesn't cancel our return flight for "operational reasons" or on the grounds of a [bird strike](#), otherwise we'll be stranded in Queenstown for goodness knows how long. Instead of looking forward to our holiday, I now feel anxious that our plans may suddenly change again. I have wondered if I should take my work laptop, just in case. My son, on the other hand, cannot attend school remotely.

However, upon calling Virgin Australia's Guest Contact Centre to cancel the outbound flights via Sydney, I was told that because I accepted the "automatic re-booking on the next available flight without charge", they will only honour the travel credit part in "Separate to our offer of compensation, customers are also able to request a travel credit or a refund for their booking if they have been disrupted and no longer wish to travel with us." This is not made clear in their [Guest Compensation Policy](#). I have also been charged \$99 for cancelling the outbound flights. I now have \$763.82 in credit for 12-months with an airline I do not wish to fly with and will not make use of. Under a breach of the Consumer Guarantees, on the grounds of unreasonable time delay and inconvenience of flying out of Sydney and a misleading [Guest Compensation Policy](#), I have submitted a complaint and a claim for a full refund of my credit of \$763.82 and the \$99 fee via Virgin Australia's [Submit feedback or a claim](#) and await the outcome.

Virgin Australia's decision to cancel the flight at such short notice for "operational reasons" with no acceptable and reasonable alternative has ripple effects. Not only does it thoroughly deflate holiday makers and inconvenience passengers including the time involved in contacting multiple service providers at the destination to ask if they will amend bookings, it costs those businesses time and money dealing with passengers impacted by cancelled flights, including lost revenue for shortened stays.

This was my first time flying with Virgin Australia. I have been so thoroughly unimpressed that until the Australian parliament passes the [Airline Passenger Protections \(Pay on Delay\) Bill 2024](#) and offers the same [consumer protection for air travellers that the EU, the US and Canada do](#), I will never again book a flight with

that airline. However, I know that the risk of the same happening with Qantas is similar and given our duopoly airline industry, consumers have limited choice.

In composing this submission, I have read Virgin Australia's (Stephen Beckett, General Manager Government and Industry Affairs) Submission: Inquiry into the Airline Passenger Protections (Pay on Delay) Bill 2024 dated 7 June 2024 and as one would expect, it is written from the perspective of shareholder value rather than stakeholder value. Under Virgin Australia's [Guest Compensation Policy](#): "Automatic re-booking on the next available flight without charge" shouldn't be three days later departing from another city, "Reasonable meal costs" should be more than \$30 per night per person if you are not at your home port and include being at home, and "Separate to our offer of compensation, customers are also able to request a travel credit or a refund for their booking if they have been disrupted and no longer wish to travel with us" should be honoured regardless of whether the passenger has accepted the "Automatic re-booking on the next available flight without charge" but then found a less inconvenient and direct flight with another airline. My time is valuable and being compensated for the loss of three days, including two annual leave days is worth more than what is currently offered to Australian air travellers.

Your sincerely,

Samantha Roberts