

2 April 2026

Chairperson
Petitions Committee
Parliament Buildings
Wellington
parliamentary.petitions@parliament.govt.nz

SUBMISSION on Consumer NZ's flight rights petition

1. Introduction

Thank you for the opportunity to make a written submission on Consumer NZ's latest flight rights petition. Our petition calls for the introduction of new regulations under the Civil Aviation Act requiring airlines to tell passengers their rights when flights are disrupted.

This submission is from Consumer NZ, an independent, non-profit organisation dedicated to championing and empowering consumers in Aotearoa. Consumer NZ has a reputation for being fair, impartial and providing comprehensive consumer information and advice.

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We welcome the opportunity to speak to our submission.

2. New regulations

We believe new regulations should be introduced under the Civil Aviation Act because:

- The law is complex and well understood by airlines but not by passengers. This information asymmetry leads to real financial

harm when people are forced to cover costs that airlines are legally obliged to cover.

- When rights are not communicated, they are effectively meaningless, so mandatory disclosure ensures existing legal protections are used in practice.
- Standardised disclosure would ensure clarity and consistency across airlines, reducing confusion and increasing awareness and education for passengers.
- New Zealand lags behind jurisdictions like the EU and the United States, which already require key disclosures in disruption scenarios.
- Airlines have a commercial incentive not to fully disclose passengers' rights after a disruption, which means information can be hidden, unclear, or inconsistently communicated.
- Airlines already communicate with passengers during disruptions, so including rights information would be simple and low-cost to implement. We have included a sample disclosure email in Appendix 1.
- Clear, upfront communication during disruptions reduces disputes, complaints, and escalation, benefiting both consumers and airlines.
- Proactive disclosure promotes fairness and equity, especially for vulnerable passengers, tourists, and those less able to advocate for themselves.
- Strong transparency and consumer protections build trust in the aviation system and support New Zealand's wider tourism-driven economy.
- This would be a proportionate, light-touch regulation with high consumer benefit and minimal compliance burden.

3. Background

Since 2020, Consumer NZ has had a significant increase in complaints about passenger rights when flights are disrupted. These complaints show airlines:

- are not always upfront about the reason for disruptions (making it difficult for passengers to understand their rights),
- do not always clearly advise passengers about their rights after a disruption, or may only advise them about some of their rights (for example, the right to be rebooked or get a refund, but not the right to compensation for expenses incurred as a result of a delay), and

- sometimes provide false or misleading information about passengers' rights when a flight is disrupted.

After this spike in complaints, Consumer NZ attempted to engage with Air New Zealand and Jetstar about the disrupted passengers' rights but had limited success.

As a result, we subsequently filed two separate complaints with the Commerce Commission, alleging both Air New Zealand and Jetstar were misleading passengers about their rights, in breach of the Fair Trading Act. We also encouraged affected passengers to file similar complaints with the Commerce Commission.

In October 2022, the Commission began investigating Jetstar for alleged breaches of the Fair Trading Act when advising disrupted passengers about their rights. Jetstar was subsequently found guilty of misleading nearly 100,000 customers about their compensation rights and fined \$2.25 million.

In July 2024, the Commission also began investigating whether Air New Zealand has breached the Fair Trading Act when communicating with disrupted passengers. This investigation remains open.

4. First flight rights petition

To encourage airlines to do the right thing by disrupted passengers, we launched a 'flight rights' petition in September 2022 calling on airlines to tell passengers about their rights when flights were disrupted. 10,510 people signed the petition.

Although both Jetstar and Air New Zealand told us they were working to improve their communications with disrupted passengers, we continue to receive complaints from passengers who had been misled about their rights. Most of these complaints are about Air New Zealand, but some involve other airlines too.

5. Latest petition

In 2025, we urged Minister Meager to use new powers under the Civil Aviation Act to introduce regulations requiring airlines to provide information about passenger rights. However, to date, these powers have

not been exercised and we continue to receive complaints from passengers who we believe have been misled by the airlines.

Therefore, in March 2026, we lodged an official petition calling on the House of Representatives to urge the Government to require airlines to tell passengers their rights when flights are disrupted.

As the fuel crisis escalates exacerbating cost of living pressures, it is unacceptable for airlines, that hold significant market power, to benefit from misleading passengers (whether overtly, or by omission) about their rights.

We urge the Committee to act on this petition and recommend new regulations under section 410(1)(a)(iv) of the Civil Aviation Act to ensure passengers are informed of their rights when flights are disrupted.

ENDS

Appendix 1 - sample disclosure email
Domestic flight disruption within the airline's control

Kia ora **[insert name]**,

Unfortunately, we've had to make the following change to your upcoming flight due to **[insert reason e.g. mechanical issues]**:

[Insert flight details e.g.

Hamilton to Wellington (New Flight)

NZ5819

Departure	⇒	Arrival
18:45		20:00
Sun 03 May 2026		Sun 03 May 2026

Please confirm changes or choose another option now

Please use our app or the button below to confirm your new flight or choose another option.

Confirm or choose another option

If we don't hear from you by **[insert date]**, we'll automatically confirm the change to keep your travel plans on track.

Your rights

If the new flight time above does not suit, you can either:

- (a) choose another flight time, subject to availability,
- (b) get a credit, or
- (c) get a refund.

You may also be able to claim back additional costs you incur because of this change, up to certain limits. To find out more about your rights and how to claim back additional costs, click [here](#).

Other information

If you have a **connecting flight** on the same ticket, don't worry, we'll help get you to your final destination.

If you've paid for **seat selection**, we'll do our best to provide a similar seat on the new flight. If that's not possible, click [here](#) to get a refund of your pre-paid seat.

If you have **other bookings** related to this travel (e.g. flights, hotels, rental cars etc) you will need to contact them directly if you need to make any changes.

We're really sorry for the inconvenience.

Thank you for your patience and we look forward to welcoming you on board.

Nga mihi,
[Airline]