

Hon Andrea Michaels MP



**Government
of South Australia**

**Minister for Small and
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**Minister for Consumer
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Mr Dean Long
Chief Executive Officer
Australian Travel Industry Association
Level 31, 31 Market Street
SYDNEY NSW 2000

By email: atia@atia.travel.com.au

Dear Mr Long

I write in response to your letter dated 22 May 2025 inviting feedback into the review of the Australian Travel Accreditation Scheme (ATAS) Charter review.

I would like to thank the Australian Travel Industry Association (ATIA) for inviting me to provide feedback and welcome this review. I understand there have been a number of issues impacting South Australian consumers and businesses within the travel industry over the last few years including the ongoing cost-of-living crisis and the residual impacts of COVID-19 pandemic.

On receipt of your request, I referred the matter to the Commissioner, Consumer and Business Services (CBS), for advice. CBS administers the Australian Consumer Law (ACL) under a multiple regulator model with the Australian Competition and Consumer Commissioner and other state and territory consumer affairs agencies. CBS advises consumers and businesses of their rights and responsibilities under the ACL and conciliate disputes between them.

An evaluation of the ATAS Code of Conduct and Charter was conducted and assessed against South Australian ACL complaint data, in order to identify possible areas of concern. It was determined that an overwhelming amount of consumer complaints received within South Australia relating to the travel industry, directly resulted from consumers not reading or understanding the terms and conditions of their contracts and in many cases the fairness of the supplier's terms and conditions. (ie. airline, hotel or cruise line.)

Whilst I understand that accredited intermediaries act as agents on behalf of travel suppliers and the ATAS Charter does not extend to travel suppliers, additional amendments could be considered in an attempt to reduce ACL complaints.



It is unclear if the current requirement within the charter under section 4.1 (a) (ii) extends to the terms and conditions of the suppliers or if this extends solely to the terms and conditions of the travel intermediary. However, additional provisions could be considered, requiring consumers acknowledge that they have received and accept the terms and conditions of travel suppliers. This additional requirement for transparency may assist in a reduction of misunderstanding and ACL complaints, specifically, from consumers who understood their accredited intermediary's terms and conditions but did not understand those of the supplier.

Additionally, whilst the industry may be aware of the ATIA and its functions, it is unclear how many consumers are aware of this accreditation scheme. Campaigns to raise awareness and promote ATIA accreditation or compulsory media signage may assist consumers in using more accredited intermediaries but may also serve useful for the association to expand its membership.

My evaluation of the ATAS Code of Conduct and Charter has not identified any further areas of concern.

Thank you for providing me with the opportunity to review the ATAS Charter and Code and I look forward to being provided with any relevant updates made as a result of this review.

Thank you for writing to me on this important issue.

Yours sincerely



Hon Andrea Michaels MP
Minister for Small and Family Business

30 / 06 / 2025