

**Australian Government  
Department of Transport and Regional Services**

Mr John McArdle JP  
Chairman  
Australian Airports Association  
Suite 3, 5 Asquith Street  
KEW VIC 3101

Subject: **Disability Standards for Accessible Public Transport 2002**

Dear Mr McArdle

Thank you for your letter of 19 December 2003 regarding potential conflict between the *Disability Standards for Accessible Public Transport 2002* (Transport Standards) and the aviation safety requirements imposed by the Civil Aviation Safety Authority (CASA).

I have carefully considered the issues that you have raised in your letter and cannot, at this time, provide the assurances that you request. Major amendments to the Transport Standards will not occur before the 5-Year Review of the Transport Standards. In the meantime, temporary exemptions from the Transport Standards or agreement of equivalency of service will need to be sought from the Human Rights and Equal Opportunity Commission to gain the certainty that you are seeking on these issues. On the issue of costs, airport operators would need to negotiate contractual requirements to cover the costs of equivalent access provisions with the airline companies.

The Minister for Transport and Regional Services, in consultation with the Attorney-General, is to review the efficiency and effectiveness of the Transport Standards within 5 years after they take effect. The review must include whether discrimination has been removed and also any necessary amendments to the Transport Standards. This process is likely to begin in early 2006. I encourage the Australian Airports Association (AAA) to contribute to this process.

Senior members of my staff will be in Adelaide on 24 February 2004. They are willing to meet with your organisation to discuss the issues that you have raised in your correspondence and agree on a way forward. The contact officer in the Department of Transport and Regional Services is Mr Lloyd Binks. Mr Binks can be contacted at [lloyd.binks@dotars.gov.au](mailto:lloyd.binks@dotars.gov.au) or on (02) 6274 6201.

Yours sincerely

W R Ellis  
First Assistant Secretary  
Surface Transport Regulation  
27 January 2004