

Market Release | 6 October 2025

ComCom rejects call for an inquiry into airport regulation

- Commerce Commission targeted assessment of airport regulation has ruled out section 56 inquiry.
- As previously signalled, Commission to proceed with a review of information disclosure requirements for major airport investment, expected to be carried out next year.
- Government has reconfirmed that changes to Part 4 of the Commerce Act are not currently being considered and won't be a part of the upcoming amendments to the Commerce Act.

Auckland Airport has welcomed the Commerce Commission's decision to rule out the need for an inquiry into airport regulation following another request from Air New Zealand.

The Commission has advised Auckland Airport that it recently undertook a "sprint project" looking into airport regulation, after Air New Zealand wrote to it in July calling for a section 56G inquiry into airports.

Today the Commission published its report findings, determining an inquiry was not required and would risk leading to greater costs for the sector.

Chief Executive Carrie Hurihanganui said: "We are pleased the Commission has rejected calls for a formal inquiry into airport regulation.

"Auckland Airport owns and operates one of New Zealand's most strategically important infrastructure sites and we are investing to ensure it delivers for the future. These essential upgrades are creating jobs, boosting resilience, improving the customer experience and adding the capacity our national gateway needs for growth. This investment will benefit all airlines and users of the airport.

"Effective and stable regulation is essential for ongoing private investment in critical infrastructure, and today's report provides ongoing regulatory certainty for investors. The Commission's report reinforces that the current regime is working for consumers."

With over 1,500 people currently working on site, Auckland Airport is underway with a 10-year \$5.7 billion¹ aeronautical infrastructure programme that is adding essential resilience, and capacity while improving the customer experience.

¹ \$5.7 billion is priced aeronautical infrastructure between 2023-2032.

"Between 2023 and 2027, AKL's regulated per passenger domestic jet charges are rising by an average of \$1.26 a year – a fair and reasonable price for capacity and improvements we are currently delivering that benefit all airport users, including airlines," Ms Hurihanganui said.

"In its latest pricing report published in March this year, the Commerce Commission confirmed our capital investment plans are sound: reasonable, fit for purpose, and in the best interests of consumers."

Airline speculation about future airport investment and pricing

Ms Hurihanganui said: "Air New Zealand's claims about the cost of future infrastructure are speculative. They've relied on conjecture to put a cost on our draft master plan – a long-term vision out to 2047 of how the airport might grow depending on demand. It is not a construction or capital works plan, and it remains under consultation with stakeholders in line with the new Civil Aviation Act that took effect in April.

"It's a shame Air New Zealand is using our good faith consultation under the new legislation to push for regulatory change before that consultation has even been completed.

"As always, our future developments will remain subject to actual and forecast demand, customer needs, formal capital investment consultation and regulatory oversight," she said.

Information disclosure review

Today the Commission advised that it still intends to proceed with a review of information disclosure requirements for major airport investment, in line with expectations following the completion of a recent Ministry of Business, Innovation and Employment (MBIE) targeted consultation process.

In July, MBIE completed its targeted consultation on the effectiveness of economic regulation of airport services under Part 4 of the Commerce Act 1986.

In its findings MBIE confirmed no legislative change was required, though it noted that the Commission had the ability to amend the information disclosure regime to provide further insight on major capital investments.

"As New Zealand's gateway airport Auckland Airport is regulated, as it should be, and we welcome constructive oversight of our activities. We remain committed to working with the Commission through the information disclosure review process to achieve the right outcomes for the end-users, the consumers."

Ms Hurihanganui said Auckland Airport maintained continuous engagement with airlines over its capital plan and draft master plan, both within formal pricing processes and through ongoing dialogue outside of these cycles.

"Auckland Airport has 27 airline customers, and it's not unusual for there to be differences of opinion on proposed investment. It is an inherent and expected feature of regulated airports around the world, and this doesn't mean the regulatory system isn't working. It reflects the balance that airports must strike between the competing short-term priorities of airlines and what's in the best long-term interests of consumers. They are not always the same."

Today's report from the Commission makes some high-level observations around possible legislative amendments.

The Government has this week reconfirmed its position that no legislative change to Part 4 is being considered at this time, and it will not be part of upcoming changes to the Commerce Act. This message remains unchanged from what was communicated to airports at the conclusion of the MBIE process.

ENDS

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