

Brisbane Airport Rail Link (Airtrain) Buy Back Amendment Bill 2026

Statement of Compatibility

Prepared in accordance with Part 3 of the Human Rights Act 2019

In accordance with section 38 of the Human Rights Act 2019, I, Michael Berkman, Member for Maiwar, make this statement of compatibility with respect to the *Brisbane Airport Rail Link (Airtrain) Buy Back Amendment Bill 2026 (the Bill)*.

In my opinion, the Bill is compatible with the human rights protected by the *Human Rights Act 2019 (HR Act)* because it does not limit human rights. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The objectives of the Bill are to put in place a strategy for the government to terminate the existing unfair agreement with Airtrain Citylink Limited (currently owned by USS Axle Pty Limited - a wholly owned subsidiary of a UK-based superannuation company), which has given the company a monopoly on operating public transport to and from Brisbane Airport since 2001 (and will continue to do so for a further 10 years, until 2036), and to ensure AirTrain fares can be reduced to no more than 50c per trip.

It does this by amending the *Transport Operations (Passenger Transport) Act 1994* to require the Minister for Transport and Main Roads introduce a Bill within 3 months of assent that would:

- Terminate the Brisbane Airport Rail Link Deed, with compensation limited to the company's valuation of the service concession intangible asset, which is the contract's value to the company of what is, for it, a depreciating intangible asset; and
- Transfer operation of the Brisbane Airport Rail Link to the Queensland Rail Transit Authority and limit fares to 50c or less.

Human Rights Issues

Human rights relevant to the Bill (Part 2, Division 2 and 3 Human Rights Act 2019)

In my opinion, the human rights under the HR Act that are relevant to the Bill are the right to recognition and equality before the law, the right to freedom of movement and property rights.

While the Bill interferes with the property interests of 'USS Axle Pty Limited', there is no limitation on human rights because only individuals (not corporations) have human rights.

Otherwise, the Bill will support the rights to recognition and equality before the law and to freedom of movement, in that a greater cross-section of the community will be able to access cheap transport to and from the airport for work or travel.

Conclusion

In my opinion, the *Brisbane Airport Rail Link (Airtrain) Buy Back Amendment Bill 2026* is compatible with human rights under the *Human Rights Act 2019* because it does not limit human rights.