



Report on Air Passenger Rights Complaints
for the period 1st January to 30th June 2016

22nd February 2017

Commission for Aviation Regulation

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1. Introduction

- 1.1 This purpose of this Report is to provide a brief overview of the air passenger rights complaints received by the Commission for Aviation Regulation (the 'CAR') under EC Regulation No. 261/2004 during the period 1st January to 30th June 2016. The relevant information has been set out in table/graphical form where appropriate.
- 1.2 In accordance with Article 16, the CAR is responsible for enforcing the Regulation as regards;
 - Flights departing from airports within the country; and
 - Flights into such airports from third-countries provided these are operated by Community-licensed carriers.
 - Other national enforcement bodies have similar responsibilities in respect of their own Member States.
- 1.3 As of the 31st January 2017, 98% of the valid complaints received between the 1st January and the 30th June 2016 have been concluded.
- 1.4 During the period 1st January to 30th June 2016, the CAR obtained €157,845.10 in compensation and refunds for passengers affected by flight disruptions.

2. Summary of Valid Complaints Received

- 2.1 The CAR received 2,621 queries during the six month period from 1st January to the 30th June 2016. This figure represents a 24% increase in the number of queries received during the same period in 2015¹.
- 2.2 Of the 2,621 queries received, 2,126 related to an assortment of baggage, pricing, safety and air carrier policy issues. The CAR responded to each of these queries individually, referring passengers to the appropriate bodies where possible. A further 6 queries related to issues surrounding the assistance provided to persons with reduced mobility when travelling by air. These were also addressed appropriately.
- 2.3 The remaining 489 queries constituted valid complaints under the Regulation and therefore required investigation by the appropriate national enforcement body.
- 2.4 Valid complaints are those which relate to flight cancellations, long flight delays, instances of denied boarding or of downgrading.
- 2.5 Table 1 provides a breakdown of the 489 complaints received according to these categories.

¹ 2,116 queries were received in the same period of 2015.

Table 1: Types of valid complaints received, Jan-Jun 2016

Type of Complaint	Total
Cancellation	193
Long Delay	260
Denied boarding	30
Downgrading	1
Other ²	5
Total	489

3. Resolution of Complaints

- 3.1 As of the 20th December 2016, 98% of the complaints received during the first half of the year (480 out of 489) have been concluded.
- 3.2 Of these 480 cases³:
- In 66 cases the file fell outside of the remit of the CAR and was forwarded to the appropriate national enforcement body for investigation.
 - In 36 cases the passengers received either a refund of the cost of their ticket (where appropriate) or reimbursement of expenses incurred as a result of the air carrier's failure to provide the care and assistance set out in Article 9 of the Regulation.
 - In 217 cases the air carrier paid compensation.
 - In 107 cases the air carrier successfully demonstrated that 'extraordinary circumstances' existed and that all reasonable measures to avoid the cancellation/ delay were taken.
 - In 68 cases the complaint was either withdrawn, resolved directly with the air carrier or the infringement was such that no individual redress could be obtained for the passenger⁴.
- 3.3 The CAR is continuing to investigate, and working to conclude, the remaining 9 cases.

² Complaints are frequently received which initially appear to fall under Regulation 261/2004 but investigation later reveals that they are best dealt with in another manner. The "other" category represents this group of complaints.

³ A complaint might have more than one outcome i.e. the passenger may have received a refund of his/her expenses but the air carrier might also have successfully demonstrated the existence of extraordinary circumstances.

⁴ Infringements such as failing to provide a passenger with written notice of their rights and entitlements cannot be redressed at a later date.

4. Conclusion

- 4.1 A full report on the CAR's activities in respect of Regulation 261/2004 during 2016 will be contained in our annual Air Passenger Rights Report which will issue in 2017.
- 4.2 Further information on passenger rights and entitlements in the event of flight cancellations, long delays or instances of denied boarding (and the rights and entitlements of disabled persons and persons with reduced mobility) can be found both on the CAR's general website www.aviationreg.ie and its consumer focused website www.flightrights.ie