



Complaint Handling and Enforcement by Member States of the Air Passenger Rights Regulations

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INTRODUCTION

- Scope: Regulations (EC) No 261/2004 and (EC) No 1107/2006
- Period covered: 2010-2012
- Source of data: Data on complaint handling provided by NEBs of the EU Member States and Iceland, Norway and Switzerland
- Data on flights provided by Eurocontrol. *NB: Number of flights increased during the reporting period compared to previous report on period 2007-2009*

Regulation 261/2004

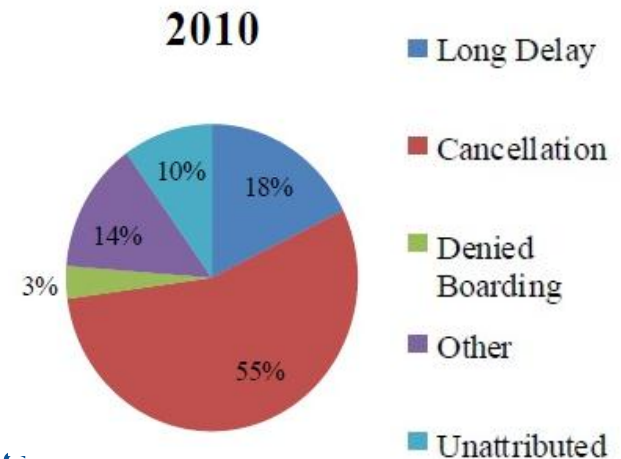
COMPLAINT HANDLING 2010

Increase of passenger complaints compared to 2009 (previous report).

A total of 91 726 complaints were received by the NEBs (18% about delays and 55% about cancellations).

Main reasons:

1. Volcanic ash cloud crisis
2. Spanish air carrier Air Comet bankruptcy
3. Industrial actions
4. Severe weather conditions in winter times



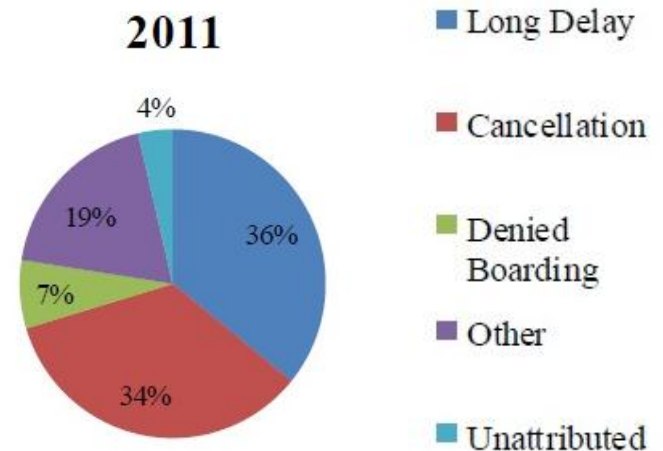
COMPLAINT HANDLING 2011

Reduction of passenger complaints compared to 2010.

A total of 52 675 complaints were received by the NEBs (36% about delays and 34% about cancellations).

Main reasons:

1. 2010 was extraordinary due to ash cloud crisis
2. Decrease of industrial actions



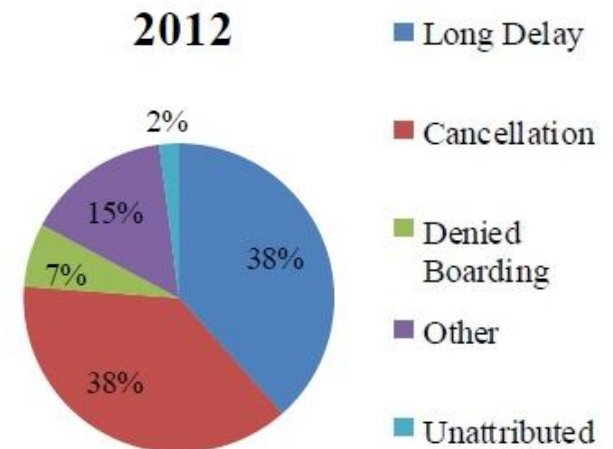
COMPLAINT HANDLING 2012

Increase of passenger complaints compared to 2011.

A total of 56 478 complaints were received by the NEBs (38% about delays and 38% about cancellations).

Main reasons:

1. Numerous industrial actions
2. Cease of operations of several airlines



NEB ENFORCEMENT

NEBs have different means to ensure enforcement of APR Regulation (i.e. inspections, meetings, warnings, media contacts, sanctions).

Sanctioning is means of last resort: only in 1% of the cases during 2010 and 2011 and in 2% of the cases during 2012, NEBs launched sanctioning procedures on infringing airlines.

Collection of sanctions improved in the reporting period.

Maximum amount of sanctions

- Range from EUR 24 000 000 to EUR 563
- Average maximum sanctions is EUR 43 617

Regulation 1107/2006

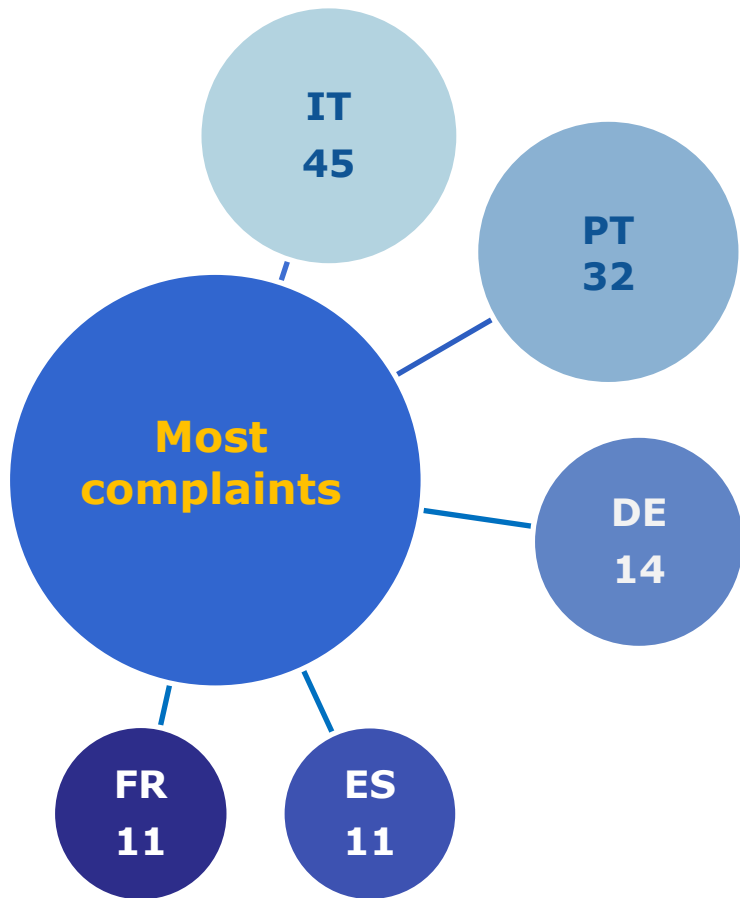
- No statistical information on complaint handling and enforcement published so far.
- Report 2011 on the application of Regulation 1107/2006: axes for improvement (including strengthening efficiency of penalties and their supervision by national authorities).
- Publication of interpretative guidelines in 2012.

Low number of complaints from disabled persons and persons with reduced mobility

Possible reasons:

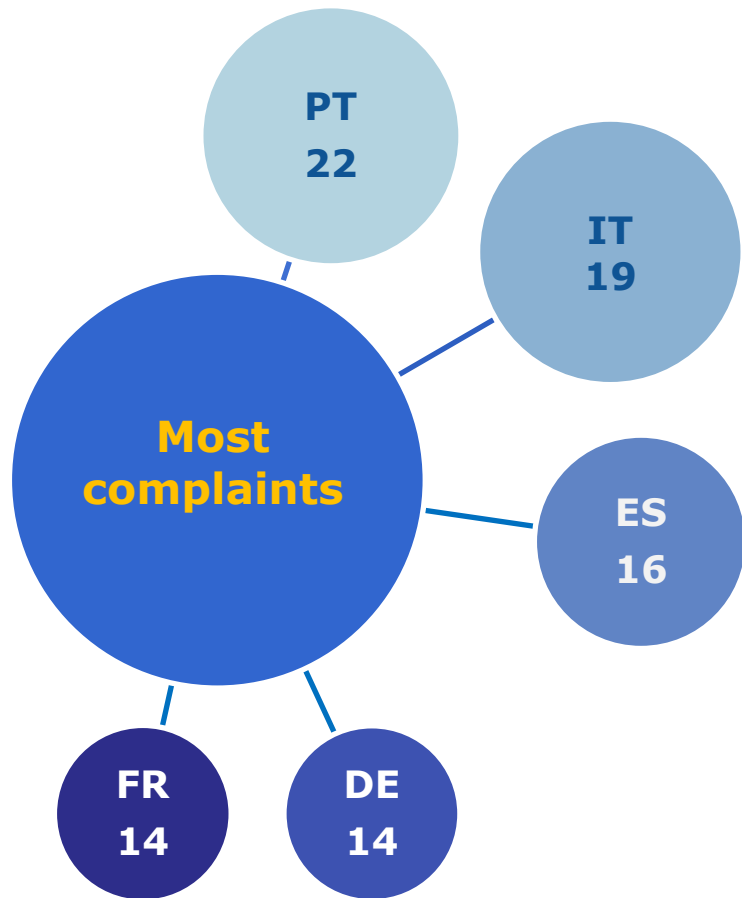
1. Complaints received on the basis of Regulation 1107/2006 only
2. Individual passengers affected
3. Low rate of awareness among PRMs about their rights when travelling
4. Complicated and time-consuming complaint handling procedures

COMPLAINT HANDLING 2010



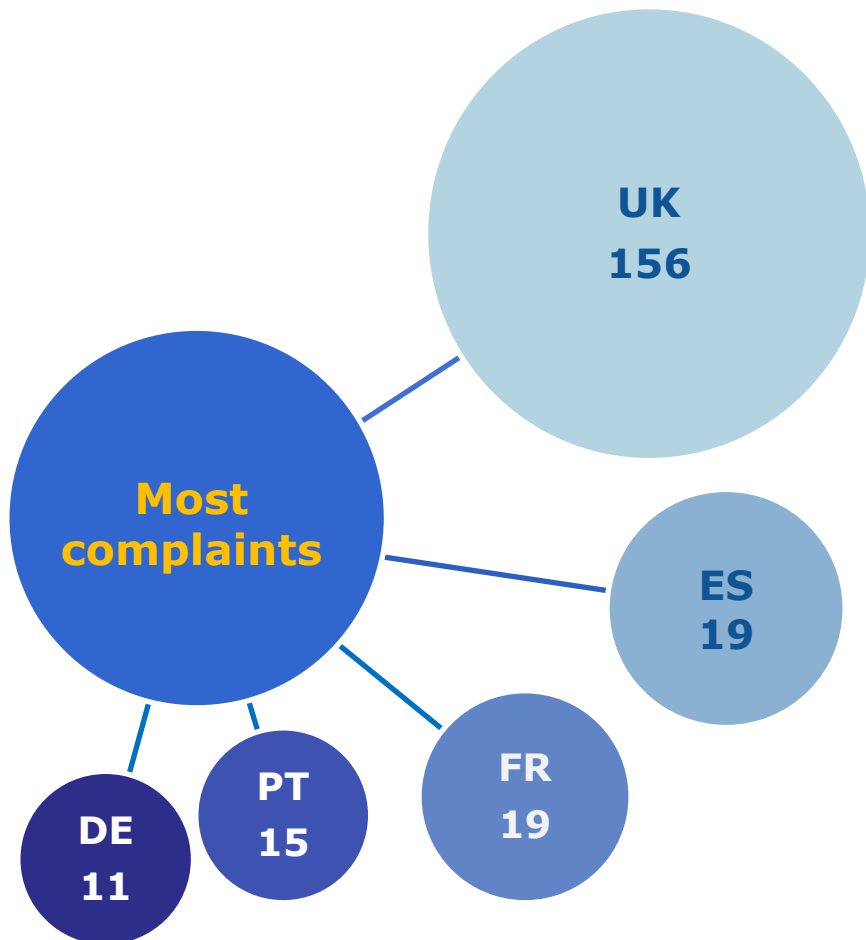
- 128 complaints received in total (27 NEBs reported)
- Majority of NEBs reported zero or sporadic complaints
- Cases closed: 74% (95 out of 128)
- Less than 1% cases engaged for sanctioning (1 out of 128)
- "Other at the airport" is the most frequent reason for complaints
- Random undertaking of other measures like audits, inspections, etc.

COMPLAINT HANDLING 2011



- 111 complaints received in total (27 NEBs reported)
- Majority of NEBs reported zero or sporadic complaints
- Cases closed: 81% (90 out of 111)
- Less than 1% cases engaged for sanctioning (1 out of 111)
- "Other at the airport" remains the most frequent ground of complaints
- More initiatives to improve the enforcement of PRMs rights are required

COMPLAINT HANDLING 2012



- Significant increase in total complaints (148%): 275 complaints received in total (29 NEBs reported)
- Interpretative Guidelines on the application of Regulation 1107/2006 published by the European Commission in June 2012
- "Other with carrier" becomes the main reason of complaints
- Cases closed: 90% (248 out of 275)
- Significant increase in number of cases engaged for sanctioning: 8% (23 out of 275)

NEB ENFORCEMENT

No sanctions were used as means of enforcement.

Some reasons:

1. NEB used other means to ensure application
2. Notion of sanctions varies (in some MS sanctioning is understood in a strict sense, others follow a loose definition of sanctions)
3. Maximum amount of sanctions
 - range from EUR 24 000 000 to EUR 563
 - average maximum sanctions is EUR 53 913 (*higher than for Regulation 261/2004*)

COMMISSION ACTION

- Promote a level playing field among air carriers across the EU by strengthening NEB enforcement activities;
- Ensure that air passengers can effectively exercise their rights;
- Carry out several information campaigns to raise awareness of passengers about their rights when travelling (notably actions for PRM passengers).

Questions?

Thank you for your attention!