



REPORT
to the
MINISTER FOR TRANSPORT
for the year ended
31st DECEMBER 2010

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FOREWORD

2001-2009

The Commission for Aviation Regulation reached its tenth anniversary in February 2011. This Foreword offers a retrospective view of aspects of our work during that time.

In the first years of the office, the priority was to place and secure a price cap on the aeronautical charges of Dublin, Cork and Shannon airports. The first price cap was made in 2001 and was successfully defended in a costly and protracted legal action in the High Court taken by Aer Rianta (now the DAA) which concluded in June 2003. In 2004, the legislative mandate of the office was revised. Previously, the Commission regulated charges at the three largest airports, but since 2004 Dublin airport alone is price-capped. Furthermore, the original requirement was to set a price cap to facilitate the development and operation of cost-effective airports which would meet user requirements. Since 2004, there are three objectives. The price cap must now facilitate the efficient and economic development and operation of Dublin Airport which meet the requirements of current and prospective users; protect the reasonable interests of those users; and enable DAA to operate and develop Dublin Airport in a sustainable and financially viable manner. During the preparation of each airport price cap and the 2007 interim review, a policy direction was received from the Minister for Transport.

In the early years of the Commission, we were also engaged in implementing the range of licensing functions transferred from the Department of Transport, along with the task of deciding the runway scheduling status at Irish airports. While the justification for price regulation and licensing should derive from their contribution to consumer protection, the role of the office was explicitly widened in this direction in the middle of the decade through an enforcement role for air passenger rights.

The buoyancy of the Irish economy and a thriving aviation industry had by the middle of the decade begun to be reflected in signs of congestion at Dublin Airport. As runway congestion increased, the Commission, following analysis and consultation, changed the slot scheduling regime from a voluntary arrangement to one where airlines were obliged to make changes required by the scheduler.

At this time, the Commission also had to consider how the price regulatory system should address the need to expand the capacity of Dublin airport. Beginning in early 2007, shortly after it received the DAA's investment plan for a second terminal and related infrastructure ('T2'), we published a series of papers related to the T2 investment plan. In particular, in January 2007, a Commission Paper (CP1/2007) laid out a number of key questions and emphasised the need for all parties to understand the risks associated with a major capital project. Subsequently, the Commission finalised its approach to the DAA's investment plan which was implemented in the 2009 price determination. That determination was also the first to create an explicit link between the level of the price cap and the quality of service provided at Dublin airport. Since 2009, should the DAA fail to meet various service quality targets, the annual price cap may be lower by as much as 4.5%. The Commission monitors compliance with the quality targets, and adjusts the price cap as necessary.

In addition to carrying out statutory functions, my priority as Commissioner was to make time to review and where possible improve the way we carry out our work. To that end, we substantially increased the analytical scope of our regulatory determinations, thoroughly reviewed our oldest (travel trade) licensing regime and implemented changes within our power, and recommended improvements to the scope of ground-handling regulations. If the office is given sufficient resources, we would contribute to a reconsideration of the other EU aviation rules (e.g. runway slot and air carrier regulations).

2008 brought a sudden and sharp weakening in the air travel business. Twenty-five travel companies that participate in the bonding scheme administered and operated by the Commission have since closed down. The Commission processed the resulting claims for financial redress and in 2008 organised 11 special flights to repatriate passengers.

With the economic downturn, the staff of the office responded in a serious way to the requirement to reduce costs. Our total expenditure has been close to static in my time as Commissioner, at or just below €4m per annum until 2009, before falling below €3m in 2010. To contain costs while maintaining services, we redeploy staff between different teams to match resources to workload and to seek to prevent long backlogs from arising. In addition, in 2009 and 2010, we developed an online licensing and consumer complaint facility that has allowed our licensing teams to expand our analysis of licence holders, without requiring an increase in staffing, and to allow our consumer rights team to seek to manage spikes in passenger complaints without an unreasonable backlog developing.

Thus, in the past decade, the Commission made three full and two interim determinations on airport charges and two determinations on the IAA's terminal charges; we have responded to the reports of four aviation appeal panels; we have been the subject of 12 legal challenges mainly judicial reviews and we initiated 10 successful prosecutions for unlicensed trading in the travel industry. Each year we have issued hundreds of licenses to the travel industry and since 2005 we have enforced a passenger rights regime annually for members of the public. With the support of temporary agency staff, we have processed since 2008 over 7,000 claims for financial reimbursement, to a total of €9.8m, and repatriated about 1500 passengers, arising from the closure of 25 travel agencies or tour operators. Selected data from the work of the Commission over the past decade is contained in Appendix 3 of this report.

2010

In 2010 our work again included dealing with a legal challenge to the 2009 price determination at Dublin airport; on this occasion, the Commercial Court refused leave to proceed to the applicant and awarded the Commission its costs. We also responded to a report by an Appeal Panel, set up by the Minister for Transport, which found sufficient grounds to refer seven aspects of the 2009 determination back to the Commission for review. In response, the Commission made a number of variations to the price cap that increased the maximum airport charge at Dublin airport over the five-year period to 2014 by an average of €0.10 per passenger (in 2009 prices), or about 1 percent. Two

consultation papers dealing with aspects of airport regulation were also issued by the Commission in 2010, as well as an initial paper with the purpose of consulting on how the Commission should set a new price cap for the IAA. Last year the Commission also conducted a tender to choose a new schedules facilitator when the current contract expires in 2011. During 2010, we issued 280 travel trade licences and at the end of last year there were 18 holders of air carrier licences issued by the Commission and 50 approved ground-handlers. Nearly 250 eligible complaints were received regarding air passenger rights, and thousands of queries from the public were dealt with, especially following the disruption to European air space caused by the volcanic ash problem. Following difficulties in renewing travel agents' licences earlier in the year, the Commission issued two Notices in December, clarifying the timetable and licensing process that would be applied in 2011.

Possible Conclusions

I draw four conclusions from the experience of the past decade.

First, except for travel trade licensing, the functions of this office derive from European Union law. Not all regulatory and licensing initiatives are equally valuable as consumer-protection measures, and some might not produce a net benefit. It is essential that the stock of existing regulations, and proposals for new rules, be subject to rigorous scrutiny and, where justified, a quantitative estimate made of net benefits relative to other uses of the resources that are or would be consumed. A hard-headed stock-taking of the regulatory 'acquis' could make a worthwhile contribution to national economic recovery. For its part the Commission has sought to stimulate as well as to contribute to such exercises.

Second, regulatory cost management depends in part on the legal and judicial environment, where Ireland may be something of an international exception. Abroad, court challenges to economic regulatory decisions are relatively uncommon (e.g., the UK airport regulator has been challenged once in the courts in 25 years) whereas in the ten years of the Commission's existence, it has been subject to eight judicial review challenges, seven launched by the same entity. I believe that it would be beneficial generally for regulation to be conducted in a more constructive and less adversarial fashion. Ireland should seek a 'regulatory settlement' whereby industries that can convincingly be demonstrated to run better under regulation, are made subject to a regulatory regime that stands a reasonable chance of acceptance and engagement by all concerned. Recourse to the courts should then be very exceptional.

Third, it may be possible for regulation to contribute to the quality of investment planning. For instance, I believe the Commission's approach in the 2007 interim review to the proposed second terminal at Dublin airport has stood the test of time. Following careful analysis of the DAA's investment plan, the Commission concluded that the proposed T2 was larger than might be necessary. This judgment has not been shown to have been mistaken. But at the time, only the independence of the office allowed it to resist demands from most quarters for a simple pass-through of the investment costs

into the price cap. Instead, the Commission decided to allow the DAA to recover the costs of this investment, but to set three caveats:

- Charges would increase to fund the facility only after it had been built; current users would not pay for a facility to benefit future users;
- The charging profile would seek to smooth the impact on users, so that users at all dates contribute roughly the same towards the cost of T2, rather than users in earlier years having to pay a significantly larger amount; and
- Users would be protected from having to pay should T2 prove to be larger than was needed. Only if passenger numbers using the two terminals exceed 33 million passengers per annum would the DAA be able to recover the full costs of the investment; otherwise the DAA will only be able to recover some of the costs.

In 2009, the Commission allowed a significant increase in charges once T2 was ready to open, due more to the substantial fall in passenger traffic after 2008 than to the increase in capital costs, given the commitments made in 2007.

Finally, consolidation of public agencies, including regulators, continues to be a significant issue in the political world and generally. But starting with the current stock of agencies and considering plans to close or restructure them may not necessarily be the best approach. An alternative would be to draw up a list of the functions that happen to be carried out across the public sector, estimate which are of current value to the public, and then decide what agencies and bodies are needed to carry out the functions that are to continue. On this approach, the institutional result, as well as the net public benefit, could be quite different to taking existing agencies as the starting point and then considering restructuring and consolidation.

The assessment of the net impact on the Irish public of the existence of a public agency is something that must be undertaken outside that office; we cannot be the judge in our own affairs. Nonetheless, for an office with an allowed staff complement of 22 persons, recently reduced to 18, with three of those positions currently vacant, I consider the above output to be a very respectable record, for which the credit, needless to say, goes to my current and former colleagues.



Cathal Guiomard
Commissioner

PRICE REGULATION

The Commission's Role

The Commission:

- sets a price cap limiting the total revenues per passenger that the DAA can collect from airport charges at Dublin airport;
- sets a price cap limiting the total revenues that the IAA can collect from aviation terminal services charges at Dublin, Cork and Shannon airports;
- has to approve charges airports levy on airlines to fund services for passengers with reduced mobility; and
- has to approve any changes to the fees charged by the airport authorities at Dublin, Cork and Shannon airports for access to installations needed to provide ground handling services.

The Commission has no power to regulate other charges, including:

- car park charges at airports, and more generally non-aeronautical charges (except those levied for access to installations needed for ground handling services at Dublin, Cork and Shannon airports);
- en route air traffic charges the IAA sets; and
- charges at Knock, Kerry, Galway, Waterford, Donegal and Sligo airports.

Airport Charges

In the first half of 2010, much of the Commission's work relating to price regulation concerned challenges to its 2009 determination governing airport charges. The 2009 annual report, in outlining work for 2010, had signalled this possibility.

In February 2010, Ryanair sought leave from the Commercial Court for a judicial review of the determination. Ryanair's application was heard before Mr Justice Peter Kelly in the Commercial Court division of the High Court. The Commission lodged a number of affidavits opposing Ryanair's application on the basis that the Ryanair's grounds for a review would be more appropriately heard by a regulatory appeals panel. The DAA, as a notice party to the case, also opposed the leave application. The application by Ryanair was refused leave by the Court. The Commission was awarded its costs.

Separately the Minister for Transport established a regulatory appeal panel to hear the appeals of Ryanair, Aer Lingus and DAA concerning the determination. The parties were able to appeal individual aspects of the determination. Ryanair raised nine grounds for appeal, Aer Lingus five, and the DAA four; in some cases an individual ground for appeal itself raised a number of different objections to the determination. The Commission provided factual submissions to the panel in response to each of the appeals but did not comment on their merits.

The Appeal Panel was free to make its own arrangements for considering the appeals. It decided not to invite other parties to comment on appeals: each appellant made its case to the Panel as to why the grounds they had identified warranted a referral without any other party present. The Panel considered that sufficient grounds were established in seven instances and these were referred back to the Commission to review; two from the Ryanair appeal, one from the Aer Lingus appeal and four from the DAA appeal.

The Commission undertook a two-month review of its determination following these referrals. An initial consultation paper was published on 8 June 2010 inviting parties to give their views as to whether the Commission should vary or affirm its determination. In response to CP1/2010 the Commission received submissions from the following nine parties: Aer Lingus, Chambers Ireland Air Transport Users Council (ATUC), Cityjet, the DAA, Dublin Chambers of Commerce, the International Air Transport Association (IATA), the Irish Business and Employers Confederation (IBEC), the Irish Tourist Industry Confederation (ITIC), and Ryanair. The Commission also gave parties an opportunity to comment on the responses received. Only the DAA and Ryanair provided such comments. The Commission met with the three parties that appealed its 2009 Determination to discuss their subsequent responses.

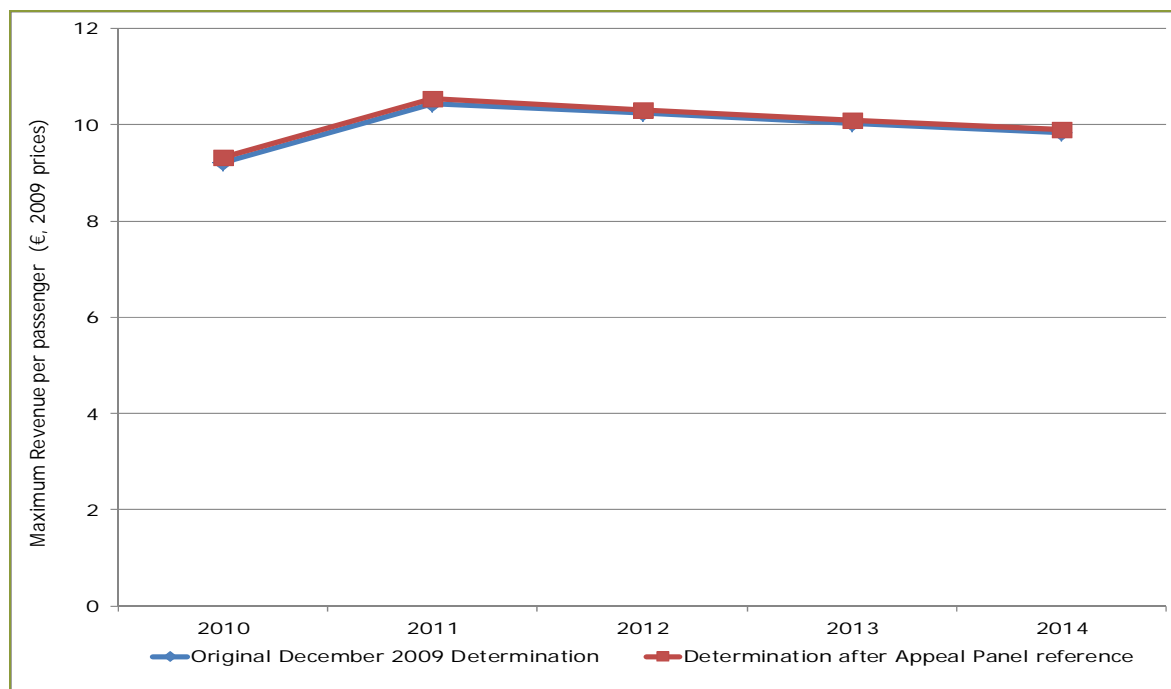
For all seven issues referred back, there were respondents who thought that the Commission should vary its determination and respondents who thought it should not. Having considered the points referred back to it by the appeal panel and the submissions received in response to consultation, the Commission decided to vary the 2009 Determination. It varied the forecast of commercial revenues and capital costs that it relied on for the purposes of estimating the price cap having reconsidered:

- The incremental retail revenue attributable to T1X;
- The treatment of PRM revenues;
- Its treatment of 2009 deflation in reconciling outturn capital costs from 2006-2009 with the 2005 determination allowance;
- The disallowance of TFL and Pier D fit-out costs; and
- The disallowance of certain Pier D costs.

The Commission decided not to vary its Determination to reflect the referrals relating to differential pricing and a claim of increased overheads associated with over-specified T2 retail space.

The decision to vary forecasts for commercial revenues and capital costs had the effect of increasing the maximum charge that may be levied at Dublin airport over the five-year period 2010-2014 by an average of €0.10 per passenger (in 2009 prices). CP2/2010 provides more details on the decision.

Figure 1.1: Cap on Airport Charges before and after Appeal Panel reference



Note: Calculations control for Terminal 2 opening on 18 November 2010 and assume that the DAA satisfies all service quality targets. .

On 30 November 2010 the Commission for Aviation Regulation published two consultation papers which may have implications for airport charges regulation. The first invited comments on whether the Commission should continue considering revenues and costs of non-aeronautical services at Dublin airport when deciding on the maximum level of airport charges. This issue – a choice between “single till” and “dual till” regulation – has long attracted interest in discussions about how airport charges should be regulated. At the time of the 2009 determination, the Commission committed to initiate a review of this approach in 2010 after both the DAA and Ryanair indicated an interest in considering a change from the current single-till approach used by the Commission.

The second consultation paper published in November invited comments on whether and in what form the DAA and IAA should prepare regulatory accounts. These regulatory accounts are distinct from the statutory accounts the two bodies produce, and relate to those activities that are subject to price regulation. The consultation paper invites parties to consider what purpose they think such accounts might usefully serve (and indeed whether they are even necessary), and whether the current formats agreed in 2001/2 are still appropriate almost 10 years later.

Responses to both papers are not due until 23rd March 2011. How the work subsequently proceeds will depend in part on the responses the Commission receives. It is possible that the Commission will conclude that no change of approach is necessary.

Aviation Terminal Services Charges

On 29th October 2010 the Commission published an Issues Paper on terminal air traffic control charges levied by the IAA. The Issues Paper was the first output in the process leading to a new determination on air traffic control terminal service charges at Dublin, Shannon and Cork Airports from 2012. The purpose of the Issues Paper was to consult with all parties on how the Commission should proceed to determine the next price cap for the IAA. There are a wide range of issues that can potentially influence the final Determination and the Commission sought to hear from all parties on these matters at an early stage.

Some key themes raised in the Issues Paper included:

- How developments under the Single European Sky II package, including recent regulations on charging and performance schemes, may affect the determination;
- Risk sharing between the IAA and its users when traffic outturns differ from forecasts;
- The treatment of over and under recovery against the allowed cap;
- Operating cost efficiency; and
- How capex underspend during the current determination period (2007-2011) should be treated

The IAA, IATA and Aer Lingus responded to this Paper. The Commission is currently reviewing these submissions.

It is also seeking to understand from the Department of Transport how recent European regulatory developments might affect regulation of aviation terminal service charges in Ireland. As recently as December 2010, a new regulation was passed in Europe - Commission Regulation (EC) No 1191/2010 – which appears to have direct implications for the level of aviation terminal service charges that the IAA may levy.

It is possible that these developments will affect the forthcoming determination, including the planned timetable leading to the next determination illustrated in the box below. The Commission will maintain an up-to-date timetable on its website. The final determination, which must be made by end-2011, is currently planned for September.

Table 1.1: Timetable for the 2011 aviation terminal service charges determination

Date	Milestone
February 2011	IAA to provide latest out-turn and forecast data on operating and investment costs and demand. IAA to provide a copy of its capital investment programme for the next five years
April 2011	Publication of draft determination
June 2011	Responses to draft determination
September 2011	Publication of determination

As referred to in the section on airport charges, in November 2010 the Commission published a consultation paper inviting comments on the form of regulatory accounts that the IAA and the DAA should prepare, if any. For the first time, the Commission placed the IAA's regulatory accounts on its website in 2009.

Compliance and Quality of Service Monitoring

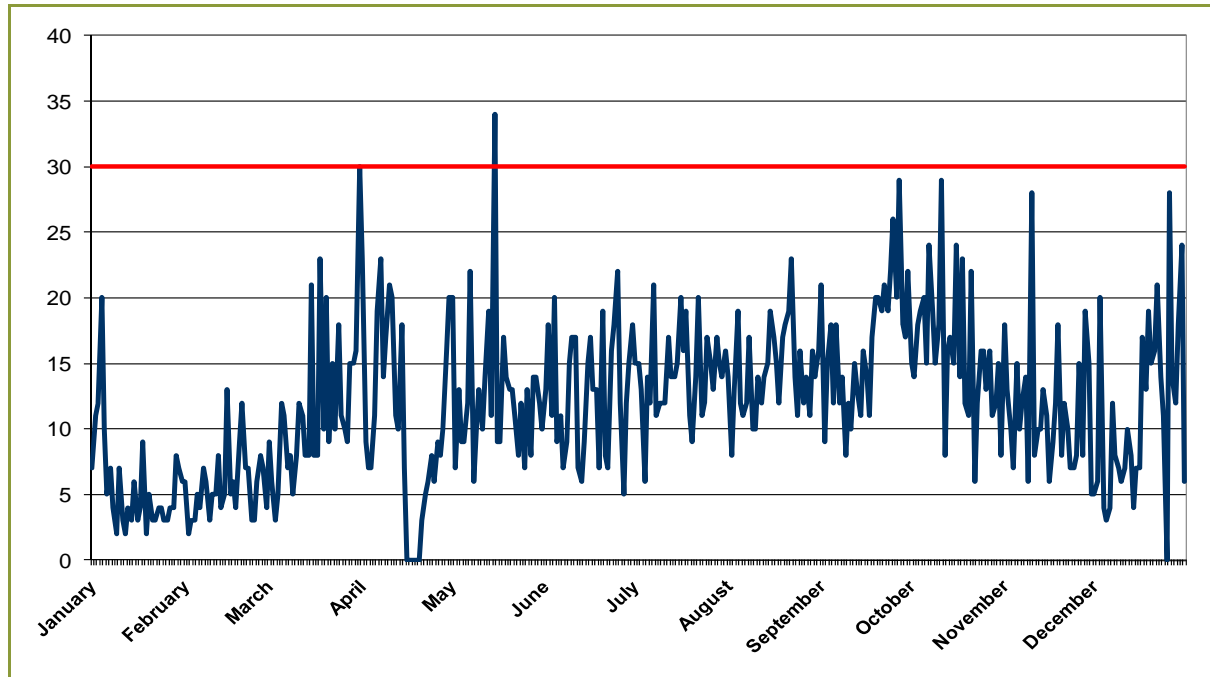
Throughout 2010 the Commission monitored the compliance of both the DAA and IAA with their respective price caps.

In September 2010, the Commission published a compliance paper verifying that the IAA had complied with the price caps for 2009. The report also published an up to date forecast of the expected price cap for 2010 and guidance on a possible cap in 2011. The uncertainty as to a price cap in a given year arises because the current formula specifying the revenues that the IAA may collect from aviation terminal services varies according to the actual total volumes at those airports in the year. It is only once total traffic is known, at the end of the year, that the Commission will know for certain the cap on revenues that the IAA is allowed to collect for that year. The Commission maintains an up to date price cap estimate on the ATSC page of its website which is periodically adjusted as new information becomes available.

The 2009 Airport Charges Determination was the first to include an explicit link between the level of the price cap and the quality of service provided at Dublin airport. Should the DAA fail to meet various service quality targets, the annual price cap may be lower by as much as 4.5% (3.5% in 2010). There are twelve measures of service quality in the monitoring scheme for which there is a financial incentive for the DAA to meet the target. The DAA is responsible for collecting the data under each of these measures, although the Commission has sought to satisfy itself that the reported data can be relied

upon. This has included occasional visits to the airport to record independently security queue times.

Figure 1.2: Maximum daily security queues (in minutes) at Dublin airport in 2010



Source: DAA.

In 2010 there were two instances when the DAA failed to meet its targets for service quality: in the first quarter it failed to achieve the performance target for survey results measuring satisfaction with its communication/telecom/e-facilities; and on 15th May 2010 a security queue exceeded the thirty minute performance limit. As a result the price cap in 2010 was reduced by just over 0.1%. All other service quality targets during 2010 were met.

The Commission produced two quality of service reports during 2010. The first report covered the period January to May and the second reported on performance from July to October. A report in February 2011 gave the results for the period October to December 2010. The Commission will publish such reports quarterly in the future, about six weeks after the quarter to which they relate ends.

Regulated Price Caps and approved charges

Table 1.2: Summary of regulated price caps

Type of price cap	2011 price cap
Airport charges at Dublin airport	Should not exceed €10.43 per passenger at Dublin Airport ¹
Aviation terminal services charges (ATSCs) at Dublin, Cork and Shannon airports	Should not exceed €3.86 per tonne of maximum take-off weight of departing aircraft ²

In 2010 the Commission did not receive any applications from the DAA for approval of charges in relation to 'access to airport installations' (also known as ATI charges) at Dublin, Cork or Shannon airports. The levels of charges that have previously been approved, updating for inflation where appropriate, are given below.

Table 1.3: Summary of approved charges

Type of access charge (ATI)	Approved ATI charges as of 1 January 2011
Dublin Airport annual check-in desk fee Flexible hourly rental check-in desk	Annual fee: €24,539 per desk per annum Hourly rental: €29 per hour (or part thereof)
Shannon Airport annual check-in desk fee Flexible hourly rental check-in desk	Annual fee: €9,238 per desk per annum Hourly rental: €23 per hour (or part thereof)
Cork Airport annual check-in desk fee Flexible half-hourly rental check-in desk	Annual fee: €12,815 per desk per annum Hourly rental: €5.13 per hour (or part thereof)
CUTE fees at Shannon Airport	€0.30 per embarking passenger
CUTE fees at Cork Airport	€0.24 per embarking passenger

¹ Assuming that all service-quality targets are met.

² Assuming that aggregate demand, measured in tonnes of maximum take-off weight, is 7,367 million tonnes in 2011.

Work Programme for 2010

The primary focus for the work programme on price regulation in 2011 will be on making a determination governing aviation terminal service charges at Dublin, Cork and Shannon airports. As indicated earlier in this section, the Commission commenced this work stream in the latter half of 2010 when it published an Issues Paper and invited comments. It remains to be seen how the implementation of various European directives affect this work.

Two other projects that may involve significant work relate to consultations that the Commission commenced in 2010 concerning regulatory accounts and the choice of regulatory till. How the Commission proceeds will depend on the responses to those two papers that it received, but both have the potential to become significant projects.

The Commission will continue to monitor compliance with existing price caps. It will also provide quarterly updates on the results for various quality of service metrics included in the current Determination governing airport charges at Dublin airport.

Goal	Actions to achieve goal
Make a new determination capping aviation terminal service charges at Dublin, Cork and Shannon airport	<ul style="list-style-type: none"> ➤ Publish a draft determination and go to consultation in May ➤ Make a final determination in autumn
Monitor compliance with existing price caps	<ul style="list-style-type: none"> ➤ Publish DAA annual compliance report ➤ Publish IAA annual compliance report ➤ Publish quarterly reports on service quality measures at Dublin airport
Review and, if appropriate, change regulatory reporting requirements	<ul style="list-style-type: none"> ➤ Review responses to consultation paper on regulatory accounts (CP5/2010) and proceed accordingly
Re-examine the existing approach to making determination for Dublin airport charges, identifying those areas, if any, where changes might be required	<ul style="list-style-type: none"> ➤ Review responses to consultation paper on regulatory till (CP4/2010) and proceed accordingly

SLOT ALLOCATION

The Commission's Role

The Commission:

- Designates the scheduling status of Irish airports under the Slot Allocation Regulations, and
- Where necessary, appoints a schedules facilitator or co-ordinator.

Coordination activities at Dublin Airport

Dublin airport remains the only slot-coordinated airport in Ireland. The Commission designated it as slot co-ordinated in February 2007.

The airport coordinator is Airport Coordination Limited (ACL), appointed by the Commission. ACL has day-to-day responsibility for slot coordination at Dublin airport. It interacts daily with air carriers as well as attending bi-annual meetings at Dublin airport. The Commission also attends these meetings.

ACL's contract expires in March 2011. Consequently, in 2010 the Commission undertook a procurement exercise to select an airport coordinator for the next five years. As part of the process, the Commission consulted with the airlines, the DAA and the IAA. Ultimately, the only party to submit a tender was ACL.

The two scheduling seasons for Dublin airport are Winter (31st October to 26th March) and Summer (27th March to 30th October). The 2011 Summer schedule will be finalised in March or April 2011.

In both seasons, the number of movements at Dublin airport fell again in 2010 relative to the 2009 movements. This is illustrated in the two tables below.

Table 2.1: Air traffic movements at Irish airports: Winter 2010

Airport	Total aircraft movements		
	Winter 2009	Winter 2010	% difference
Dublin, Cork and Shannon Airports	78,704	71,148	-10%
Dublin Airport	61,996	57,757	-7%
London Heathrow	193,762	190,055	-2%
London Gatwick	96,939	90,331	-7%
Stansted Airport	59,607	50,660	-15%
Manchester Airport	58,333	57,934	-1%

Note: The Winter 2010 season ran from October 2010 to March 2011. 'Total aircraft movements' refers to the start of the scheduling season.

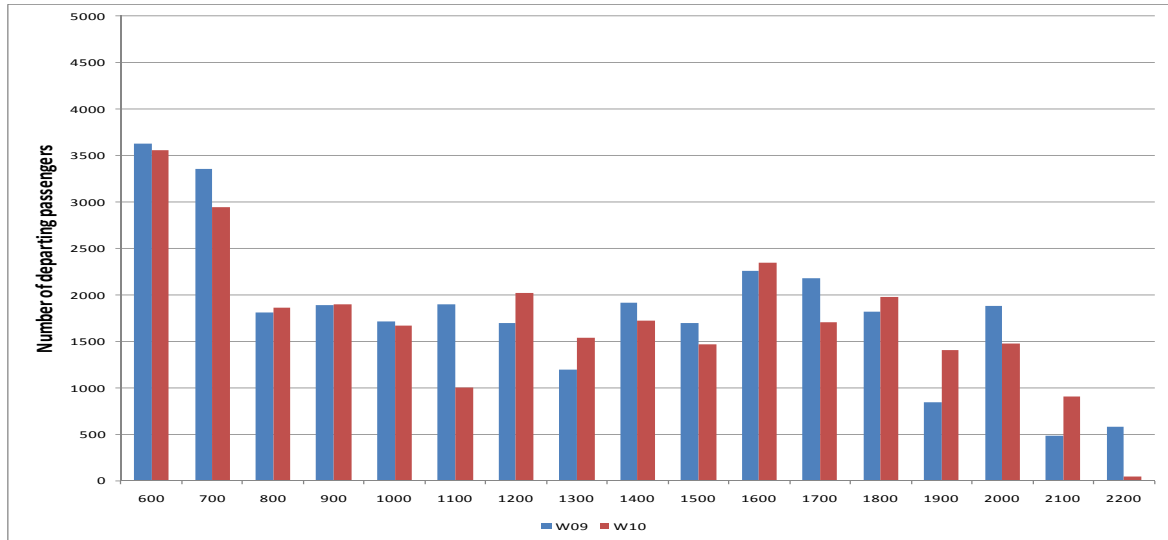
Table 2.2: Air traffic movements at Irish airports: Summer 2010

Airport	Total aircraft movements		
	Summer 2009	Summer 2010	% difference
Dublin, Cork and Shannon Airports	135,020	124,693	-8%
Dublin Airport	104,572	101,425	-3%
London Heathrow	278,274	289,304	4%
London Gatwick	163,643	165,210	1%
Stansted Airport	99,555	98,239	-1%
Manchester Airport	108,722	104,870	-4%

Note: The Summer 2010 season ran from March 2010 to October 2010. 'Total aircraft movements' refers to the start of the scheduling season.

Nevertheless, the volume of departing passengers in peak hours of the day continues to remain relatively high. The chart below show that the passenger flow in the busiest hour has barely changed. The point-to-point business models of the two largest carriers at Dublin airport (Aer Lingus and Ryanair) rely on high levels of aircraft utilisation, and consequently give rise to an early morning peak.

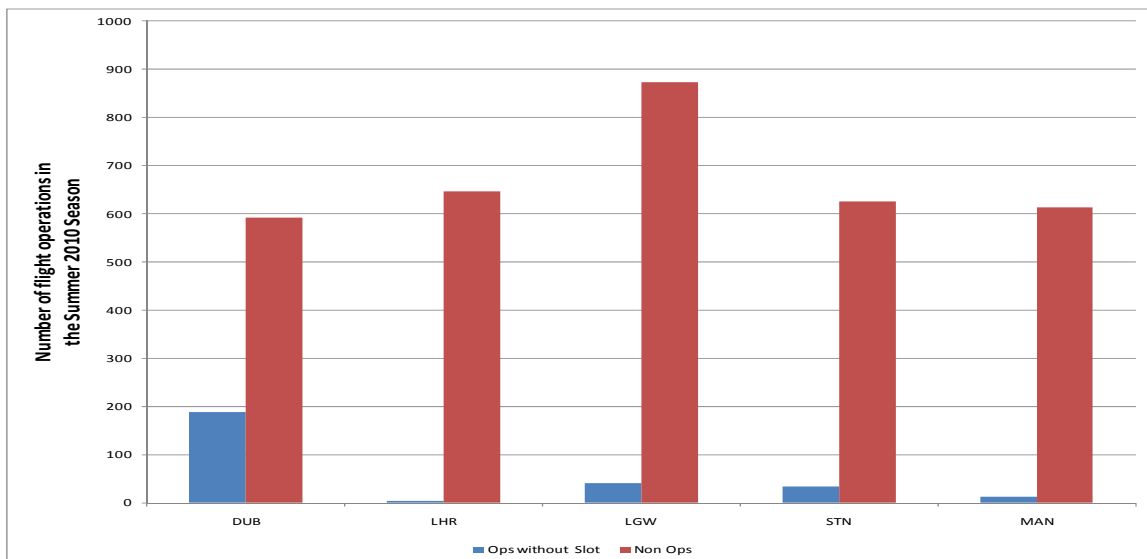
Figure 2.1: Dublin airport total demand across the day (passengers), Winter 2010 (W10) versus Winter 2009 (W09)



Enforcement actions

Dublin airport continues to experience more instances of air carriers operating without a slot than various UK airports with similar regimes. The chart below shows the number of flight operations in the 2010 summer season when air carriers operated “off slot” or chose not to operate in an allocated slot at Dublin, three London airports and Manchester.

Figure 2.2: Operations without a slot and non-operation of slot – Summer 2010



As mentioned in previous Annual Reports, the Commission does not have enforcement powers. It is limited to determining the airport's scheduling status and, where necessary, appointing a co-ordinator. The co-ordinator can "take back" or not re-allocate grandfathered slots to carriers that break the allocation rules. In contrast, in the UK there is a formal slot sanctions regime with penalties on parties that break the allocation rules.

Work Programme for 2011

Unless the Department decides to introduce a sanctions regime, the Commission does not currently envisage 2011 requiring any significant amounts of work over and above its general role ensuring that the current regime works as intended.

Goal	Actions to achieve goal
Ensure continued smooth operation of the current scheduling regime at Dublin airport	<ul style="list-style-type: none"> ➤ Attend the bi-annual Dublin Airport Co-ordination Committee meetings ➤ Interact with ACL to monitor traffic trends at Dublin airport

AIR CARRIER LICENSING

The Commission's Role

The Commission is responsible for issuing the Operating Licence which authorises the holder to engage in the transport by air of passengers, mail and/or cargo for remuneration and/or hire.

In order to be eligible for an Operating Licence, an applicant must have its principal place of business in Ireland. It must also satisfy certain ownership and business requirements, including financial fitness and insurance cover. The Commission monitors compliance with these requirements on an ongoing basis and every two years conducts a more in-depth review.

There are two categories of licence-holder:

- Category A permits transport of passengers, cargo and/or mail on aircraft with 20 seats or more;
- Category B permits transport of passengers, cargo and/or mail on aircraft with fewer than 20 seats or less than 10 tonnes maximum take-off weight.

The Commission is not responsible for safety regulation. This is a function of the Irish Aviation Authority (IAA). Air carriers involved in commercial air transport operations who require an Operating Licence must first secure an Air Operators Certificate (AOC) which is issued by the IAA.

Licensing Activity and Compliance

At the end of 2010, 18 airlines held licenses from the Commission, the same number as in 2009. During the year, the Commission issued one new licence and extended a second, while another operator ceased trading. Two operators were subject to a two-year review – both retained their Operating Licence. All licence holders were monitored for compliance with the relevant legislation concerning insurance cover, ownership and control, and financial fitness.

During 2010, the Commission issued a new Category B licence to Bond Air Services (Ireland) Limited, whilst Premier Aviation Limited voluntarily surrendered its Category B licence citing a fall in the demand for helicopter charter operations in Ireland.

Eight of the 18 airlines licensed in Ireland at the end of 2010 held Category A licences permitting them to carry passengers, cargo and/or mail on aircraft with 20 seats or more. The remaining ten operators held Category B licences, permitting them to carry passengers, cargo and/or mail on aircraft with fewer than 20 seats and/or less than ten tonnes maximum take-off weight. The table below lists all licensed Irish airlines at 31st December 2010, which is kept up to date on the Commission's website.³

³ http://www.aviationreg.ie/Passenger_Guidance/Default.216.html

Table 3.1: Operating Licence Holders

Category A Licence Holders	Category B Licence Holders
➤ Aer Lingus Limited	➤ Bond Air Services (Ireland) Limited
➤ Air Contractors (Ireland) Limited	➤ CHC (Ireland) Limited
➤ Airlink Airways Limited T/A Private Sky	➤ Executive Helicopter Maintenance Limited
➤ CityJet Limited	➤ Gaelic Helicopters Limited
➤ Comhfhorbairt (Gaillimh) T/A Aer Arann	➤ Galway Aviation Services Ltd T/A Aer Arann Islands
➤ Ryanair Limited	➤ Irish Helicopters Limited
➤ Starair (Ireland) Limited	➤ Metro Helicopters Limited
➤ Westair Aviation Limited	➤ Premier Executive Jets Limited
	➤ Premier Helicopters Limited
	➤ Sky West Aviation Limited (<i>Licence in suspension</i>)

The Commission examined and approved an application from Air Contractors (Ireland) Limited to commence passenger transport operations under the operating licence already held by the company which, prior to that, was involved solely in cargo operations. Early in 2011, the Air Operator's Certificate of Sky West Aviation Limited, which had been in suspension, was revoked by the Irish Aviation Authority. In line with the relevant provisions of EU legislations, the Commission also revoked the Operating Licence of the company.

Aer Arann Examinership

On 26th August 2010, an Interim Examiner was appointed by the High Court to Comhfhorbairt (Gaillimh) T/A Aer Arann. The company's financial performance in 2008 and 2009 had been impaired by the economic downturn and financial turmoil, high oil prices and unfavourable foreign exchange movements. The company responded with a cost reduction programme and a franchise agreement with Aer Lingus. However, following the closure of airspace due to volcanic ash, restructuring and new investment were sought through the Examinership process. An Examiner was formally appointed on 8th September 2010. Work commenced on a Scheme of Arrangement to be agreed with the company's creditors, and to secure equity investment to ensure the survival of the company. On 5th November 2010, the High Court confirmed the proposals of the Examiner for a Scheme of Arrangement and the company exited Examinership.

The Commission was a Notice Party to these proceedings. Regulation (EC) 1008/2008 sets out the powers of the licensing authority in relation to the continuation of a licence in the context of financial difficulties. In such circumstances, the Commission must carry out its own examination of the company's finances and on that basis review the status of the operating licence. The Commission's position was that it had no objections to the

Examinership and would await the relevant financial information required to carry out its role. That exercise was completed during 2010 and did not result in any change to the status of the Operating Licence held by Aer Arann.

As a result of new investment in the company, the ownership structure of Aer Arann was examined by the Commission under the ownership and control requirements of the Regulation. This review commenced following the conclusion of the Examinership process. Further information requirements were sent to the company in order to assist with this review which was ongoing at the end of 2010.

Other developments

The launch of the Commission's online licence application system was delayed, and is now planned for 2011. The Commission agreed a process with the IAA to document and share information. An updated procedures document for the granting, suspending and revoking of operating licences was published in 2010 and work was done extending the current guidance note on ownership and control issues⁴.

The Commission also participated in a study by consultants, Steer Davies Gleave, for the European Commission looking at possible options to improve passenger protection in the event of airline insolvency, which has yet to be published.

Licence Discs

At the end of 2010, the Commission issued display licence discs to all small aircraft and helicopter operators, as part of a public awareness campaign.

⁴ http://www.aviationreg.ie/fileupload/Image/AL_OandC_Note_Oct08.pdf

Sample of the Commission’s Licence Disc



Work Programme for 2011

The Commission plans to extend its online licensing system to air carriers in 2011.

Goal	Actions to achieve goal
Introduction of online licensing facility	<ul style="list-style-type: none"> ➤ Complete “user acceptance testing” and launch new system in 2011
Ensure licence holders meet requirements of legislation	<ul style="list-style-type: none"> ➤ Requirement on certain Category A licence holders to provide regular updates on financial fitness to the Commission ➤ Compliance checks in relation to the ownership and control requirements
Promote greater understanding of the licensing regime amongst licence holders and the general public	<ul style="list-style-type: none"> ➤ Publish enhanced guidance note on the ownership and control requirements ➤ Issue licence discs for all helicopter and small aircraft operators

GROUNDHANDLING APPROVALS

The Commission's Role

The Commission grants approvals to companies engaged in ground-handling activities at Dublin, Cork and Shannon airports. Ground-handling broadly comprises all those services required by an aircraft between landing and take-off, e.g. marshalling aircraft, loading/unloading, refuelling, baggage handling, passenger handling and aircraft maintenance. An airline may choose to provide services for itself (self-handling) or contract with another company (third-party handling), whether an airline or a ground-handling firm.

A company must obtain prior approval from the Commission before engaging in ground-handling operations. Approvals are issued for a period of five years. Holders must satisfy certain conditions such as financial fitness, having the necessary insurance, and technical competence. After five years, ground-handling approvals can be renewed following completion of a renewal process.

The Commission has no responsibility for dealing with passenger queries about lost or damaged baggage or more generally to arbitrate in instances of consumer dissatisfaction with a ground-handler.

Approvals and Compliance

At the end of 2010, there were 13 airlines approved to provide ground-handling services (self-handlers) and 37 other approved suppliers (or third party handlers) operating at Dublin, Cork and Shannon airports. This was three fewer than the number of approved operators at the end of 2009. Of the self-handlers, four are also approved to provide services to third parties. During 2010, the Commission granted two new self-handling approvals and two new third-party approvals. Seven companies voluntarily surrendered their approvals: one self-handler and six third-party handlers. Approvals are for a period of five years. During 2010, groundhandling approvals held by 16 companies expired and were successfully renewed by the relevant airline/handling companies.

During 2010, the Commission granted a new self-handling approval to Etihad Airways PJSC and to Bond Air Services (Ireland) Limited, and a new third party handling approval to Aer Lingus Limited and to DHL Supply Chain (Ireland) Limited. Irish Helicopters Limited voluntarily surrendered its self-handling approval as the company was no longer operating at Dublin Airport. Third party handling approvals held by five companies were also voluntarily surrendered for a range of different reasons: three companies were no longer engaged in any groundhandling activities required to be approved by the Commission (Airport Ticketing and Travel Service Limited, Greencaps Limited and Nayak Aircraft Service Netherlands BV), one company did not renew its groundhandling approval (ATRS Limited), and another third party approval holder closed its Dublin operation (FBO Dublin Limited). Finally, Bond Air Services (Ireland) voluntarily surrendered its third-party approval to allow a self-handling approval to be issued following the granting of an Irish Operating Licence to the company.

Groundhandling activity in 2010 is summarised in the following table.

Table 4.1: Breakdown of Groundhandling Activity

	Self-handlers	Third party handlers
Situation 1 January 20010	12	41
New approvals issued	2	2
Revocations	0	0
Voluntary surrender of approval	1	5
Approval expired and not renewed	0	1
Situation as at 31 December 2010	13	37

The Commission ensured that all ground-handlers provided proper financial information in 2010. Ground-handling companies providing services to third parties submitted separated accounts. All ground-handlers provided updated insurance details to show they had the required insurance cover. A list of ground-handling operators approved by the Commission at 31 December 2010 is set out in the table below.

Table 4.2: Approved Groundhandlers as at 31st December 2010

Third party handlers	Self-handlers
ACA Air Cargo Associates Limited	Aer Lingus Limited*
Aer Lingus Limited	Air Contractors (Ireland) Limited*
Air Atlanta Aero Engineering Limited	Bond Air Services (Ireland) Limited
Air Contractors (Ireland) Limited	CHC Ireland Limited
AirOps	CityJet Limited
Alpha Flight (Ireland) Limited	Comhfhorbairt (Gaillimh) T/A Aer Arann
Delta Airlines Dublin Limited	Delta Airlines Inc.
Derichebourg Multiservices Limited	Etihad Airways PJSC
DHL Express (Ireland) Limited	Jet2.com Limited
DHL Supply Chain (Ireland) Limited	Ryanair Limited
Dublin Aerospace Limited	Starair (Ireland) Limited
EFG Inflight Limited	Thomson Airways Limited*
Fingal Aviation Services Ltd.	Westair Aviation Limited*
Gate Gourmet Ireland Limited	
Hoyer Ireland Limited	

Ground-handling Approvals

Third party handlers	Self-handlers
ICTS (UK) Limited	
Knights Cleaning Services Limited	
Monarch Aircraft Engineering Limited	
Oceanbridge Groundhandling Ltd (Universal Aviation)	
OCS One Complete Solution Limited	
Servisair (Ireland) Limited	
Shannon Aerospace Limited	
Shell Aviation Ireland Limited	
Signature Flight Support Dublin Limited	
Signature Flight Support Shannon Limited	
Sky Handling Partner (Cork) Limited	
Sky Handling Partner (Shannon) Limited	
Sky Handling Partner Limited	
South Aer Services Limited	
Specialist Airport Services (Ireland) Limited	
Tedcastles Aviation Fuels Limited	
Thomson Airways Limited	
TNT Express (Ireland) Limited	
United Parcel Service of Ireland Limited	
US Alliance Flight Support Limited	
Westair Aviation Limited	
Worldwide Flight Services (Ireland) Limited	

() Air carriers who are approved to engage in self-handling and also to provide groundhandling services to third parties.*

The Commission responded to a request for information from the European Commission on the operation of the current national approval system.

Work Programme for 2011

Goal	Actions to achieve goal
Continue to licence and monitor Groundhandling companies	<ul style="list-style-type: none"> ➤ Scrutinise financial and insurance information provided annually by existing Approval holders to ensure compliance ➤ Renew expiring 11 groundhandling approvals as appropriate

TRAVEL TRADE LICENSING

The Commission's Role

Tour operators and travel agents are required to be licensed and bonded to sell or offer to sell overseas travel originating within the State to destinations outside the State.

The Commission:

- licenses travel agents and tour operators selling overseas travel;
- administers a bonding scheme for travel agents and tour operators;
- processes claims for refunds and repatriation in the event of a travel agent or tour operator going out of business;
- investigates instances of alleged illegal trading and, when necessary, prosecutes illegal traders.

The Commission's role does not encompass:

- licensing travel arrangements for domestic travel in Ireland;
- handling consumer complaints about travel agents, tour operators, hotels, luggage or airlines;
- handling complaints about advertising (except where it relates to possible illegal trading).

Licensing Activity and Compliance

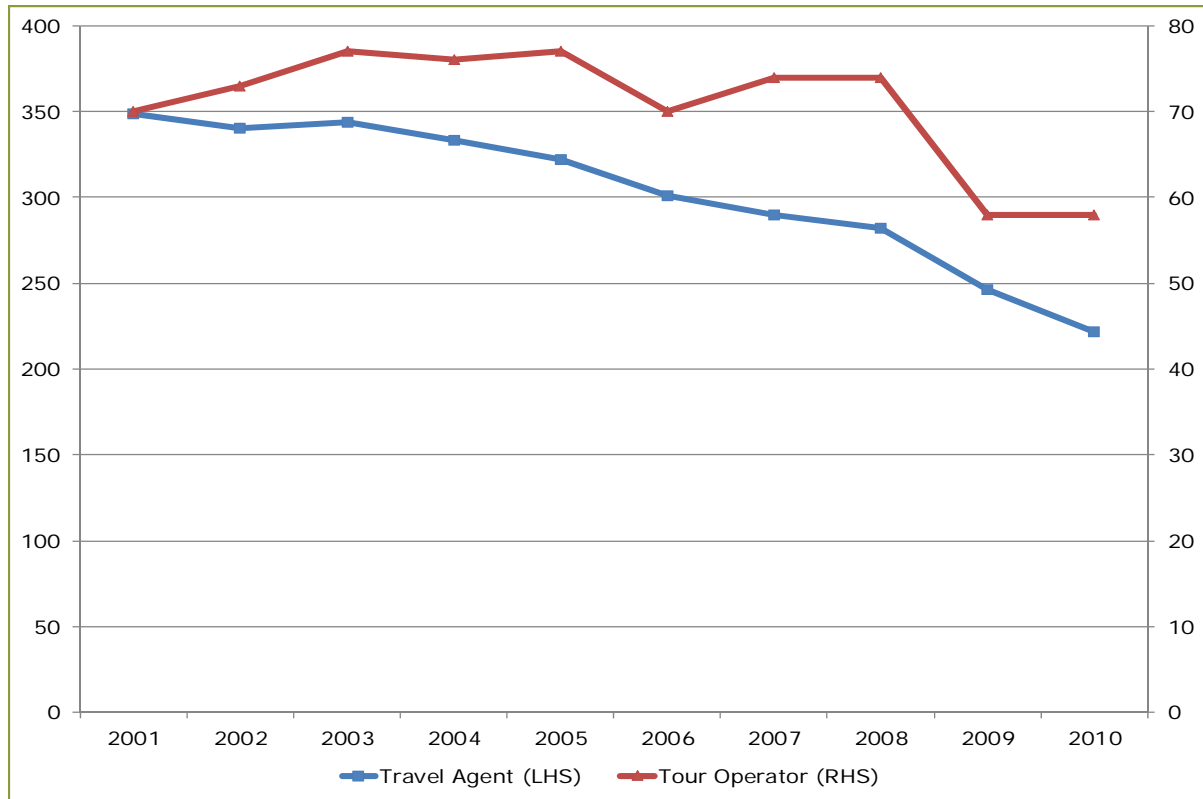
In 2010, 280 firms were granted licences by the Commission, compared with 304 in 2009 and 356 in 2008, a reduction of 76 or 21% in two years. Despite this overall downward trend, licenses continue to be granted to new entrants, 17 in 2010. Table 5.1 details entry and exit from the industry in 2010.

As part of its licensing work, staff of the Commission visited 17 firms in 2010. Companies' records were inspected and their technology and business systems assessed.

Table 5.1: Breakdown of travel-trade licensing activity in 2010

	Travel Agents	Tour Operators	Total
Licence-holders as at 1 Jan 2010	246	58	304
New licences	9	8	17
Non – renewals	-30	-8	-38
Travel trade company failures	-3	0	-3
Licence-holders as at 31 Dec 2010	222	58	280

Figure 5.1: Number of travel trade licence-holders 2001 - 2010



Legal developments in the Travel Trade Licensing area

Fáilte Travel Limited

The Commission petitioned the High Court in early 2009 to appoint a Liquidator to wind up Fáilte Travel Limited, a collapsed tour operator, on the basis that it owed the Travellers’ Protection Fund (TPF) over €1.4m. The High Court appointed Mr. Declan Taite of FGS as Liquidator. The Liquidation continued in 2010 and the Commission received €17,016 of its costs from the liquidation. The final report from the Liquidator is awaited.

Manorcastle Limited trading as United Travel

The Commission has been granted two High Court Orders for costs against Manorcastle Limited (trading as United Travel) in respect of appeals taken by the company against the Commission's refusal in 2008 and 2009 to grant the company a licence. Despite repeated demands, Manorcastle Limited has failed to pay the relevant costs (which total €140,000 approximately), or to engage in any meaningful discussion regarding payment of the costs. Work continued in 2010 in the cost recovery process and the Commission is exploring all remaining legal options.

Budget Travel Limited

Following the decision by Budget Travel Limited in late 2009 to enter voluntary liquidation, the Liquidator abandoned two sets of legal proceedings which the company had initiated against the Commission's refusal of a licence to the company. In March 2010 the Commission was awarded its costs for both actions. The costs have now been agreed with the Liquidator, and the Commission ranks as an unsecured creditor in the liquidation process.

Travel Trade Review and EU Directives

In December 2010, the Commission issued two statutory instruments (S.I. 659 and S.I. 660). From 2011, most firms that qualify under company law for an audit exemption will no longer have to produce audited accounts to be eligible for a travel trade licence. As part of its review of the travel trade licensing regime, provided to the Minister for Transport in 2008, the Commission had recommended this change. In December 2010, the Commission published a Notice setting out a procedure to allow companies to apply for an audit exemption.

The Services Directive was transposed into Irish law in November 2010. The Commission has continued to liaise with the Departments of Transport and Enterprise, Trade and Innovation (ETI) to analyse the impact on existing travel trade legislation.

In 2010, the European Commission held a number of meetings and workshops regarding a possible reform of the Package Holiday Directive.

Cessation of Trading

Since mid-2008, a large number of claims have been made to the Commission arising from travel firms going out of business. Information for recent years is summarised in Table 5.2; values for 2008 and 2009 are audited and those for 2010 are draft figures.

Table 5.2: Summary of the claims activity 2008-2010

Year	2008	2009	2010
Number of Claims Received	2,087	4,979	191
Number of Claims Paid	1,639	4,438	174
Value of Claims Paid	€3,582,282	€6,019,605	€215,215
Administration costs incurred	€295,656	€602,456	€21,263
Bonds drawn down	€2,417,180	€6,152,597	€59,080
Claim on TPF	€1,585,577	€1,316,840	€110,816
Administration (% of claims paid)	8.3%	10%	9.9%

The difference between the total number of claims received (7,257) and claims paid (6,251) is accounted for by passenger repatriations (which were paid for directly by the Commission) and claims ultimately paid for by third parties (such as credit card companies).

In 2010 three firms ceased trading in circumstances where it was necessary to draw down the company's bond to refund customers. This was a substantial reduction on the 19 entities that had involuntarily gone out of business in 2009. The 2010 outcome brings the cumulative total for failures since the establishment of the Commission in 2001 to 47. The number and value of claims arising from the three closures of 2010 are set out in Table 5.3.

Table 5.3: Cessation of Trading 2010 - Summary of claims activity

Name of Firm	Number of claims	Value of claims in € (*)
Paula Coughlan T/A Foreign A Fares	153	152,249
Castle Travel Ltd	28	20,072
Solar Travel Ltd	10	42,894
Totals	191	215,215

Note: () The value of claims represents the position at 31 December 2010; some claims processing is yet to be completed, thus the final figure may change.*

Previous annual reports presented information on claims arising from closures in 2008 and 2009 using the draft financial data then available. As final audited figures are now to hand, Table 5.4 contains the cumulative 2008-2010 claims arising from all closures in 2008 and 2009.

Table 5.4: Cessation of Trading 2008 /2009 – Cumulative Claims

Name of Firm	Cumulative Value of Claims Paid
Dunne & King Travel Ltd T/A Letts Travel	€16,445
Mardan Ltd T/a Home & Away	€88,442
Grant Travel Ltd	€276,063
Wonder Travel Ltd	€58,554
CanAmerica	€135,398
Manorcastle Ltd T/a United Travel	€3,436
Greystones Travel Ltd	€107,446
Toolin Travel Ltd	€484,641
Analagh Ltd	€157,074
Oonagh O'Leary T/A Creation Travel	€67,058
Portlaoise Travel Ltd	€402,795
Cork's City Travel Ltd	€52,184
The Travel Collection Ltd	€187,193
Paul Buckley (Charleville) Ltd	€24,953
Turing Ltd T/A Slatterys	€1,266,160
Albemarie Ltd T/A Tony Bond Travel	€40,090
T & A Killoran T/a Killoran's Travel	€12,045
Budget Travel Ltd	€2,432,685
Donabate Travel Ltd T/A Escape2	€169,872
Delta Travel Ltd	€36,619
Fáilte Travel Ltd T/A Gerry	€1,678,526
Ronane Travel Ltd	€435,785
XL Leisure Group (Ireland) td	€1,395,118
MacLavery Travel Ltd	€62,798
Landaround Travel Ltd	€10,054
Total claims paid out	€9,601,887

The Travellers' Protection Fund

The Commission has responsibility for the administration of the Travellers' Protection Fund (TPF), which is used to pay refunds to customers where a travel agent's or tour operator's bond has insufficient resources to do so. It is also used to pay repatriation costs in the event customers are stranded abroad, along with the reasonable expenses of the Commission in processing claims. A separate set of financial statements is prepared for the Fund, which are audited by the Comptroller & Auditor General.

A draft figure for payments from the Fund in 2010 is contained in Table 5.5. At the end of 2010, the value of the net assets reported in the draft TPF accounts was €5,084,060 compared to a figure of €5,209,784 one year earlier.

Table 5.5: Payment of claims from the Travellers' Protection Fund

	2010	2009
Claims paid out from the Travellers' Protection Fund	€110,816	€1,316,840

Holiday World Fair

The Commission again took a stand at the Holiday World exhibition at the RDS. The stand facilitated interaction between the staff of the Commission on the one hand, and the travel industry and the general public on the other. The exhibition attracted more than 50,000 visitors in January 2010.

Work Programme for 2010

Goal	Actions to achieve goal
Continue to administer the licensing and bonding scheme for the industry	<ul style="list-style-type: none"> ➤ Process applications using online facility in timely manner ➤ Process claims for refunds and repatriations, where required ➤ Investigate reports of unlicensed trading
Prepare for the potential impact of EU legislation on the working of the current licensing regime	<ul style="list-style-type: none"> ➤ Liaise with Departments of Transport and Enterprise, Trade and Innovation

AIR PASSENGER RIGHTS

The Commission's Role

For flights that depart from Irish airports or arrive into Ireland from another European Union country, or that arrive into Ireland from a non-EU country on an EU-registered carrier, the Commission:

- Handles complaints relating to cancellations;
- Handles complaints relating to delays of two hours or more;
- Handles complaints about denied boarding and downgrading.

The Commission enforces EU law concerning the rights of disabled persons and persons with reduced mobility when travelling by air.

The Commission works with counterpart enforcement bodies in the EU for complaints arising at non-Irish airports.

The Commission inspects Irish airports to ensure airlines comply with EU law. The Commission can institute enforcement proceedings in Ireland against airlines infringing the Regulation. Regulation 261 refers only to airlines – travel agents and tour operators have no liability to passengers under this legislation.

Amongst other things, the Commission does not have the authority to handle complaints about:

- Baggage, taxes and airline charges, including fuel surcharges;
- Booking or ticketing errors and visa issues;
- Refunds due to illness or bereavement;
- False advertising;
- On-board services or in-flight issues;
- Late arrivals at check-in;
- Airline booking conditions and website problems;
- Safety issues.

Online complaint form

2010 saw the introduction of the Commission's new on-line complaint facility. This allows easy submission of complaints and ensures that all relevant information is provided by passengers. The new form is available at www.aviationreg.ie⁵. Where possible, the public is strongly encouraged to use this facility.

Total complaints received

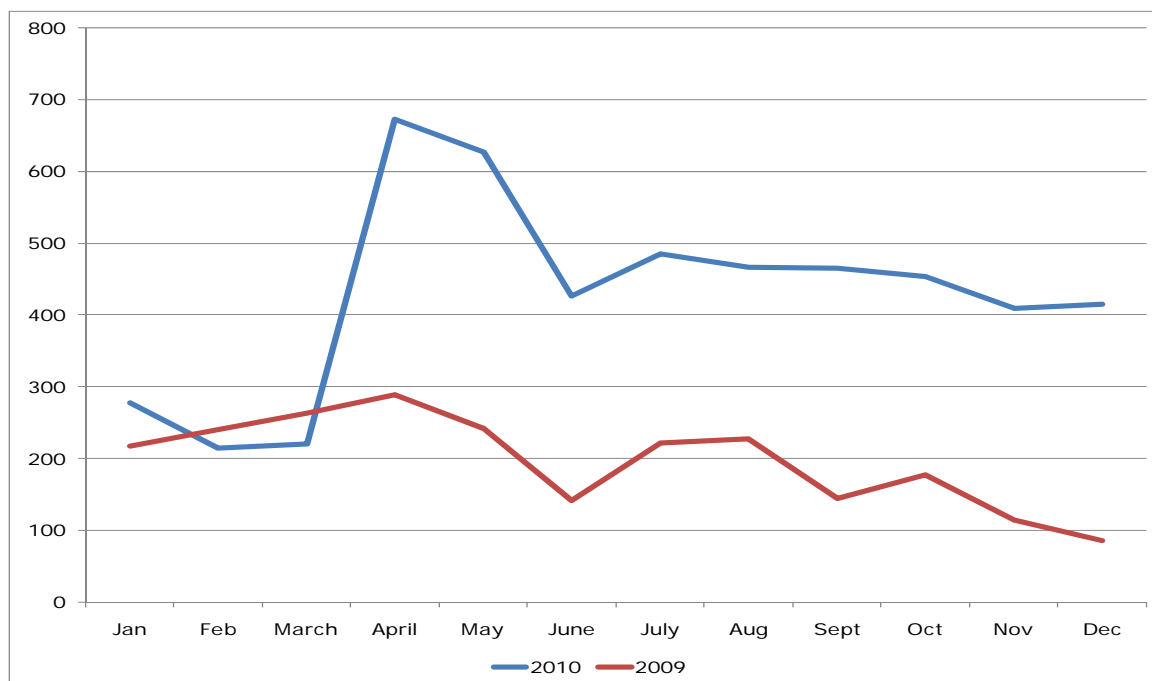
In 2010 the Commission received a total of 5132 requests for information and assistance from the public, representing a 105% increase on the 2009 figure of 2,495. Many queries were received around the time of the volcanic ash crisis in April and May. Commission staff focused on promptly addressing the queries raised so that passengers

⁵ <https://secure.aviationreg.ie/eseries/car450.xsp?envAuto=263E1C4B05ED32F3>

who found themselves stranded had the information necessary to make informed decisions about travel. A sizeable number of queries were also received by the Commission following instances of industrial action in France during the summer months, and the lengthy periods of cold weather which affected Europe in late 2010.

The table below shows the requests for information and assistance received on a month by month basis.

Figure 6.1: Queries received by month



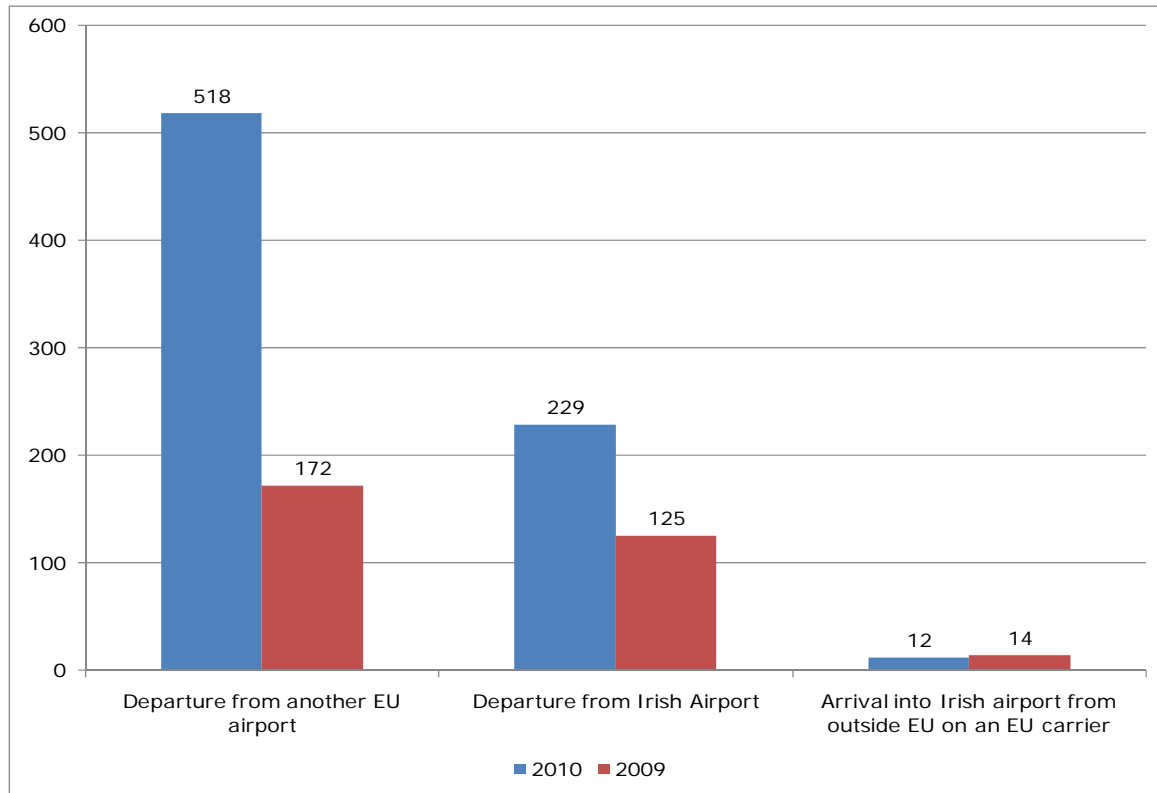
Every endeavour is made to work through all queries received as quickly as possible. At the time of writing, the Commission was processing queries received in November 2010. Consequently, the complaints figure presented later is likely to increase when submissions received in December 2010 are fully examined. In mid-2011, the Commission will publish a final report on air passenger rights work for 2010.

Of the queries examined thus far, 759 indicate a possible breach of the Regulation and were treated as complaints i.e. they relate to:

- cancellations by the air carrier;
- flight delays exceeding times frames in legislation;
- instances of denied boarding;
- instances of downgrading.

Five hundred and eighteen of the 759 complaints related to flights departing from airports in other Member States and were referred to the relevant national enforcement body for further investigation. The Commission investigated the remaining 241 cases.

Figure 6.2: Breakdown of complaints received by the Commission



The table below provides a breakdown of the 759 complaints by category.

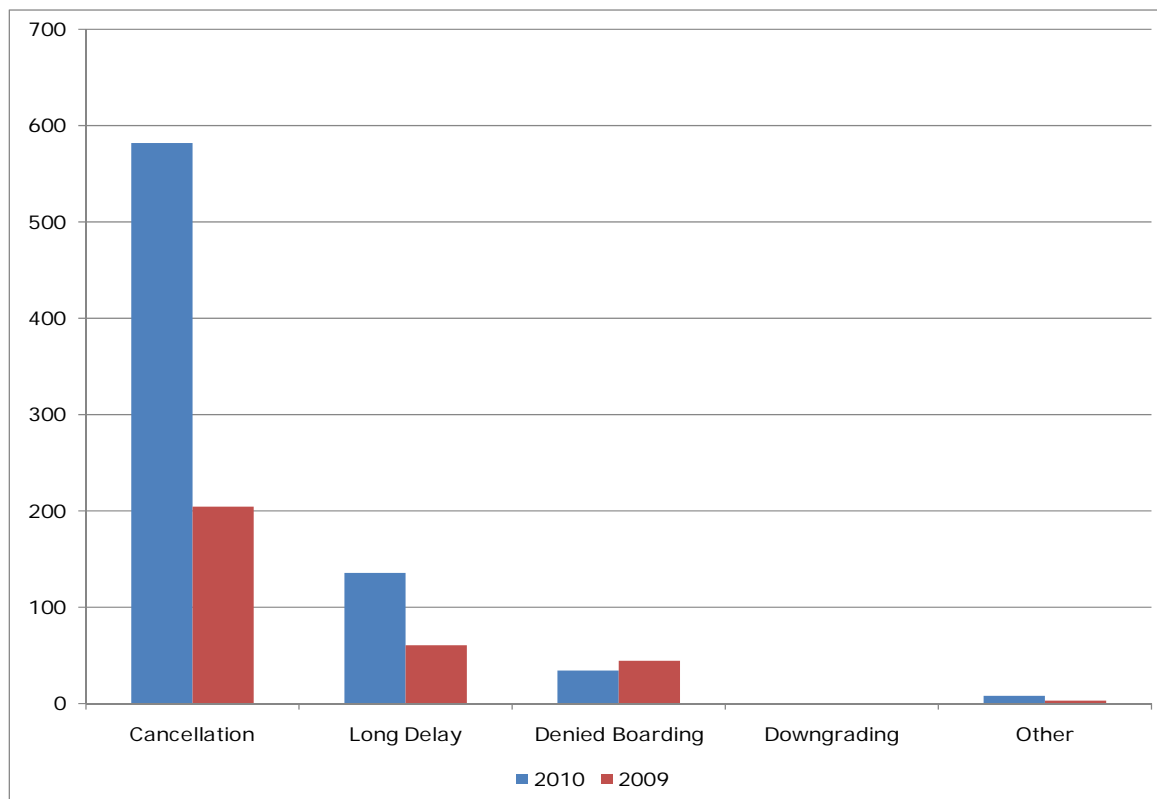
Table 6.1: Breakdown of complaints in 2010⁶

Type of complaint	Addressed by C.A.R	Addressed by other N.E.B	Total number of complaints	% complaints (759)
Cancellations	171	411	582	77%
Long delay	51	84	135	18%
Denied boarding	14	20	34	4%
Downgrade	0	0	0	0%
Other ⁷	5	3	8	1%
Total	241	518	759	100%

⁶ As examined by March 2011.

⁷ The "Other" category represents complaints which appear to fall within the remit of Regulation (EC) 261/2004 but further investigation will be required by the relevant national enforcement body to bear this out.

Figure 6.3 Comparison of complaints received by the Commission by type



Resolution of complaints

The Commission records all infringement of the Regulation to ensure that compliance is monitored on an ongoing basis. Complaints regarding non-compliance are investigated with the relevant air carrier. Of the 241 complaints received in 2010 which fell within the remit of the Commission, the investigation into 54 cases has concluded. The final outcomes of those cases were:

- in 5 cases compensation was deemed payable to the passenger and was obtained on their behalf;
- in 11 cases the air carrier was found to be exempt from paying compensation as the extraordinary circumstances exemption⁸ was considered applicable;
- in 28 cases the Commission secured a refund of applicable expenses for the passenger;
- in 9 cases the complaint was either withdrawn by the passenger or, after investigation, the air carrier was found not to be in breach of the Regulation;
- in 1 case the Commission recorded infringements of the Regulation. However given the nature of these infringements no financial redress was payable to the passengers.

⁸ Article 5(3) provides that an air carrier shall not be obliged to pay compensation if it can prove that the flight cancellation was the result of extraordinary circumstances which could not have been avoided even if all reasonable measures were taken.

The Commission is continuing its investigation of the remaining cases. The table below provides a summary of the above information.

Table 6.2: Breakdown of resolved complaints in 2010

Resolution	Number of complaints	% of total
Compensation paid by airline	5	9%
Refund obtained	28	52%
Extraordinary circumstances proven	11	20%
Complaint withdrawn or un-sustained	9	17%
Infringement recorded	1	2%
Total resolved cases	54	100%

Persons with reduced mobility

In 2010, the Commission introduced a facility for complaints to be submitted online, to facilitate complaints by passengers who consider that their rights under Regulation 1107 have been infringed. This may be found at www.aviationreg.ie⁹ Where possible, the public is strongly encouraged to use this facility.

Total Complaints Received

During 2010, the Commission received 15 queries. On examination, the majority did not constitute valid complaints. The reasons were varied: in some cases the passenger had not notified the air carrier of their requirements in the time prescribed, and in others the queries arose in advance of bookings being made.

Two valid complaints were recorded by the Commission and concerned the assistance provided to disabled persons or persons with reduced mobility by airport management bodies. The first complaint related to damage caused to mobility equipment during ground-handling, and the second concerned whether training had been provided to staff of an Irish airport. Both complaints have been concluded: in the first case the equipment was replaced and in the second case the Commission determined that appropriate levels of training had been provided.

⁹<https://secure.aviationreg.ie/eseries/car460.xsp?envAuto=A53D47DF6F2AD4F5>

Other work

The Commission inspected airports within the jurisdiction to ensure that air carriers display prescribed information at check-in and make available additional information to passengers affected by cancellations, long delays or instances of denied boarding.

The Commission met with other national enforcement bodies to discuss the volcanic ash crisis and air carrier responsibilities in that period. The Commission also responded to consultations by the European Commission.

The Commission took part in the Holiday World fair in the RDS, which provided a forum for promoting awareness of the rights and entitlements afforded to passengers under EU law.

Work Programme for 2011

Goal	Actions to achieve goal
Ensure compliance with EC laws concerning passenger rights	<ul style="list-style-type: none"> ➤ Investigate complaints received ➤ Inspect airports ➤ Identify minimum standards of training in disability, equality and awareness
Increase public understanding of air passenger rights issues	<ul style="list-style-type: none"> ➤ Provide information at suitable industry events (e.g. Holiday World Fair) and through the Commission's website

ADMINISTRATIVE AND LEGAL FUNCTIONS

Human Resources

Since March 2009, the Commission has been subject to the moratorium on recruitment and promotion in the public sector. This has meant that no vacancies could be filled due to staff leaving the organisation. Under a new Employment Control Framework (ECF) for the public sector, the office's allowed staffing complement was reduced in late 2010 from 22 to 18. The Commission has sought the agreement of the Department of Transport to the Commission bringing its staffing back up to 18 from its present level of 15.

Salaries in the Commission are in line with government pay policy. Increments, where applicable, are paid upon satisfactory performance reviews. Three members of staff are on secondment from the Department of Transport and one from the Road Safety Authority. Their salary costs are recouped at cost plus a set charge for superannuation and centrally provided services.

The salary and pension contributions of the sole Member of the Commission totalled €195,834 in 2010. No other benefit was provided.

All full-time staff members are obliged to join the Commission's pension scheme. There was no change in the scheme's interim status in 2010, which has been awaiting the approval of the Department of Finance since 2002. An actuarial review of the pension liabilities shows a continuing deficit in the scheme of €116,174 at the end of 2010, up from €51,020 in 2009. The Commission expects to contribute €71,692 to the pension scheme in 2011.

In 2010, the Commission continued to outsource non-core administrative functions relating to media relations, IT maintenance and payroll.

Online licensing and passenger complaints facility

In 2010, two rounds of licensing in the Travel Trade area were completed on the web licensing system. Applicants are no longer required to re-enter historic data in the application process. Also, the Air Passenger Rights and Persons with Reduced Mobility complaint systems were moved onto the web in 2010 to provide an easier and quicker method of filing relevant complaints with the Office. Airline licensing is planning to introduce a similar system for 2011.

Transparency and Freedom of Information

The Commission aspires to carry out its functions in an open and transparent manner. Consultation papers, supporting documents, responses from stakeholders and regulatory decisions are published on our website www.aviationreg.ie and hard copies are available on request. A schedule of the Commission's publications in 2010 is annexed at Appendix 1.

The Commission did not receive any requests under the Freedom of Information Acts during 2010.

Audit Committee

The Audit Committee met 4 times in 2010. At each meeting the Committee was briefed in detail on progress within the Commission on the various work strands. The Commissioner attended some of these meetings to advise the Committee on developments. Staff of the Commission dealing with legal, administrative and accounting matters also attended meetings to discuss their work. Representatives of the Commission's Internal Auditors attended those elements of each meeting appropriate to their responsibilities.

In 2010, the issues the Committee focused on were:

- The risk register
- Claims processing
- Internal financial controls
- Follow up to internal audits
- The business continuity plan in an emergency, and
- The Code of Practice for the Governance of State Bodies.

The Audit Committee was satisfied with the Commission's arrangements in these areas.

Administrative Obligations

The Commission makes every effort to operate to the highest standards of corporate governance. The Department of Finance's Code of Practice for the Governance of State Bodies¹⁰ (2009 edition) sets out a number of guidelines aimed at promoting good governance. Because of the nature of its activities, as well as the structure of the Commission itself, certain aspects of the Code of Practice are not directly applicable to the Commission. The table below summarises Commission activities in respect of the Code of Practice.

Under the Code, the Commission is required to have a procedure for confidential 'whistle blowing' on financial irregularities and other misdeeds. The Commission has made a proposal to the Department of Transport as to how this requirement might be complied with.

In 2010, the Commission consumed 51,089 KWh of energy, a reduction on 2009, reflecting reduced staffing and overheads.

¹⁰ <http://www.finance.gov.ie/documents/guidelines/codepractstatebod09.pdf>

Commission Code of Conduct	<p>The Commission has a Code of Conduct for employees.</p> <p>Seconded staff from the Department of Transport are subject to the <i>Civil Service Codes of Standards and Behaviour</i>.</p>
Internal Audit	<p>The Commission appoints a firm of auditors to undertake its internal audit function. The internal auditor operates under the guidance of an external Audit Committee. Following an open tender process in 2007, Mazars were selected as the Commission's internal auditor.</p> <p>In 2010, Mazars conducted audits of the Commission's procurement processes, its follow-up to previous audits, its travel trade claims process, and a review of its Statement of Internal Financial Controls.</p> <p>These reports, reviewed by the Commissioner, Heads of Function and the Audit Committee, concluded that the management of the Commission have implemented processes and control procedures that have contributed to a transparent and accountable governance process.</p>
Procurement	<p>The Commission's procurement procedures comply with national and, where applicable, EC guidelines and directives. The value of the majority of the contracts is such that national guidelines tend to apply.</p> <p>The Commission has developed a procurement plan for 2011, setting out the areas in which it expects to tender for services.</p>
Disposal of assets and access to assets by third parties	<p>The Commission has no assets of the scale and value envisaged under the guidelines (€150,000). No asset disposals took place during 2010.</p>
Diversification	<p>The Commission did not make any diversification proposals to the Minister in 2010.</p>
Investment appraisal	<p>The Commission did not incur any significant capital expenditure in 2010, such that it came within the scope of the activities as envisaged in the <i>Investment Appraisal</i> guidelines.</p>
Remuneration of senior management and director's fees	<p>Please see the <i>Human Resources</i> section of this chapter for information on this area. There are no Directors and fees do not arise.</p>
Reporting arrangements	<p>The Commission makes such reports to the Minister for Transport as prescribed by law and as required. The Commission has a fully developed accounting system, providing detailed monthly management and financial reports to senior management. The Commission adopts International Reporting Standards for its reporting. It computes its accounts on the accrual accounting system except where specified in the notes to the financial statements. These statements are audited by the Comptroller and Auditor General, as stipulated in the Aviation Act 2001.</p> <p>The Commission has measures in place to comply with the obligation to keep proper books of account. These are kept at its sole office.</p>

Strategic and corporate planning	<p>The Commission's functions and responsibilities are set out in the Aviation Act 2001, the State Airports Act 2004 and the Aviation Act 2006.</p> <p>The Commission annually sets out a work plan for each functional area designed to satisfy their statutory obligations and meet the Commission's objectives. The Commission reports annually to the Minister for Transport on the manner in which those functions have been discharged in the previous year.</p> <p>In view of the October 2009 government announcement that the Commission would be merged with the National Transport Authority, the Commission, with the agreement of the Department of Transport, has not prepared a 5-year strategic plan.</p> <p>The Commission's output report, required under the Government Statement on Economic Regulation of October 2009, is attached as Appendix 2. The Commission has developed a set of key performance indicators (KPI's); collection of data commenced in 2011 and will be reported upon in the next annual report.</p>
Tax compliance	<p>The Commission is liable to PAYE, VAT and PSWT. The Commission has submitted all relevant tax returns for 2010 and is fully tax compliant.</p>
SIFC	<p>The Commissioner has confirmed in the Financial Statements for 2010 that it conducted a review of the effectiveness of the system of internal financial control. The SIFC contains a comprehensive set of policies and procedures relating to financial controls. For the purpose of Oireachtas accountability, the Commissioner is the Accountable Officer.</p>
Code of Practice for the Governance of State Bodies Compliance	<p>The Code of Practice for the Governance of State Bodies has been adopted by the Commission and is being complied with, as detailed elsewhere in this section of the 2010 Annual Report.</p>
Travel Policy	<p>Government travel policy requirements are being complied with.</p>
Disclosure of interests	<p>Commission staff satisfy the interest-disclosure requirements that are set out in sections 17-19 of the Aviation Regulation Act, 2001.</p> <p>A Member of the Commission is appointed following an open competition organised by the Public Appointments Service under section 11(4) of the Aviation Regulation Act.</p>
Risk Management	<p>The Commission maintains a risk register which is regularly reviewed by the senior management and it works with the audit committee to manage risks.</p>

FINANCIAL INFORMATION

Levy

Section 23 of the Aviation Regulation Act, 2001, provides that, for the purpose of meeting expenses properly incurred by the Commission in the discharge of its functions under the Act, the Commission may make regulations imposing a levy to meet but not to exceed its estimated operating costs and expenses. The levy is payable by such classes of undertakings as may be specified by the Commission.

Regulations entitled "Aviation Regulation Act 2001 (Levy No. 11) Regulations 2010" (S.I No. 611 of 2010) were made on 21 December 2010 to give effect to the Commission's Levy for 2011.

2009 Financial Statements

During 2010, the financial statements for 2009 were audited by the Comptroller and Auditor General and submitted to the Minister for laying before the Houses of the Oireachtas, as required under Section 26(b) of the Aviation Regulation Act, 2001. These accounts were laid on 12 January 2011, and are available on the Commission's website.

Draft 2010 Financial Statements

Financial statements for the year ended 31 December 2010 have been prepared, and were submitted for audit by the Comptroller and Auditor General on 1st March 2011. An extract from those statements is provided in the following pages.

Commission for Aviation Regulation Income & Expenditure Account for the year ended 31 December 2010
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	Notes	2010 €	2009 €
Income			
Levy Income	2 (a)	2,688,105	4,230,849
Licence Fees	2 (b)	199,828	245,090
Other	2 (c)	144,181	233,808
Gross Income		<u>3,032,114</u>	<u>4,709,747</u>
Transfer (to)/from Capital Account	10	6,706	11,923
Net Income		<u>3,038,820</u>	<u>4,721,670</u>
Expenditure			
Salaries	4	1,652,445	1,764,669
Pension Costs	11 (a)	123,514	128,719
Consultancy		123,209	484,809
Legal Fees		(170,771)	148,287
Advertising & Public Relations		81,629	120,871
Travel & Subsistence		8,210	7,013
Conferences		16,011	12,981
Training & Recruitment		37,515	29,181
Audit Fee		12,408	12,408
Accountancy		30,016	23,915
Web Maintenance		16,977	26,387
Rent		283,363	284,850
Cleaning		13,966	15,229
Electricity		9,930	10,852
Office Maintenance		2,797	5,443
Insurance		52,713	54,930
Office Stationery		11,929	17,606
Postage & Carriage		3,883	5,765
Telephone		21,881	25,470
Dublin Airport Schedules Facilitation		298,573	299,189
Depreciation		16,574	20,434
Service Charge		42,539	41,620
Rates		33,002	33,677
Storage Costs		8,455	9,302
Other		39,482	22,113
		<u>2,770,250</u>	<u>3,605,721</u>
Operating Surplus / (Deficit)	15	268,570	1,115,949
Balance as at 1 January		1,752,177	636,228
Balance as at 31 December		<u>2,020,747</u>	<u>1,752,177</u>

The Statement of Accounting Policies, Cashflow Statement and the Notes 1 to 19 form an integral part of these Financial Statements.

Cathal Guiomard
Commissioner

1st March 2011

Commission for Aviation Regulation
Statement of Total Recognised Gains and Losses for the year ended 31 December 2010

	Notes	2010 €	2009 €
Operating Surplus		268,570	1,115,949
Actual return less expected return on pension scheme assets	11 (c)	36,394	161,944
Experience gains/(losses) arising on pension scheme liabilities	11 (d)	129,106	114,755
Changes in assumptions underlying the present value of the pension scheme liabilities		<u>(210,284)</u>	<u>(45,862)</u>
Actuarial gain/(loss)		(44,784)	230,837
Total Recognised Gains/(Losses) relating to the Financial Year		<u>223,786</u>	<u>1,346,786</u>

The cumulative loss recognised from actuarial gains and losses arising in the last four years amounts to €93,051.

	2010	2009
Movement in Pension Reserve		
Balance at 1 January	(58,807)	(289,644)
Actuarial Gain/(Loss)	<u>(44,784)</u>	<u>230,837</u>
Balance at 31 December	<u>(103,591)</u>	<u>(58,807)</u>

The Statement of Accounting Policies, Cashflow Statement and the Notes 1 to 19 form an integral part of these Financial Statements.

Cathal Guiomard
Commissioner

1st March 2011

Commission for Aviation Regulation Balance Sheet as at 31 December 2010
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	Notes	€	2010 €	€	2009 €
Fixed Assets					
Tangible Assets	5		50,423		57,129
Current Assets					
Bank Accounts	6	14,245,493		25,822,851	
Debtors and Prepayments	7	<u>1,392,834</u>		<u>1,370,529</u>	
		15,638,327		27,193,380	
Creditors:					
Amounts falling due within one year					
Creditors and Accruals	8	(294,782)		(562,039)	
Cash Bond Accounts	6	<u>(12,772,676)</u>		<u>(23,951,521)</u>	
		(13,067,458)		(24,513,560)	
Net Current Assets / (Liabilities)			2,570,869		2,679,820
Total Assets less Current Liabilities			2,621,292		2,736,949
Provisions for Liabilities and Charges	9		(537,539)		(935,430)
Net Assets Excluding Pension Liability			2,083,753		1,801,519
Net Pension Asset/(Liability)	11 (b)		(116,174)		(51,020)
Net Assets / (Liabilities) including Pension Asset/(Liability)			1,967,579		1,750,499
Financed By					
Income & Expenditure Account Surplus/(Deficit)			2,020,747		1,752,177
Capital Account	10		50,423		57,129
Pension Reserve			(103,591)		(58,807)
			1,967,579		1,750,499

The Statement of Accounting Policies, Cashflow Statement and the Notes 1 to 19 form an integral part of these Financial Statements.

Commission for Aviation Regulation
Cashflow Statement for year ended 31 December 2010

	Notes	2010 €	2009 €
Reconciliation of operating surplus to net			
Cash inflow/(outflow) from operating activities			
Surplus/(Deficit) on Income and Expenditure		268,570	1,115,949
Difference between Pension Cost and Employer Contribution		20,370	20,159
Depreciation	5	16,574	20,434
Bank Interest		(16,949)	(9,576)
Transfer (from)/to Capital Account		(6,706)	(11,923)
Decrease/(Increase) in Debtors	7	(34,405)	(186,703)
Decrease/(Increase) in Prepayments	7	12,100	(17,315)
(Decrease)/Increase in Creditors	8	(184,940)	(9,455)
(Decrease)/Increase in Accruals	8	(82,317)	(276,688)
(Decrease)/Increase in Provisions	9	(397,891)	355,039
Net Cash Inflow/ (Outflow) From Operating Activities		(405,584)	999,921
Cash Flow Statement			
Net Cash Inflow/ (Outflow) From Operating Activities		(405,584)	999,921
Returns on Investments			
Bank Interest		16,949	9,576
Capital Expenditure			
Purchase of fixed assets	5	(9,868)	(8,511)
Financing			
Increase / (Decrease) in Cash Bond Accounts & TPF	6	(11,178,845)	(3,560,005)
Management of Liquid Resources			
(Increase) / Decrease in Funds on Deposit	6	481,056	(1,009,808)
Increase/(Decrease) in Cash Balances		(11,096,302)	(3,568,826)
Reconciliation of net cash flow to movements in net funds			
Increase/(Decrease) in cash in hand in the period		(11,096,302)	(3,568,826)
Cash used to increase liquid resources	6	(481,056)	1,009,808
Change in Net Funds		(11,577,358)	(2,559,018)
Opening Net Funds		25,822,851	28,381,869
Closing Net Funds		14,245,493	25,822,851

The Statement of Accounting Policies, Cashflow Statement and the Notes 1 to 19 form an integral part of these Financial Statements.

Cathal Guiomard
Commissioner

1st March 2011

Appendix 1 – Commission papers in 2010

CP1/2010 June 2010	Consultation on the decisions of the 2010 Aviation Appeal Panel
CP2/2010 July 2010	Decision of the Commission further to referral by the 2010 Aviation Appeal Panel
CP3/2010 October 2010	Maximum level of Aviation Terminal Services Charges that may be imposed by the Irish Aviation Authority
CP4/2010 November 2010	Defining the Regulatory Till
CP5/2010 November 2010	Consultation on Regulatory Accounts
CN1/2010 December 2010	Proposed arrangements for Travel Trade Licensing in Spring 2011
CN2/2010 December 2010	Spring 2011 Travel Trade Licensing

Appendix 2 – Output Report

Price Regulation

2010 Goal	2010 Outturn
➤ Monitor compliance with the price caps that are in place	<ul style="list-style-type: none"> ➤ Commission satisfied that IAA and DAA complied with price cap ➤ DAA QoS reports published
➤ Begin the process of a new Determination for ATSC charges (IAA) at Dublin, Cork and Shannon airports	<ul style="list-style-type: none"> ➤ Issues Paper published in September
➤ Re-examine the existing regulatory regime at Dublin airport, with a view to identifying those areas, if any, where changes might be required	<ul style="list-style-type: none"> ➤ Consultation paper on choice of regulatory till published ➤ Consultation paper on format of regulatory accounts published

Slot Allocation

2010 Goal	2010 Outturn
➤ Ensure continued smooth operation of the current scheduling regime at Dublin airport	<ul style="list-style-type: none"> ➤ Tender for new schedules coordinator completed in second-half of the year
➤ Consider any changes to the current regime in order to provide for a better functioning system	<ul style="list-style-type: none"> ➤ No change proposed

Air Carrier Licensing

2010 Goal	2010 Outturn
➤ Ensure licence-holders meet the requirements of the legislation	<ul style="list-style-type: none"> ➤ 2 new/extended licences granted; 2 reviewed
➤ Promote greater understanding of the licensing regime amongst licence holders and the public	<ul style="list-style-type: none"> ➤ Display licence discs issued to helicopter and small aircraft operators
➤ Move to online licensing process	<ul style="list-style-type: none"> ➤ Deferred to 2011

Ground Handling

2010 Goal	2010 Outturn
➤ Ensure licence-holders meet the requirements of the legislation	➤ 2 new self-handling and 2 new third-party approvals granted
➤ Make sure that the ground-handling regime in Ireland is in-line with the relevant EC rules and regulations	➤ Information provided to European Commission

Travel Trade

2010 Goal	2010 Outturn
➤ Continue to administer the licensing and bonding scheme for travel trade companies in Ireland	<ul style="list-style-type: none"> ➤ 280 licences issued and 17 companies visited to assess compliance ➤ 4,438 financial claims worth €4.1m paid out ➤ Audit requirement simplified and licensing process revised
➤ Prepare for the potential impact of European legislation on the workings of the current travel trade regime in Ireland	➤ No change proposed

Air Passenger Rights

2010 Goal	2010 Outturn
➤ Increase public awareness of air passenger rights issues	➤ Participated in Holiday World fair at RDS
➤ Ensure that airlines continue to comply with their obligations under EC Regulation 261/2004	<ul style="list-style-type: none"> ➤ 759 complaints received, 518 for counterpart enforcement bodies ➤ 241 cases investigated, 54 concluded ➤ 9 airports inspected
➤ Ensure that the practical implementation of the regulations in Ireland is consistent with EU law.	➤ Application of law clarified via EU meetings and consultations

Persons with Reduced Mobility

2010 Goal	2010 Outturn
➤ Continue to ensure that the EC Regulation 1107 is properly implemented in Ireland	➤ 2 complaints investigated
➤ Ensure that airports and airlines continue to comply with the Regulation	➤ 5 airports inspected
➤ Ensure that the practical implementation of the regulations in Ireland is consistent with EU law.	➤ Engagement with other enforcement bodies and with EU Commission

Commission for Aviation Regulation: Selected Data 2001 -2010

	10 months 2001	2002	2003	2004	2005	2006	2007	2008	2009	Draft 2010
Staff Costs	652,469	976,542	1,215,224	1,296,339	1,190,659	1,510,215	1,646,429	1,831,265	1,893,388	1,775,959
Legal Costs	478,376	2,059,381	1,413,076	164,472	626,772	646,145	475,383	638,219	148,287	(170,771)
Other Costs	1,513,496	853,218	1,329,537	1,426,665	1,925,810	1,699,825	1,664,712	1,174,094	1,564,046	1,165,062
Total Costs (annual % change)	2,644,341	3,889,142	3,957,837	2,887,476	3,743,241	3,856,185	3,786,524	3,643,578	3,605,721	2,770,250
	--	47%	2%	-27%	30%	3%	-2%	-4%	-1%	-23%
Staff Numbers (FTEs)	14	16	16	18	20	20	21	21	20	18
** Travel Trade Licences	70	73	77	76	77	70	74	74	58	58
Tour Operators Travel Agents	349	340	34	333	322	301	290	282	246	222
** Air Carrier Licences	18	18	17	17	17	16	18	18	18	18
** Groundhandler Approvals										
Self Handling approvals	17	19	23	23	18	15	15	12	12	13
Third Party Approvals	34	33	37	38	40	41	41	41	41	37
Total	51	52	60	61	58	56	56	53	53	50
*** Passenger Complaints					249	596	396	413	311	759
Passers with Reduced Mobility								4	14	2
Travel Trade Claims			479	1,607	404	117	1	2,087	4,979	191

Notes

* Financial data from audited Financial Statements 2001-2009 and draft Financial Statements for 2010

** Licences/approval issued at end of year

*** The Commission's passenger complaints role began in 2005 and that for passengers with reduced mobility in 2008; 2010 data are as of Q3.

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BROLLACH

2001-2009

Tá an Coimisiún um Rialáil Eitlíochta deich mbliana ar an bhfód ó mhí Feabhra 2011. Tugtar cuntas iardhearcach sa Bhrollach seo ar ghnéithe d'obair an Choimisiúin i rith na ndeich mbliana sin.

I mblianta tosaigh na hoifige, ba í an obair ba thábhachtaí a bhí le déanamh uasteorainn praghsanna a leagan síos agus a chur i bhfeidhm maidir le táillí aerloingseoireachta ag na haerfoirt i mBaile Átha Cliath, i gCorcaigh agus sa tSionainn. Leagadh síos an chéad uasteorainn praghsanna sa bhliain 2001 agus rinneadh a chosaint le linn imeachtaí costasacha dlí á dtionscnamh ag Aer Rianta (DAA sa lá atá inniu ann). Lean an cás ar feadh i bhfad san Ard-Chúirt gur tháinig deireadh leis i mí Meitheamh 2003. Rinneadh leasú sa bhliain 2004 maidir leis an sainordú a thugtar don oifig faoin reachtaíocht. Go dtí sin, bhíodh rialáil á déanamh ag an gCoimisiún maidir le táillí ag an trí cinn is mó de na haerfoirt, ach ón mbliain 2004 i leith, is é aerfort Bhaile Átha Cliath an t-aon cheann a gcuirtear uasteorainn praghsanna i bhfeidhm ina leith. Chomh maith leis sin, ba é an cúram a leagadh ar an oifig ar dtús uasteorainn praghsanna a leagan síos a ligfeadh d'fhorbairt agus d'oibriú aerfoirt a bheadh éifeachtúil ó thaobh costais de agus a shásódh an riachtanas a bhí ar an lucht úsáide. Ón mbliain 2004 i leith, tá trí chuspóir i gceist. Ní mór don uasteorainn praghsanna soláthar feasta d'fhorbairt ar Aerfort Bhaile Átha Cliath agus dá oibriú ar bhealach atá éifeachtach agus eacnamúil ionas go sásaítear lucht a úsáide faoi láthair agus an t-am atá le theacht; leas réasúnta an lucht úsáide sin a chosaint; agus cur ar chumas DAA Aerfort Bhaile Átha Cliath a oibriú agus a fhorbairt ar bhealach atá inmharthana agus indéanta ó thaobh cúrsaí airgeadais. Tháinig treoir polasaí ón Aire Iompair le linn na hoibre ullmhúcháin chun uasteorainn praghsanna a shocrú gach uair agus nuair a bhí athbhreithniú eadramhach á dhéanamh sa bhliain 2007.

Le linn bhlianta tosaigh an Choimisiúin, bhíodhas i mbun oibre chomh maith ar an réimse feidhmeanna maidir le ceadúnais a aistríodh ón Roinn Iompair a chur i bhfeidhm chomh maith le socrú a dhéanamh maidir le stádas na n-aerfort in Éirinn ó thaobh sceidil na rúidbhealach. Cé gur féidir an tairbhe maidir le cosaint don tomhaltóir a lua mar údar leis an rialáil ar phraghsanna agus le heisiúint cheadúnas, bhí ról na hoifige á leathnú isteach sa réimse sin go follasach sula raibh cúig bhliana caite agus sin trí ról forfheidhmiúcháin maidir le cearta paisinéirí ar thurais eitilte.

Faoin tráth sin freisin, ba léir an bborradh faoin eacnamaíocht agus an bhisiúlacht a bhain le tionscal na heitleoireachta in Éirinn ó chomharthaí go raibh plúchadh tráchta in aerfort Bhaile Átha Cliath. De réir mar is mó an brú tráchta ar na rúidbhealaí, d'athraigh an Coimisiún, tar éis bearta anailíse agus comhairliúcháin, an réimeas maidir le leithroinnt sliotán ó shocrú deonach go dtí córas faoina raibh de dhualgas ar na haerlínte an t-athrú a dhéanamh a d'ordaigh an sceidealóir.

Bhí ar an gCoimisiún an tráth céanna an cheist a mheas maidir leis an gcaoi a dtabharfaí faoin ngá le leathnú ó thaobh acmhainn freastail de ar aerfort Bhaile Átha Cliath leis an gcóras rialúcháin praghsanna. Ag tosú go luath sa bhliain 2007, go gairid tar éis plean infheistíochta DAA a fháil maidir leis an dara críochfort agus infrastruchtúr a rachadh leis ('T2'), foilsíodh sraith páipéirí maidir le plean infheistíochta T2. Bhí tábhacht faoi leith le Páipéar ón gCoimisiún i mí Eanáir 2007 (CP1/2007) inar leagadh amach roinnt ceisteanna buntábhachta agus inar cuireadh béim ar an ngá a bhí le tuiscint ag na páirtithe ar fad ar an réimse baoil a bhaineann le togra mór caipitil. Ina dhiaidh sin, shocraigh an Coimisiún go críochnúil ar an gcur chuige i leith phlean infheistíochta DAA agus cuireadh sin i bhfeidhm i gcinneadh na bliana 2009 faoi phraghsanna. Ba é an cinneadh sin freisin an chéad cheann lenar cruthaíodh ceangal díreach sainluaite idir leibhéal na huasteorann praghsanna agus caighdeán na seirbhíse a chuirtear ar fáil in aerfort Bhaile Átha Cliath. Ón mbliain 2009 i leith, dá dtarlaíodh nach dtabharfadh DAA seirbhís i gcrích ar chaighdeán de réir na spriocanna éagsúla a leagtar síos, d'fhéadfadh íslíú suas le 4.5% a bheith ar an uasteorainn praghsanna. Déanann an Coimisiún monatóireacht ar chomh maith agus a thagtar leis na spriocanna agus oibrítear coigeartú ar an uasteorainn praghsanna de réir mar is gá.

Chomh maith leis na feidhmeanna a leagtar síos faoin reachtaíocht a thabhairt i gcrích, ba thábhachtach dom mar Choimisinéir an deis a chruthú athbhreithniú a dhéanamh ar an gcaoi a ndéantar an obair agus feabhas a chur ar an modh oibre dá mb'fhéidir sin. Chun na críche sin, cuireadh go mór le scóip na hanailíse maidir le cinntí rialúcháin, rinneadh athbhreithniú dian ar an réimeas ceadúnais ba sheanbhunaithe dár gcuid (gnó an taistil) agus cuireadh athrú air de réir mar a bhí de chumhacht againn sin a dhéanamh, agus moladh feabhas a chur ar scóip an rialúcháin maidir le gnóthaí láimhseála ar dhroim talún. Dá gcuirfí dóthain acmhainní ar fáil don oifig, d'fhéadfaí beart a dhéanamh maidir le rialacha eile de chuid an AE i gcúrsaí eitlíochta (e.g. rialacháin maidir le sliotáin ar rúidbhealaí agus aeriompróirí) a thabhairt faoi athbhreithniú.

Tháinig fuarú géar tobann ar ghnó an taistil eitilte sa bhliain 2008. Tá cúig chomhlacht taistil is fiche a mbíodh baint acu leis an scéim bhannaí, ar faoin gCoimisiún a riar agus a fheidhmiú, atá dúnta ó shin i leith. Rinne an Coimisiún próiseáil ar na héilimh ar chúiteamh airgid dá bharr sin agus eagraíodh 11 turas eitilte speisialta i rith na bliana 2008 chun paisinéirí a thabhairt ar ais go hÉirinn.

Nuair a tháinig an lagtrá eacnamaíochta, rinne foireann na hoifige beart dáiríre maidir le laghdú costais mar a bhí de dhíth. Bhí an caiteachas iomlán beagnach gan athrú ó tháinig mise i mo Choimisinéir, €4m in aghaidh na bliana nó beagán faoina bhun suas go dtí an bhliain 2009, sular íslíodh sin faoi €3m sa bhliain 2010. D'fhonn smacht ar chostas agus an tseirbhís chéanna á cur ar fáil, athraítear baill foirne ó mheitheal go meitheal chun na hacmhainní a thabhairt leis an ualach oibre agus d'fhonn féachaint le riaráiste mór oibre a sheachaint. Anuas air sin, tugadh córas chun cinn i rith na mblianta 2009 agus 2010 ionas gur ar an idirlíon a dhéanfar iarratas ar cheadúnas agus a dhéanfaidh tomhaltóirí gearáin.

Lig sin do mheithle na gceadúnas cur leis an anailís a dhéantar ar lucht ceadúnais gan gá le breis foirne agus do mheitheal chearta an tomhaltóra féachaint le déileáil le cásanna buaicbhru maidir le gearán ón tomhaltóir gan riaráiste míréasúnach a theacht chun cinn.

Dá réir sin, le deich mbliana anuas, rinne an Coimisiún trí Chinneadh iomlán agus dhá chinneadh eadramhach maidir le táillí aerfoirt agus dhá chinneadh faoi tháillí críochfoirt IAA; tugadh freagra ar thuarascálacha ó cheithre cinn de phainéil achomhairc i gcúrsaí eitlíochta; pléadh le 12 agóid dlí (athbhreithnithe breithiúnacha den chuid is mó) a tugadh inár n-aghaidh agus tionscnaíodh ionchúiseamh maidir le trádáil neamhcheadúnaithe i ngnó an taistil i ndeich gcás agus breith chiontach i ngach cás acu. Eisíodh na céadta ceadúnas do lucht ghnó an taistil gach bliain agus ón mbliain 2005 i leith rinneadh forfheidhmiúchán ar son an phobail maidir le réimeas chearta an phaisinéara. Le cúnamh ó bhail foirne sealadacha ó ghníomhairí, tá próiseáil déanta ón mbliain 2008 i leith ar líon is mó ná 7,000 éileamh ar chúiteamh airgid, dar luach iomlán €9.8m, agus tuairim is 1,500 paisinéir tugtha ar ais go hÉirinn, mar gheall ar dhúnadh 25 gníomhaire taistil nó tionscnoir turais. Tugtar sonraí áirithe maidir le hobair an Choimisiúin le deich mbliana anuas in Aguisín 3 leis an tuarascáil seo.

2010

I rith na bliana 2010 arís, bhí mar chuid den obair againn plé le hagóid dlí in aghaidh chinneadh na bliana 2009 faoi phraghsanna ag aerfort Bhaile Átha Cliath; an uair seo, dhiúltaigh an Chúirt Tráchtála cead dul ar aghaidh don iarratasóir agus bronnadh a chuid costais ar an gCoimisiún. Thug an Coimisiún freagra ar thuarascáil ó Phainéal Achomhairc a chuir an tAire Iompair ar bun agus arbh é a bhreith go raibh dóthain cúise le seacht ngné de chinneadh na bliana 2009 a chur ar ais faoi bhráid an Choimisiúin d'fhonn athbhreithniú ina leith. Mar gheall air sin, chuir an Coimisiún roinnt athruithe i bhfeidhm ar an uasteorainn praghsanna lenar ardaíodh an uastáille aerfoirt in aerfort Bhaile Átha Cliath ar feadh na tréimhse cúig bhliana go dtí an bhliain 2010 de €0.10 ar an meán in aghaidh an phaisinéara (de réir praghsanna na bliana 2009), nó tuairim is 1 faoin gcéad. D'eisigh an Coimisiún dhá pháipéar comhairliúcháin i rith na bliana 2010 maidir le gnéithe den rialúchán i ndáil leis na haerfoirt chomh maith le páipéar tosaigh arb é cuspóir atá leis comhairle a ghlacadh faoin dóigh ar cheart don Choimisiún uasteorainn praghsanna nua a shocrú do IAA. D'eagraigh an Coimisiún próiseas tairisceana freisin anuraidh d'fhonn áisitheoir sceidil nua a roghnú ón uair a dtéann an conradh reatha i léig sa bhliain 2011. Eisíodh 280 ceadúnas maidir le gnó an taistil i rith na bliana 2010 agus ag deireadh na bliana bhí 18 comhlacht a raibh ceadúnas aeriompróra acu arna n-eisiúint ag an gCoimisiún agus ceadú ag 50 comhlacht maidir le gnóthaí láimhseála ar dhroim talún. Tháinig isteach agus amach le 250 gearán inscrúdaithe maidir le cearta phaisinéirí aerthaistil agus pléadh leis na mílte fiosrúchán ó dhaoine den phobal, go háirithe tar éis don fhadhb maidir le luathre bolcáin cur isteach ar chúrsaí taistil san aer os cionn na

hEorpa. Tar éis deacrachtaí a bhain le ceadúnais ghníomhairí taistil a athnuachan níos luaithe sa bhliain, d'eisigh an Coimisiún dhá Fhógra i mí na Nollag ina soiléiríodh an tráthchlár agus an próiseas ceadúnaithe a bheadh i bhfeidhm i rith na bliana 2011.

Bonn Comhairle

Bainim ceithre bhonn comhairle mar seo a leanas óna bhfuil le foghlaim ón taithí ar chúrsaí le deich mbliana anuas.

Ar an gcéad dul síos, taobh amuigh de cheadúnais do lucht ghnó an taistil, is ó dhlí an Aontais Eorpaigh a eascraíonn feidhmeanna na hoifige seo. Níl an tairbhe chéanna as gach beart rialúcháin ná ceadúnúcháin maidir le cosaint don tomhaltóir agus tá roinnt acu nach móide gur sochrach iad i ndeireadh na dála. Is den riachtanas go ndéanfaí scrúdú dian ar iomlán na rialachán reatha agus na rialacha nua atá beartaithe agus, nuair is cuí sin, go ndéanfaí meastachán cainníochtúil ó thaobh glantairbhe i gcomórtas le húsáid eile a d'fhéadfaí a bhaint as na hacmhainní a chaitear nó a d'fhéadfaí a chaitheamh leo. Bheadh fiúntas ó thaobh theacht aniar eacnamaíochta na tíre as meastóireacht dhian ghéar a dhéanamh ar an *acquis* rialúcháin. Tá féachta ag an gCoimisiún le cur le beartaíocht dá leithéid agus lena spreagadh chomh maith.

Ar an dara ní, braitheann cuid den bhainistíocht costais maidir le cúrsaí rialúcháin ar ghnóthaí dlí agus breithiúnais agus tharlódh gur cás eisceachta Éirinn ina leith sin i measc thíortha an domhain. Bheadh cásanna cúirte in aghaidh chinneadh rialúcháin i gcúrsaí eacnamaíochta neamhchoitianta go maith thar lear (e.g. aon agóid amháin a tugadh sna cúirteanna in aghaidh rialálaí na n-aerfort sa Ríocht Aontaithe le 25 bliain anuas) ach in imeacht na ndeich mbliana ó cuireadh an Coimisiún ar bun, tugadh ocht gcinn de chásanna agóide maidir le hathbhreithniú breithiúnais ina aghaidh, seacht gcinn acu sin á dtionscnamh ag an eintiteas amháin. Táim den tuairim go mba thairbheach go ginearálta dá mbeadh an rialúchán á ndéanamh ar bhealach níos aontaithe a mbeadh níos lú den choimhlint ag baint leis. Ba cheart d'Éirinn féachaint le theacht ar 'réiteach rialúcháin' faoina mbeadh tionscail, ar féidir a léiriú go deimhnitheach gur fearr a oibríonn siad faoi chóras rialúcháin, faoi réir ag réimeas rialúcháin a bhfuil seans réasúnta ann go nglacfaidh gach duine leis lena mbaineann agus go n-oibreofaí dá réir. Ba cheart, dá mbeadh a leithéid sin ar bun, gur annamh a thabharfaí cúis os comhair cúirte.

Ar an tríú rud, d'fhéadfadh go gcuirfeadh an rialúchán leis an bpleanáil maidir le hinfheistíocht ó thaobh cáilíochta de. Mar shampla, táim den tuairim go bhfuil bonn i gcónaí le himeacht aimsire faoin gcur chuige a lean an Coimisiún maidir le hathbhreithniú eadramhach i ndáil leis an dara críochfort beartaithe in aerfort Bhaile Átha Cliath. Tar éis plean infheistíochta DAA a thabhairt faoi anailís chúramach, ba é comhairle an Choimisiúin gurbh fhairsinge T2 mar a bhí beartaithe ná a dtarlódh gá leis. Níor léiríodh ó shin aon dul amú sa bhreithiúnas sin. Ina ainneoin sin, murach neamhspleáchas na hoifige ag an am, ní féadfaí

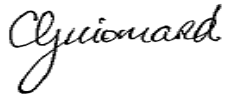
coinneáil in aghaidh an éilimh ó beagnach gach taobh go dtabharfaí ceadú réidh simplí leis an gcostas infheistíochta a thabhairt san áireamh san uasteorainn praghsanna. Ina áit sin, shocraigh an Coimisiún go ligfí do DAA costas na hinfeistíochta seo a aisghabháil ach cuireadh trí *caveat* leis sin:

- Ní bheadh ardú ar na táillí maidir le ciste don áis nua go dtí go mbeadh an obair thógála críochnaithe; ní bheadh an lucht úsáide faoi láthair ag íoc ar áis don lucht úsáide san am a bhí fós le theacht;
- D'fhéachfaí phróifíl na dtáillí leis an tionchar ar an lucht úsáide a chaomhchóiriú sa chaoi agus go mbeadh an lucht úsáide tráth ar leith ag íoc isteach is amach leis an méid céanna maidir le costas T2, seachas a bheith ar an lucht úsáide i rith na mblianta tosaigh suim i bhfad níos mó a íoc; agus
- Ba cheart go mbeadh cosaint ann don lucht úsáide ionas nach orthusan a thitfeadh sé an costas a íoc sa chás go mbeadh T2 níos fairsinge ná mar a bhí gá leis dáiríre. Ní fhéadfadh DAA costas iomlán na hinfeistíochta a aisghabháil ach amháin sa chás go sáródh líon iomlán na bpaisinéirí ag úsáid an dá chríochfort 33 milliún paisinéir in aghaidh na bliana; murar amhlaidh an cás, ní fhéadfaidh DAA ach cuid den chostas a aisghabháil.

Sa bhliain 2009, cheadaigh an Coimisiún ardú suntasach sna táillí ón uair a bhí T2 réidh le hoscailt, agus sin mar gheall ar laghdú suntasach maidir le trácht paisinéirí tar éis na bliana 2008 níos mó ná ar ardú ar chostais caipitil, i bhfianaise gheallúintí i rith na bliana 2007.

Ar an rud deireanach, tá cumascadh chomhlachtaí poiblí, comhlachtaí rialála san áireamh, go mór i gceist i gcónaí i gcúrsaí polaitíochta agus sa saol go ginearálta. Ina ainneoin sin, ní móide gurb é an bealach is fearr le cur chuige sin tosú leis an réimse gníomhaireachtaí atá ar an bhfód faoi láthair agus pleananna maidir lena ndúnadh nó atheagar a chur orthu a thabhairt faoi mheas. D'fhéadfaí de mhalairt air sin, liosta a dhréachtadh de na feidhmeanna a tharlaíonn a bheith le tabhairt i gcrích ar fud na hearnála poiblí, an chuid sin a bhfuil fiúntas ag an bpobal astu an tráth seo a shonrú, agus socrú dá réir sin cé na gníomhaireachtaí agus na comhlachtaí a bhfuil gá leo chun na feidhmeanna a leanfar dóibh a thabhairt i gcrích. D'fhéadfadh ar chur chuige ar an gcaoi sin, gurbh éagsúil go mór an toradh ó thaobh institiúidí de, chomh maith le leas iomlán an phobail, leis an toradh a bheadh ó na gníomhaireachtaí atá ar bun faoi láthair a bheith mar bhonnchloch agus tabhairt faoi smaoineamh ar atheagar agus cumascadh orthu sin.

Ní mór an cheist maidir le leas an phobail as aon ghníomhaireacht poiblí a bheith ar bun a mheas taobh amuigh den oifig sin; ní féidir linne breithiúnas a thabhairt ar ár gcuid gnóthaí féin. Ina ainneoin sin, i gcás oifig a bhfuil foireann 22 duine ceadaithe di, sin íslithe le gairid go dtí ocht nduine dhéag agus folúntas faoi láthair maidir le trí cinn de na postanna sin, is dóigh liom gur maith an toradh oibre atá leagtha amach thuas, a bhuíochas sin ar ndóigh do mo chuid comhghleacaithe faoi láthair agus san am a caitheadh.



Cathal Guiomard
Coimisinéir

RIALÁIL PRAGHSANNA

Ról an Choimisiúin

- Déanann an Coimisiún uasteorainn praghsanna a shocrú lena gcuirtear teorainn le hiomlán an ioncaim in aghaidh an phaisinéara is féidir le hÚdarás Aerfort Bhaile Átha Cliath (DAA) a bhailiú trí mhuirir aerfoirt ag aerfort Bhaile Átha Cliath;
- déanann an Coimisiún uasteorainn praghsanna a shocrú lena gcuirtear teorainn le hiomlán an ioncaim is féidir le hÚdarás Eitlíochta na hÉireann (IAA) a bhailiú trí mhuirir seirbhísí teirminéil ag aerfort Bhaile Átha Cliath, aerfort Chorcaí agus aerfort na Sionna;
- ní mór aontú an Choimisiúin leis an tobhach muirear aerfoirt a ghearrtar ar aerlínte d'fhonn ciste a chur ar fáil do sheirbhísí do phaisinéirí faoi mhíchumas luaineachta; agus
- ní mór aontú an Choimisiúin le haon athrú ar na táillí a ghearrann an t-údarás aerfoirt ag aerfort Bhaile Átha Cliath, aerfort Chorcaí agus aerfort na Sionna maidir le teacht ar na háiseanna a theastaíonn chun seirbhísí láimhseála ar dhroim talún a chur ar fáil.

Níl de chumhacht ag an gCoimisiún rialáil a dhéanamh maidir le muirir eile, ina measc iad seo a leanas:

- táillí carrchlóis ag aerfoirt, agus, níos ginearálta ná sin, muirir nach mbaineann le haerloingseoireacht (ach amháin na táillí a ghearrann an t-údarás aerfoirt ag aerfort Bhaile Átha Cliath, aerfort Chorcaí agus aerfort na Sionna maidir le teacht ar na háiseanna a theastaíonn chun seirbhísí láimhseála ar dhroim talún a chur ar fáil);
- na muirir aerthrachta faoi bhealach a shocraíonn Údarás Eitlíochta na hÉireann (IAA); agus
- táillí ag aerfort Chnoc Mhuire, aerfort Chiarraí, aerfort na Gaillimhe, aerfort Dhún na nGall agus aerfort Shligigh.

Muirir Aerfoirt

I rith an chéad leath den bhliain 2010, bhain an chuid is mó d'obair an Choimisiúin maidir le rialáil ar phraghsanna le hagóidí in aghaidh chinneadh na bliana 2009 ag an gCoimisiún maidir le táillí aerfoirt. Luadh sa tuarascáil bhliantúil don bhliain 2009, nuair a bhí an obair a bheadh le déanamh i rith na bliana 2010 á leagan amach, gurbh ináirithe go dtarlódh a leithéid.

I mí Feabhra 2010, d'iarr Ryanair cead na Cúirte Tráchtála le hathbheithniú breithiúnach mar gheall ar an gcinneadh. Éistíodh an t-iarratas ó Ryanair os comhair an Bhreithimh Peter Kelly i Roinn na Cúirte Tráchtála den Ard-Chúirt. Lóisteáil an Coimisiún roinnt mionscríbhinní ag cur in aghaidh an iarratais ó Ryanair ar an mbunús go mb'oiriúnaí painéal achomhairc rialála ag éisteacht an iarratais mar gheall

ar na forais a bhí luaite ag Ryanair le hathbhreithniú. Chuir DAA, páirtí fógra i ndáil leis an gcúis, in aghaidh an iarratais ar chead chomh maith. Ba é breith na Cúirte maidir le hiarratas Ryanair an cead a dhiúltú. Rinneadh a chuid costais a dhámhachtain ar an gCoimisiún.

Neamhspleách air sin, chuir an tAire Iompair painéal achomhairc rialála ar bun chun achomhairc ó Ryanair, ó Aer Lingus agus ó DAA maidir leis an gcinneadh a éisteacht. D'fhéad na páirtithe achomharc a dhéanamh maidir le gnéithe faoi leith den chinneadh. Chuir Ryanair naoi bhforas achomhairc chun cinn, chuir Aer Lingus cúig cinn agus chuir DAA ceithre cinn; i roinnt cásanna tháinig níos mó ná agóid amháin in aghaidh an chinnidh i gceist le haon fhoras achomhairc amháin faoi leith. Chuir an Coimisiún aighneacht maidir le fórais faoi bhráid an phainéil mar fhreagra ar gach ceann de na cásanna achomhairc ach ní dhearnadh aon tagairt do thuillteanais na gcásanna.

Bhí de chumhacht ag an bPainéal Achomhairc a chuid socruithe féin a dhéanamh maidir leis na cásanna achomhairc a mheas. Shocraigh an Painéal nach dtabharfaí cuireadh do pháirtithe eile tuairim a thabhairt faoi na cásanna achomhairc: chuir gach achomharcóir an chúis gur chóir ar na forais a bhí sonraithe acu ath-achomharc a thabhairt faoi mheas os comhair an Phainéil gan aon pháirtí eile i láthair. Ba é breith an Phainéil gur cuireadh bonn dóthanach faoi na forais maidir le seacht gcás agus cuireadh iad sin ar ais faoi bhráid an Choimisiúin d'fhonn athbhreithniú a dhéanamh ina leith; bhain dhá chás leis an achomharc ó Ryanair, cás amháin leis an achomharc ó Aer Lingus agus ceithre chás leis an achomharc ó DAA.

Thug an Coimisiún faoi athbhreithniú dhá mhí ar an gcinneadh tar éis na cásanna sin a chur faoina bhráid. Foilsíodh páipéar comhairliúcháin tosaigh ar an 8 Meitheamh 2010 lenar tugadh cuireadh do pháirtithe a gcuid tuairimí a chur in iúl cibé ar cheart don Choimisiún an cinneadh a leasú nó a dheimhniú. Tháinig cur faoi bhráid ó naoi gcinn de pháirtithe chuig an gCoimisiún mar gheall ar CP1/2010: Aer Lingus, Chambers Ireland Air Transport Users Council (ATUC), Cityjet, DAA, Cumann Comhlachas Tráchtála Bhaile Átha Cliath, an Comhlachas Aeriompair Idirnáisiúnta (IATA), Cónaidhm Ghnólachtaí agus Fhostóirí na hÉireann (IBEC), Cónaidhm Thionscal Turasoíreachta na hÉireann (ITIC), agus Ryanair. Thug an Coimisiún deis do na páirtithe freisin tuairim a thabhairt faoi na freagraí a fuarthas. DAA agus Ryanair amháin a chuir tuairim den sórt sin in iúl. Bhí cruinniú ag an gCoimisiún leis na trí pháirtí a rinne achomharc in aghaidh Chinneadh na bliana 2009 ón gCoimisiún d'fhonn an fhreagairt a bheadh uathu de thoradh air seo a phlé.

I gcás gach ceann de na seacht gcinn de cheisteanna a cuireadh ar ais faoi bhráid an Choimisiúin, bhí freagróirí ann a shíl gur chóir don Choimisiún an cinneadh a leasú agus freagróirí a shíl nár chóir. Tar éis na pointí a chuir an painéal achomhairc ar ais faoina bhráid agus na haighneachtaí a cuireadh faoi bhráid mar gheall ar an gcomhairliúchán a mheas, shocraigh an Coimisiún leasú a dhéanamh ar Chinneadh na bliana 2009. Leasaíodh an meastachán maidir le hioncam tráchtála agus le costas

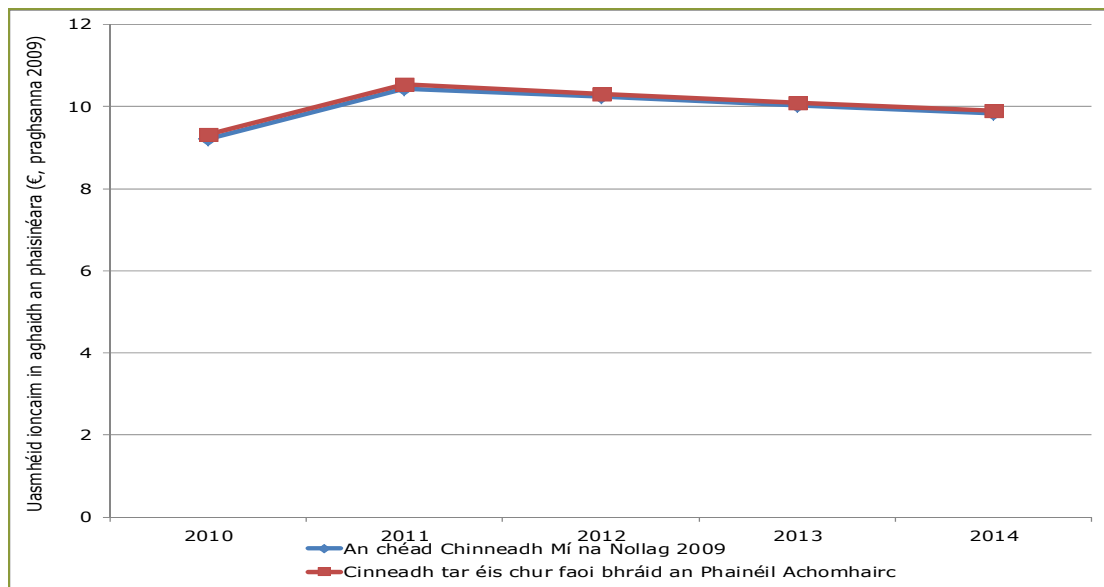
caipitil a bhí in úsáid mar bhonn tuisceana d'fhonn an t-uasteorainn praghais a mheas, tar éis athmheas a dhéanamh i ndáil leis na nithe seo a leanas:

- An t-ioncam incriminteach miondíolacháin is inluaite i leith T1X;
- An dóigh a bpléifí le hioncam PRM;
- An dóigh ar pléadh le díbhóilsciú i leith na bliana 2009 agus réiteach á dhéanamh maidir leis an gcostas caipitil a cuireadh i ngníomh idir 2006-2009 agus liúntas chinneadh na bliana 2005;
- Costais TFL agus costais feistis maidir le Piara D a dhícheadú; agus
- Costais áirithe maidir le Piara D a dhícheadú.

Shocraigh an Coimisiún nach ndéanfaí aon leasú ar an gCinneadh i ndáil lenar cuireadh faoi bhráid maidir le praghsáil dhifreálach agus áitiú go raibh barrchostais níos airde ag baint le spás miondíolacháin sárphéistithe in T2.

Bhí de thoradh ar an socrú athrú a chur ar na meastacháin maidir le hioncam tráchtála agus costais chaipitil gur ardaíodh an táille uasta is féidir a ghearradh in aerfort Bhaile Átha Cliath i rith na tréimhse cúig bhliana ó 2010-2014 €0.10 ar an meán in aghaidh an phaisinéara (i bpraghsanna na bliana 2009). Tugtar sonraí breise faoin socrú sin in CP2/2010.

Fíor 1.1: Uasteorainn maidir le Táillí Aerfoirt roimh agus tar éis chur faoi bhráid an Phainéil Achomhairc



Nóta: An ríomh de réir Chríochfort 2 a oscailt ar an 18 Samhain agus ar an tuiscint go mbaineann DAA amach na spriocanna go léir maidir le caighdeán seirbhíse.

D'fhoilsigh an Coimisiún um Rialáil Eitlíochta dhá pháipéar comhairliúcháin ar an 30 Samhain 2010 a bhféadfadh tionchar a theacht dá mbarr ar chúrsaí rialúcháin maidir le táillí aerfoirt. Iarradh tuairimí leis an gcéad cheann maidir leis an gceist ar cheart don Choimisiún leanacht ar aghaidh ag tabhairt ioncam agus costais san áireamh maidir le seirbhísí nach seirbhísí aerloingseoireachta iad ag aerfort Bhaile Átha Cliath nuair a shocraítear ar an leibhéal uasta maidir le táillí aerfoirt. Is fada suim á cur sa cheist seo - rogha idir rialúchán maidir le "córas aon scipéad amháin" nó "córas dhá scipéad" - nuair a dhéantar plé ar chúrsaí rialúcháin maidir le táillí aerfoirt. An tráth a ndearnadh cinneadh na bliana 2009, gheall an Coimisiún go gcuirfí tús le hathbheithniú faoin modh oibre seo i rith na bliana 2010 tar éis do DAA agus do Ryanair araon a thabhairt le fios go mbeadh suim acu athrú ó chur chuige an aon scipéad amháin mar a bhíonn in úsáid ag an gCoimisiún a thabhairt faoi mheas.

Leis an dara páipéar comhairliúcháin a foilsíodh i mí na Samhna, iarradh tuairimí faoin gceist ar cheart do DAA agus IAA cuntais rialúcháin a ullmhú agus an fhoirm ina n-ullmhófaí iad. Cuntais faoi leith na cuntais rialúcháin seo nach ionann leis na cuntais reachtúla a chuireann na comhlachtaí sin ar fáil, agus baineann siad leis na gnóthaí sin a thagann faoi réir ag rialúchán praghsanna. Iarrtar ar pháirtithe sa pháipéar comhairliúcháin ceisteanna a mheas maidir le cén chuspóir a bheadh go tairbheach le cuntais dá sórt (agus go deimhin an mbeadh gá leo ar aon chor), agus an bhfuil na formáidí reatha mar a aontaíodh sa bhliain 2001/2 oiriúnach i gcónaí agus beagnach 10 mbliana caite.

Tá go dtí an 23 Márta 2011 le freagra a thabhairt ar an dá pháipéar. Braithfidh an obair a bhíonn le déanamh ina dhiaidh sin, a bheag nó a mhór, ar na freagraí a thagann chuig an gCoimisiún. D'fhéadfadh go socródh an Coimisiún nach bhfuil aon ghá le hathrú ar an gcur chuige a leantar.

Táillí Seirbhísí Críochfoirt Eitlíochta

D'fhoilsigh an Coimisiún Páipéar Saincheisteanna ar an 29 Deireadh Fómhair maidir leis na táillí rialaithe aerthráchta críochfoirt a ghearrann IAA. Is é an Páipéar Saincheisteanna an chéad toradh ar an bpróiseas a bhaineann le cinneadh nua a thabhairt chun cinn maidir le táillí seirbhíse críochfoirt i ndáil le rialú aerthráchta in Aerfort Bhaile Átha Cliath, in Aerfort na Sionna agus in Aerfort Chorcaí ón mbliain 2012 amach. Is é an cuspóir a bhí leis an bPáipéar Saincheisteanna ná dul i gcomhairle leis na páirtithe ar fad faoin mbealach ar cheart don Choimisiún dul ar aghaidh chun an chéad uasteorainn praghsanna eile don IAA a chinneadh. Tá réimse leathan ceisteanna ann a bhféadfadh tionchar a bheith acu ar an gCinneadh críochnúil agus d'fhéach an Coimisiún le tuairim a fháil ó na páirtithe ar fad faoi na ceisteanna sin go luath sa phróiseas.

I measc na dtéamaí tábhachtacha a tarraingíodh anuas sa Pháipéar Saincheisteanna, bhí siad seo a leanas:

- An chaoi a bhféadfadh cora nua faoin bpacáiste Aerspás Eorpach Aonair II, na rialacháin le gairid maidir le scéimeanna táillí agus feidhmiúcháin san áireamh, tionchar a bheith acu ar an gcinneadh;
- Dáileadh idir IAA agus an lucht úsáide atá ag an Údarás ar an riosca nuair nach ionann an toradh agus na meastacháin maidir le trácht;
- An modh a ndéileáiltear le ró-aisghabháil agus tearc-aisghabháil in aghaidh na huasteorann ceadaithe;
- Éifeachtacht ó thaobh costas oibriúcháin; agus
- An modh inar cheart déileáil le tearc-chaiteachas maidir le caiteachas caipitil i rith ré an chinnidh reatha (2007-2011)

Thug IAA, an Comhlachas Aeriompair Idirnáisiúnta agus Aer Lingus freagra ar an bpáipéar seo. Tá na haighneachtaí a cuireadh faoi bhráid á dtabhairt faoi athbhreithniú ag an gCoimisiún faoi láthair.

Táthar ag féachaint chomh maith le tuiscint a fháil ón Roinn Iompair ar an tionchar a d'fhéadfadh a bheith ag cora rialúcháin ar leibhéal na hEorpa le gairid ar an rialúchán maidir le táillí seirbhíse críochfoirt eitlíochta in Éirinn. Chomh gairid ó shin le mí na Nollag 2010, rinneadh rialúchán nua san Eoraip - Rialachán (EC) Uimh 1191/2010 ón gCoimisiún - ar cosúil air go bhféadfadh tionchar díreach a bheith aige ar leibhéal na dtáillí seirbhíse críochfoirt eitlíochta a fhéadann IAA a ghearradh.

D'fhéadfadh go mbeadh tionchar ag na cora nua seo ar an gcéad chinneadh eile atá le déanamh, agus an tráthchlár beartaithe maidir leis an gcinneadh sin de réir mar atá leagtha amach sa bhosca thíos san áireamh. Coinneoidh an Coimisiún sonraí reatha an tráthchláir ar fáil ar an láithreán gréasáin. Tá beartaithe faoi láthair an cinneadh críochnúil, nach mór a dhéanamh faoi dheireadh na bliana 2011, a dhéanamh i mí Meán Fómhair.

Tábla 1.1: Tráthchlár maidir le cinneadh na bliana 2011 faoi tháillí seirbhíse críochfoirt eitlíochta

Dáta	Marcanna
Feabhra 2011	Cuirfidh IAA na sonraí is deireanaí, idir thorthaí agus mheastacháin, maidir le costais oibriúcháin agus costais infheistíochta agus éileamh ar fáil. Cuirfidh IAA cóip den chlár infheistíochta caipitil ar fáil maidir leis na cúig bhliana seo romhainn
Aibreán 2011	Dréacht den chinneadh a fhoilsíú
Meitheamh 2011	Freagraí ar an dréacht den chinneadh
Meán Fómhair 2011	An Cinneadh a Fhoilsíú

Mar a luaitear sa chuid den tuarascáil maidir le táillí aerfoirt, d'fhoilsigh an Coimisiún páipéar comhairliúcháin i mí na Samhna 2010 ag iarraidh tuairimí faoi fhormaid na gcuntas rialúcháin ba chóir do IAA agus do DAA a ullmhú, má ba chóir sin. Chuir an Coimisiún cuntas rialúcháin IAA ar láithreán gréasáin an Choimisiúin den chéad uair sa bhliain 2009.

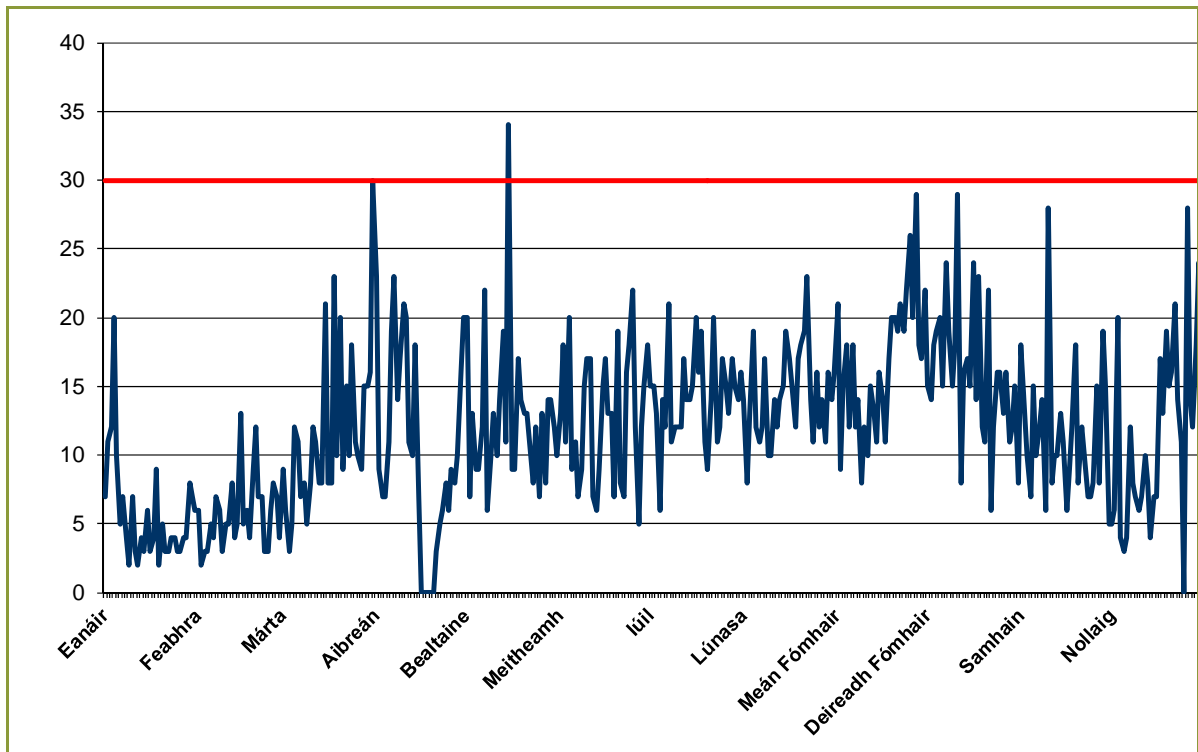
Monatóireacht maidir le Cúrsaí Comhlíontais agus Caighdeán na Seirbhíse

Rinne an Coimisiún monatóireacht i rith na bliana 2010 ar an gcomhlíontas ag DAA agus IAA maidir leis na huasteorainneacha praghsanna.

I mí Meán Fómhair 2010, d'fhoilsigh an Coimisiún páipéar maidir le cúrsaí comhlíontais inar deimhníodh gur chloígh IAA leis na huasteorainneacha praghsanna maidir leis an mbliain 2009. Foilsíodh sa tuarascáil freisin an meastachán ba dheireanaí maidir leis an uasteorainn praghsanna a mheastar a bheadh i gceist don bhliain 2010 agus treoir maidir leis an uasteorainn a d'fhéadfadh a bheith i bhfeidhm sa bhliain 2011. Tagann an éiginnteacht maidir leis an uasteorainn praghsanna in aon bhliain faoi leith chun cinn mar go mbraitheann an fhoirmle reatha ina leagtar síos an t-ioncam is féidir le IAA a bhailiú ó sheirbhísí críochfoirt eitlíochta ar an líon iomlán a théann trí na haerfoirt sin i rith na bliana. Ní bhíonn a fhios ag an gCoimisiún go dearfa cén uasteorainn a chuirfear leis an ioncam is féidir le IAA a bhailiú i leith na bliana sin, go dtí go mbíonn an líon iomlán a dhéanann trácht trí na haerfoirt ar eolas, agus sin ag deireadh na bliana áirithe sin. Foilsíonn an Coimisiún meastachán reatha maidir leis an uasteorainn praghsanna ar an leathanach faoin uasteorainn maidir le seirbhísí críochfoirt eitlíochta ar an láithreán gréasáin agus leasaítear sin go tráthrialta de réir mar a bhíonn breis faisnéise ar fáil.

Bhí Cinneadh Táillí Aerfoirt na bliana 2009 ar an gcéad cheann inar nascaíodh ceangal go sainráite idir leibhéal na huasteorann praghsanna agus caighdeán na seirbhíse a chuirtear ar fáil ag aerfort Bhaile Átha Cliath. Sa chás go dteipeann ar DAA spriocanna áirithe maidir le caighdeán na seirbhíse a bhaint amach, d'fhéadfadh go mbeadh an uasteorainn praghsanna i leith na bliana suas le 4.5% (3.5% sa bhliain 2010) níos ísle. Tá dhá thomhas déag ar chaighdeán na seirbhíse i gceist faoin scéim mhonatóireachta lena mbaineann dreasacht airgeadais do DAA d'fhonn go dtabharfaí an sprioc i gcrích. Tá de fhreagracht ar DAA na sonraí faoi gach beart acu sin a thiomsú ach tá féachta ag an gCoimisiún cinntiú chun a shástachta féin gur féidir iontaoibh a bheith as na sonraí a thiomsaítear. Mar chuid de sin, tugadh cuairteanna ó am go chéile ar an aerfort chun an t-am a chaitear i scuainí maidir le cúrsaí slándála a thaifeadadh go neamhspleách.

Fíor 1.2: Uasmhéid na scuainí gach lá (de réir na nóiméad) ag aerfort Bhaile Átha Cliath i rith na bliana 2010



Foinse: DAA.

Tharla faoi dhó i rith na bliana 2010 gur theip ar DAA spriocanna maidir le caighdeán seirbhíse a bhaint amach: an chéad ráithe den bhliain níor baineadh amach an sprioc feidhmiúcháin maidir le torthaí suirbhéireachta faoin leibhéal sástachta leis na háiseanna cumarsáide / teilechumarsáide / ríomhaireachta; agus ar an 15 Bealtaine sáraíodh an uasteorainn tríocha nóiméad de sprioc feidhmiúcháin maidir le scuainí tríd an gcóras slándála. De thoradh air sin, íslíodh an uasteorainn praghsanna i leith na bliana 2010 faoi bheagán beag le cois 0.1%. Sásaíodh na spriocanna eile ar fad maidir le caighdeán na seirbhíse i rith na bliana 2010.

Chuir an Coimisiún dhá thuarascáil le chéile i rith na bliana 2010 maidir le caighdeán seirbhíse. Bhain an chéad thuarascáil leis an tréimhse ó mhí Eanáir go mí Bealtaine agus tugadh tuairisc sa dara ceann ar an obair ó mhí Iúil go mí Deireadh Fómhair. Tugadh torthaí maidir leis an tréimhse ó mhí Deireadh Fómhair go mí na Nollag 2010 i dtuarascáil i mí Feabhra 2011. Beidh tuairiscí den sórt sin á bhfoilsíú gach ráithe ag an gCoimisiún as seo amach, timpeall agus sé seachtaine tar éis dheireadh na ráithe lena mbaineann an tuairisc.

Uasteorainneacha Praghsanna Rialáilte agus táillí ceadaithe

Tábla 1.2: Achoimre maidir leis an rialáil ar uasteorainneacha praghsanna

Cineál na huasteorann praghsanna	Uasteorainn praghsanna 2011
Táillí aerfoirt in aerfort Bhaile Átha Cliath	Níor chóir go sárófaí €10.43 in aghaidh an phaisinéara in Aerfort Bhaile Átha Cliath ¹
Táillí seirbhíse chríochfoirt eitlíochta (ATSCs) sna haerfoirt i mBaile Átha Cliath, i gCorcaigh agus sa tSionainn	Níor chóir go sárófaí €3.86 in aghaidh an tonna maidir le huasmheáchan éirí den talamh an aerárthaigh ar imeacht dó ²

Níor tháinig aon iarratas chuig an gCoimisiún ó DAA i rith na bliana 2010 maidir le táillí a cheadú i ndáil le 'teacht ar áiseanna aerfoirt' (ar a dtugtar táillí ATI) ag na haerfoirt i mBaile Átha Cliath, i gCorcaigh ná sa tSionainn. Leagtar amach thíos leibhéil na dtáillí a cheadaíodh roimhe seo, arna leasú i ndáil le boilsciú nuair is cú sin.

¹ Ar an tuiscint go sásaítear na spriocanna ar fad maidir le caighdeán seirbhíse.

² Ar an tuiscint gur ionann an t-olléileamh, arna thomhas de réir thonnaí an uasmheáchain éirí den talamh, agus 7,367 milliún tonna sa bhliain 2011.

Tábla 1.3: Achoimire maidir leis na táillí ceadaithe

Cineál táille áise (ATI)	Táillí ATI ón 1 Eanáir 2011
Aerfort Bhaile Átha Cliath - Táille bhliantúil maidir le deasc seiceáil isteach Deasc seiceáil isteach ar cíós go solúbtha in aghaidh na huaire	Táille bhliantúil: €24,539 an deasc sa bhliain Cíós uair a chloig: €29 san uair (nó cuid d'uair)
Aerfort na Sionna - Táille bhliantúil maidir le deasc seiceáil isteach Deasc seiceáil isteach ar cíós go solúbtha in aghaidh na huaire	Táille bhliantúil: €9,238 an deasc sa bhliain Cíós uair a chloig: €23 san uair (nó cuid d'uair)
Aerfort Chorcaí - Táille bhliantúil maidir le deasc seiceáil isteach Deasc seiceáil isteach ar cíós go solúbtha in aghaidh na leathuair	Táille bhliantúil: €12,815 an deasc sa bhliain Cíós uair a chloig: €5.13 san uair (nó cuid d'uair)
Táillí CUTE in Aerfort na Sionna	€0.30 in aghaidh an phaisinéara ag dul ar bord
Táillí CUTE in Aerfort Chorcaí	€0.24 in aghaidh an phaisinéara ag dul ar bord

Clár Oibre na bliana 2010

Beidh an bhéim is mó maidir leis an gclár oibre i gcúrsaí rialála praghsanna i rith na bliana 2011 ar chinneadh a dhéanamh i ndáil le táillí seirbhíse críochphoirt eitlíochta ag aerfort Bhaile Átha Cliath, aerfort Chorcaí agus Aerfort na Sionna. Mar a luadh níos luaithe sa chuid seo den tuarascáil, chuir an Coimisiún tús leis an sruth oibre seo sa dara leath den bhliain 2010 nuair a foilsíodh Páipéar Saincheistanna agus nuair a iarradh tuairimí ina leith. Ní léir go fóill cén cur isteach a bheidh ag treoracha éagsúla de chuid an Aontais Eorpaigh a thabhairt i bhfeidhm ar an obair sin.

Tá dhá thogra eile a bhféadfadh díol suntasach oibre a theacht i gceist leo agus baineann siad sin le comhairliúchán ar chuir an Coimisiún tús leis i rith na bliana 2010 maidir le cuntais rialúcháin agus leis an rogha maidir le scipéad rialúcháin. Beidh an modh oibre a chuireann an Coimisiún roimhe ag brath ar na freagraí a fhaightear maidir leis an dá pháipéar sin, ach tá ináirithe go bhféadfadh beart suntasach oibre a bheith i gceist le ceachtar den dá thogra.

Leanfaidh an Coimisiún den mhonatóireacht ar chúrsaí comhlíontais maidir leis na huasteorainneacha praghsanna atá i bhfeidhm. Déanfar chomh maith tuairisc uair sa ráithe a thabhairt ar na torthaí maidir le méadracht chaighdeán seirbhísí áirithe a luaitear sa Chinneadh reatha trína rialaítear táillí aerfoirt in aerfort Bhaile Átha Cliath.

Cuspóir	Bearta d'fhonn sin a thabhairt i gcrích
<p>Cinneadh nua a dhéanamh lena leagtar síos uasteorainn maidir le táillí seirbhíse críochoirt eitlíochta ag aerfort Bhaile Átha Cliath, aerfort Chorcaí agus aerfort na Sionna</p>	<ul style="list-style-type: none"> ➤ Dréacht de chinneadh a fhoilsiú agus dul i mbun comhairliúcháin i mí Bealtaine ➤ Cinneadh críochnúil a dhéanamh san fhómhar
<p>Monatóireacht a dhéanamh ar an gcomhlíontas maidir leis na huasteorainneacha praghsanna reatha</p>	<ul style="list-style-type: none"> ➤ Tuarascáil bhliantúil maidir le comhlíontas DAA a fhoilsiú ➤ Tuarascáil bhliantúil maidir le comhlíontas IAA a fhoilsiú ➤ Tuairiscí a fhoilsiú in aghaidh na ráithe maidir leis na slata tomhais i ndáil le caighdeán na seirbhíse in aerfort Bhaile Átha Cliath
<p>Athbhreithniú a dhéanamh ar na coinníollacha maidir le tuairiscíocht rialúcháin agus iad a athrú más cuí sin</p>	<ul style="list-style-type: none"> ➤ Na freagraí ar an bpáipéar comhairliúcháin maidir le cuntais rialúcháin (CP5/2010) a mheas agus oibriú dá réir sin
<p>Scrúdú a dhéanamh an athuair ar an gcur chuige faoi láthair maidir le cinneadh a dhéanamh faoi tháillí i ndáil le haerfort Bhaile Átha Cliath agus na réimsí sin a shonrú, más ann dóibh, ina mbeadh gá le hathrú</p>	<ul style="list-style-type: none"> ➤ Na freagraí ar an bpáipéar comhairliúcháin maidir leis an scipéad rialúcháin (CP4/2010) a mheas agus oibriú dá réir sin

LEITHROINNT SLIOTÁN

Ról an Choimisiúin

Déanann an Coimisiún:

- Stádas sceidealaithe aerfoirt na hÉireann faoi na Rialacháin maidir le Leithroinnt Sliotán a dheimhniú, agus
- Nuair is gá sin, áisitheoir nó comhordaitheoir sceideal a cheapadh.

Beartaíocht Chomhordúcháin ag Aerfort Bhaile Átha Cliath

Tá aerfort Bhaile Átha Cliath ar an t-aon aerfort amháin in Éirinn ina ndéantar comhordú ar shliotáin. D'ainmnigh an Coimisiún ina aerfort faoi chomhordú sliotán é i mí Feabhra 2007.

Is é Airport Coordination Limited (ACL) comhordaitheoir an aerfoirt, arna cheapadh ag an gCoimisiún. Leagtar an ghnáthfhreagracht ó lá go lá i ndáil le comhordúchán sliotán in aerfort Bhaile Átha Cliath ar ACL. Bíonn caidreamh gach lá ag an gcomhlacht leis na haeriompróirí aeir chomh maith le freastal ar dhá chruinniú in aghaidh na bliana in aerfort Bhaile Átha Cliath. Bíonn an Coimisiún i láthair ag na cruinnithe sin freisin.

Tagann deireadh le conradh ACL i mí Márta 2011. Thug an Coimisiún dá bharr sin faoi bheartaíocht soláthair i rith na bliana 2010 d'fhonn comhordaitheoir aerfoirt a roghnú don tréimhse cúig bhliana seo romhainn. Mar chuid den phróiseas sin, chuaigh an Coimisiún i gcomhairle leis na haerlínte, le DAA agus le IAA. Ba é ACL an t-aon pháirtí a chuir tairiscint faoi bhráid i ndeireadh na dála.

Is iad an dá shéasúr sceidealúcháin maidir le haerfort Bhaile Átha Cliath an Geimhreadh (ón 31 Deireadh Fómhair go dtí an 26 Márta) agus an Samhradh (ón 27 Márta go dtí an 30 Deireadh Fómhair). Déanfar socrú críochnúil maidir le sceideal an tsamhraidh don bhliain 2011 i rith mí Márta nó mí Aibreán 2011.

Tharla, i rith an dá shéasúr, gur tháinig laghdú arís ar líon na ngluaiseachtaí in aerfort Bhaile Átha Cliath sa bhliain 2010 i gcomórtas lena raibh ann sa bhliain 2009. Tá sin le sonrú ar an dá thábla thíos.

Tábla 2.1: Gluaiseacht aerthráchta ag aerfoirt in Éirinn: Geimhreadh 2010

Aerfort	Líon iomlán aerárthach faoi ghluaiseacht		
	Geimh. 2009	Geimh. 2010	% athraithe
Na hAerfoirt i mBaile Átha Cliath, i gCorcaigh agus sa tSionainn	78,704	71,148	-10%
Aerfort Bhaile Átha Cliath	61,996	57,757	-7%
Heathrow (Londain)	193,762	190,055	-2%
Gatwick (Londain)	96,939	90,331	-7%
Aerfort Stansted	59,607	50,660	-15%
Aerfort Mhanchain	58,333	57,934	-1%

Nóta: Lean séasúr an gheimhridh sa bhliain Dheireadh Fómhair 2010 go dtí Márta 2011. Baineann "líon iomlán aerárthach faoi ghluaiseacht" le tús an tséasúir sceidealúcháin.

Tábla 2.2: Gluaiseacht aerthráchta ag aerfoirt in Éirinn: Samhradh 2010

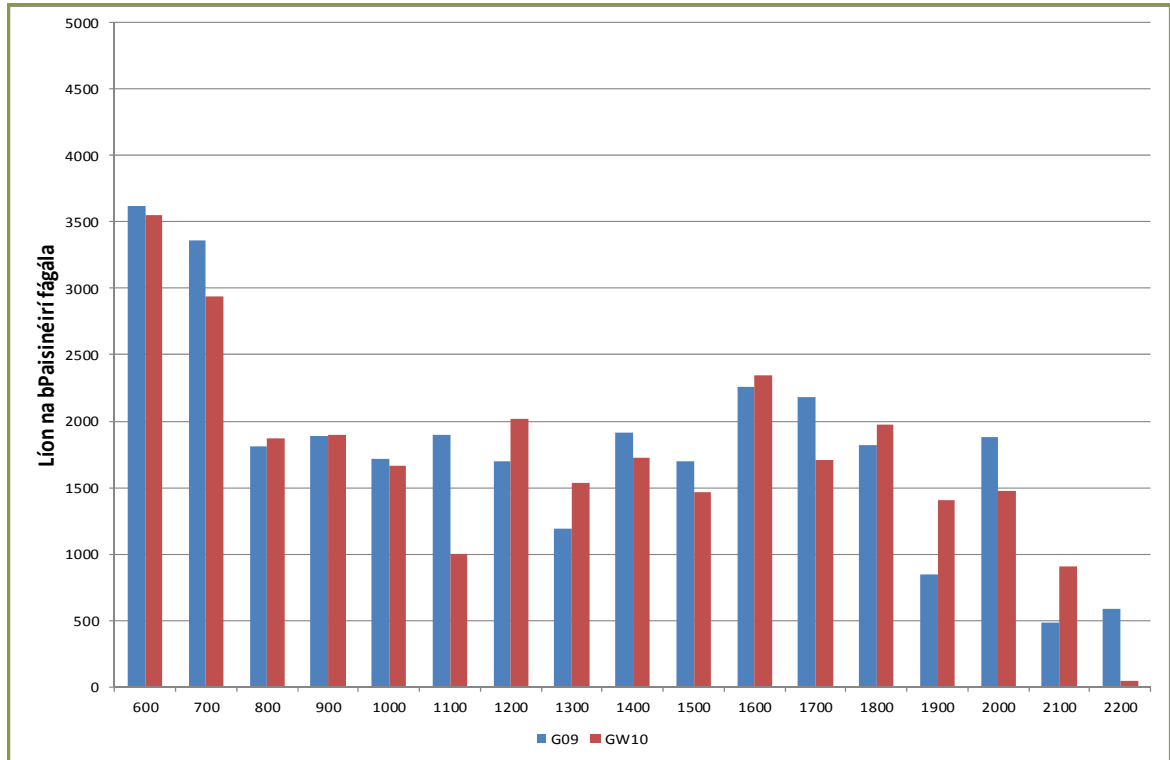
Aerfort	Líon iomlán aerárthach faoi ghluaiseacht		
	Samh. 2009	Samh. 2010	% athraithe
Na hAerfoirt i mBaile Átha Cliath, i gCorcaigh agus sa tSionainn	135,020	124,693	-8%
Aerfort Bhaile Átha Cliath	104,572	101,425	-3%
Heathrow (Londain)	278,274	289,304	4%
Gatwick (Londain)	163,643	165,210	1%
Aerfort Stansted	99,555	98,239	-1%
Aerfort Mhanchain	108,722	104,870	-4%

Nóta: Lean séasúr an tsamhraidh sa bhliain 2010 ó Mhárta 2010 go dtí Deireadh Fómhair 2010. Baineann "líon iomlán aerárthach faoi ghluaiseacht" le tús an tséasúir sceidealúcháin.

Ina ainneoin sin, tá líon na bpaisinéirí atá ag fágáil le linn na n-uaireanta is gnóthaí den lá ard go maith i gcónaí. Léirítear leis na cairteanna thíos gur ar éigean atá athrú ar bith tagtha ar an trácht paisinéirí le linn na huairé a chloig is gnóthaí den lá. Bítear ag brath, leis an modh oibre ó phointe go pointe atá ag an dá iompróir is mó maidir le haerfort Bhaile Átha Cliath (Aer Lingus agus Ryanair) ar leibhéal ard

úsáide as gach ártach aeir, agus, fágfar dá réir sin go bhfuil buaic-am luath ar maidin ann.

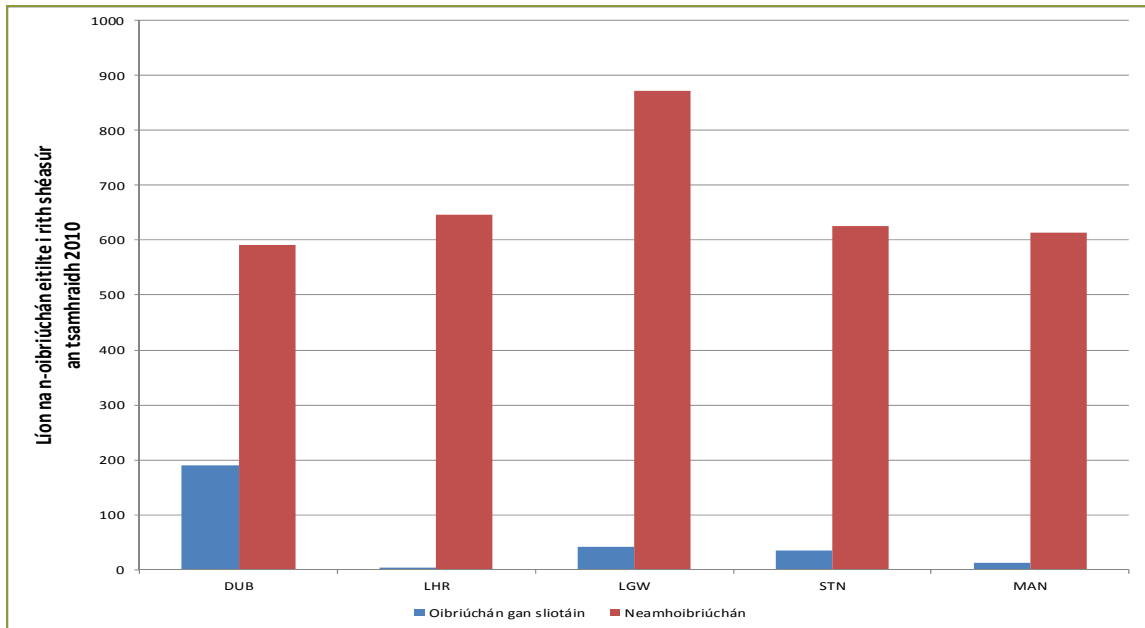
Fíor 2.1: Éileamh iomlán in aerfort Bhaile Átha Cliath i rith an lae (paisinéirí), Geimhreadh 2010 (G10) i gcomórtas le Geimhreadh 2009 (G09)



Bearta Forfheidhmiúcháin

Tarlaíonn i gcónaí gur mó cásanna ag aerfort Bhaile Átha Cliath go n-oibríonn aeriompróir gan sliotán ná mar a tharlaíonn ag aerfoirt éagsúla sa Ríocht Aontaithe a bhfuil réimeas den chineál céanna i bhfeidhm iontu. Léirítear sa chart thíos líon na n-oibriúcháin eitilte i rith shéasúr an tsamhraidh sa bhliain 2010 ar oibrigh an t-aeriompróir "gan sliotán" nó ar roghnaíodh gan oibriú i sliotán a dáileadh, i mBaile Átha Cliath, trí aerfort Londan agus i Manchain.

Fíor 2.2: Oibriúchán gan sliotán agus neamhoibriú sliotáin - Samhradh na bliana 2010



Mar a luadh i dTuarascálacha Bliantúla roimhe seo, níl cumhacht forfheidhmiúcháin ag an gCoimisiún. Ní féidir níos mó a dhéanamh ná stádas sceidealúcháin an aerfoirt a dheimhniú agus, sa chás gur gá sin, comhordaitheoir a cheapadh. Is féidir leis an gcomhordaitheoir sliotáin a "ghabháil ar ais" nó gan sliotáin seanathar a leithroinnt an athuair ar iompróirí a sháraíonn rialacha maidir leis an dáiliúchán. I gcodarsnacht leis sin, tá réimeas foirmeálta smachtbhannaí ar bun maidir le sliotáin sa Ríocht Aontaithe agus gearrtar piónóis ar na páirtithe a sháraíonn na rialacha maidir le dáiliúcháin.

Clár Oibre don Bliain 2011

Mura socraíonn an Roinn réimeas smachtbhannaí a thabhairt isteach, ní fheictear don Choimisiún faoi láthair go mbeidh gá i rith na bliana 2011 le hobair shuntasach sa bhreis ar an ról ginearálta atá ag an gCoimisiún maidir lena chinntiú go n-oibríonn an réimeas reatha de réir mar a beartaíodh.

Cuspóir	Bearta d'fhonn sin a thabhairt i gcrích
Cinntiú go leantar d'oibriú an réimis sceidealaithe reatha ag aerfort Bhaile Átha Cliath chomh maith agus atá	<ul style="list-style-type: none"> ➤ Freastal ar chruinnithe Choiste Comhordúcháin Aerfort Bhaile Átha Cliath faoi dhó sa bhliain ➤ Caidreamh le ACL d'fhonn monatóireacht a dhéanamh ar phátrúin atá faoin trácht ag aerfort Bhaile Átha Cliath

CEADÚNAIS AERIOMPRÓIRÍ

Ról an Choimisiúin

Is é an Coimisiún atá freagrach as an gCeadúnas Oibriúcháin a eisiúint lena dtugtar d'údarás do shealbhóir dul i mbun paisinéirí, post agus / nó lastas a iompar tríd an aer ar bhonn luach saothair agus / nó fruilithe.

Ní foláir, ionas go mbeifí incháilithe maidir le Ceadúnas Oibriúcháin a fháil, an príomhionad gnó a bheith in Éirinn ag an iarratasóir. Ní mór chomh maith roinnt coinníollacha maidir le húinéireacht agus cúrsaí gnó a shásamh, acmhainneacht airgeadais agus árachas san áireamh. Déanann an Coimisiún monatóireacht ar chomhlíonadh na gcoinníollacha sin ar bhonn leanúnach agus tugtar faoi athbhreithniú níos mine ghéire gach re bliain.

Tá dhá aicme i gceist maidir le sealbhóirí ceadúnais:

- Aicme A lena gceadaítear paisinéirí, lastas agus / nó post a iompar ar aerárthaigh ina bhfuil 20 suíochán nó líon is mó ná sin;
- Aicme B lena gceadaítear paisinéirí, lastas agus / nó post a iompar ar aerárthaigh ina bhfuil líon is lú ná 20 suíochán nó uasmheáchan éirí in aer is ísle ná 10 dtonna.

Níl freagracht ar an gCoimisiún maidir le rialúchán i gcúrsaí sábháilteachta. Is ar Údarás Eitlíochta na hÉireann (IAA) a leagtar an fheidhm sin. Ní mór don aeriompróir atá i mbun beartaíocht aeriompair ar bhonn tráchtála agus a bhfuil Ceadúnas Oibriúcháin de dhíth air Deimhniú Aeroibritheora (AOC), arb é IAA a eisiúint é, a fháil ar dtús.

Cúrsaí Ceadúnúcháin agus Comhlíontais

Faoi dheireadh na bliana 2010, bhí 18 aerlíne a raibh ceadúnas acu ón gCoimisiún, an líon céanna agus a bhí an bhliain roimhe sin 2009. Aon cheadúnas nua amháin a d'eisigh an Coimisiún i rith na bliana, cuireadh síneadh le tréimhse cheadúnais eile agus bhí oibritheoir amháin a scoir ó thrádáil. Bhí dhá oibritheoir a tháinig faoi réir ag athbhreithniú dhá bhliain - choinnigh an dá chomhlacht an Ceadúnas Oibriúcháin. Rinneadh monatóireacht ar gach sealbhóir ceadúnais i ndáil le coinníollacha maidir le hárachas, úinéireacht agus rialú, agus acmhainneacht ó thaobh airgeadais de faoin reachtaíocht a bhaineann le hábhar a chomhlíonadh.

D'eisigh an Coimisiún ceadúnas nua d'Aicme B le Bond Air Services (Ireland) Limited i rith na bliana 2010 agus ghéill Premier Aviation Limited dá dheoin féin an ceadúnas d'Aicme B a bhí ag an gcomhlacht sin agus luadh an fuarú ar an éileamh maidir le seirbhísí heileacaptair ar chairtfhostú in Éirinn mar chúis leis sin a dhéanamh.

Ceadúnas d'Aicme A a bhí ag ocht gcinn den ocht aerlíne déag in Éirinn a raibh ceadúnas acu ag deireadh na bliana 2010, rud a fhágann cead acu paisinéirí, lastas

agus / nó post a iompar ar árthaigh aeir ina bhfuil 20 suíochán nó líon is mó ná sin. Ceadúnas d'Aicme B a bhí ag an deich oibritheoir eile, rud a fhágann cead acusan paisinéirí, lastas agus / nó post a iompar ar árthaigh aeir ina bhfuil líon is lú ná 20 suíochán agus / nó uasmheáchan éirí den talamh is ísle dá deich dtonna. Tugtar liosta sa tábla thíos de na haerlínte ar fad in Éirinn a raibh ceadúnas acu ar an 31 Nollaig 2010, agus coinnítear an liosta sin bord ar bhord leis an aimsir ar láithreán gréasáin an Choimisiúin.³

Tábla 3.1: Sealbhóirí Ceadúnais Oibriúcháin

Sealbhóirí Cheadúnas d'Aicme A	Sealbhóirí Cheadúnas d'Aicme B
➤ Aer Lingus Limited	➤ Bond Air Services (Ireland) Limited
➤ Air Contractors (Ireland) Limited	➤ CHC (Ireland) Limited
➤ Airlin Airways Limited ag trádáil dó mar Private Sky	➤ Executive Helicopter Maintenance Limited
➤ CityJet Limited	➤ Gaelic Helicopters Limited
➤ Comhfhorbairt (Gaillimh) ag trádáil dó mar Aer Arann	➤ Galway Aviation Services Ltd ag trádáil dó mar Aer Arann Islands
➤ Ryanair Limited	➤ Irish Helicopters Limited
➤ Starair (Ireland) Limited	➤ Metro Helicopters Limited
➤ Westair Aviation Limited	➤ Premier Executive Jets Limited
	➤ Premier Helicopters Limited
	➤ Sky West Aviation Limited (<i>Ceadúnas ar fionraí</i>)

Scrúdaigh agus cheadaigh an Coimisiún iarratas ó Air Contractors (Ireland) Limited tús a chur le gnó iompair phaisinéirí faoin gceadúnas oibriúcháin atá ag an gcuideachta cheana féin. Go luath in 2011, rinne Údarás Eitlíochta na hÉireann Deimhniú Aeroibritheora Sky West Aviation Limited, a bhí ar fionraí, a chúlghairm. Ag teacht le forálacha ábhartha reachtaíocht AE, rinne an Coimisiún Ceadúnas Oibriúcháin na cuideachta a chúlghairm chomh maith.

Scrúdaitheoireacht maidir le Aer Árann

Ar an 26 Lúnasa 2010, cheap an Ard-Chúirt Scrúdaitheoir Eadramhach i ndáil le Comhfhorbairt (Gaillimh) ag trádáil dó mar Aer Árann. Bhí bac curtha ar fheidhmiú na cuideachta ó thaobh airgeadais de i rith na bliana 2008 agus na bliana 2009 ag an lagtrá eacnamaíochta agus an mí-ord i gcúrsaí airgeadais, praghsanna ard ar ola agus athruithe mífhabhracha maidir le hairgeadra eachtrach. Rinne an chuideachta beart ina leith seo le clár oibre chun costais a ísliú agus trí chomhaontú saincheadúnais le hAer Lingus. Ina ainneoin sin, tar éis dhúnadh an aerspáis mar gheall ar luathre bolcáin, féachadh le hathstruchtúru agus infheistíocht as an nua a

³ http://www.aviationreg.ie/Passenger_Guidance/Default.216.html

thabhairt i bhfeidhm tríd an bpróiseas scrúdaitheoireachta. Ceapadh Scrúdaitheoir go foirmeálta ar an 8 Meán Fómhair 2010. Cuireadh tús leis an obair ar Scéim Socraíochta le haontú le creidiúnaithe na cuideachta agus ar infheistíocht chothromais a ghnóthú trína gcinnteofaí go dtiocfadh an chuideachta slán. Ar an 5 Samhain 2010, dheimhnigh an Ard-Chúirt moltaí an Scrúdaitheora maidir le Scéim Socraíochta agus scaoileadh an chuideachta saor ón Scrúdaitheoireacht.

Bhí an Coimisiún ina Pháirtí Fógra i ndáil leis na himeachtaí seo. Leagtar amach i Rialachán (CE) 1008/2008 a bhfuil de chumhacht ag an údarás ceadúnaithe maidir le leanúnachas ceadúnais i gcomhthéacs deacrachtaí airgeadais. Ina leithéid de chás, ní mór don Choimisiún scrúdú dá chuid féin a dhéanamh ar riocht airgeadais na cuideachta agus athbhreithniú a dhéanamh maidir le stádas an cheadúnais oibriúcháin ar an mbonn sin. Ba é seasamh an Choimisiúin nach raibh aon chur in aghaidh na Scrúdaitheoireachta aige agus go bhfanfaí leis an eolas cuí faoi chúrsaí airgeadais a theastaíonn chun ról an Choimisiúin a chur i gcrích. Rinneadh sin i rith na bliana 2010 agus ní raibh aon athrú ar stádas an Cheadúnais Oibriúcháin atá ag Aer Árann dá bharr.

Mar gheall ar an infheistíocht nua sa chuideachta, rinne an Coimisiún scrúdú ar struchtúr úinéireachta Aer Árann de réir na gcoinníollacha maidir le húinéireacht agus rialú a luaitear sa Rialachán. Ba tar éis phróiseas na Scrúdaitheoireachta a theacht chun críche a cuireadh tús leis an athbhreithniú sin. Seoladh eolas chuig an gcuideachta maidir le breis faisnéise atá de dhíth chun cuidiú leis an athbhreithniú seo a bhí fós ar siúl ag deireadh na bliana 2010.

Cora nua eile

Cuireadh moill ar chóras iarratais ar an idirlíon maidir le ceadúnais an Choimisiúin a sheoladh agus tá sin beartaithe anois don bhliain 2011. D'aontaigh an Coimisiún próiseas le IAA trína ndéanfar doiciméadú agus comhroinnt ar fhaisnéis. Foilsíodh cáipéis leasaithe maidir le nósanna imeachta i ndáil le ceadúnais oibriúcháin a thabhairt, a chur ar fionraí agus a aisghairm i rith na bliana 2010 agus rinneadh obair chomh maith ar chur leis an nóta treorach reatha maidir le ceistanna úinéireachta agus rialaithe⁴.

Ghlac an Coimisiún páirt freisin i mbeart staidéir de chuid na gcomhairleoirí Steer Davies Gleave, thar ceann an Choimisiúin Eorpaigh, lena raibh scrúdú á dhéanamh ar roghanna a chuirfeadh feabhas ar an gcosaint don phaisinéir sa chás go dtarlaíonn dóchmhainneacht aerlíne. Níor foilsíodh an saothar sin go fóill.

Dioscaí Ceadúnais

D'eisigh an Coimisiún dioscaí ceadúnais ag deireadh na bliana 2010 le gach oibrítheoir aerárthaigh bhig agus heileacaptair mar chuid den fheachtas chun cur le leibhéal tuisceana an phobail.

⁴ http://www.aviationreg.ie/fileupload/Image/AL_OandC_Note_Oct08.pdf

Sampla de Dhiosca Ceadúnais an Choimisiúin



Clár Oibre don bhliain 2011

Tá leagtha amach ag an gCoimisiún aeriompróirí a thabhairt isteach faoi scáth an chórais ceadúnúcháin atá aige ar an idirlíon i rith na bliana 2011.

Cuspóir	Bearta d'fhonn sin a thabhairt i gcrích
Deis a thabhairt isteach maidir le heisiúint cheadúnais ar an idirlíon	➤ An "tástáil maidir le glacadh an úsáideora leis" a thabhairt chun críche agus an córas nua a sheoladh i rith na bliana 2011
Cinntiú go sásaíonn sealbhóirí ceadúnais a n-éilítear faoin reachtaíocht	<ul style="list-style-type: none"> ➤ Coinníoll ar shealbhóirí áirithe cheadúnas d'Aicme A sonraí faoin acmhainneacht airgeadais reatha a chur ar fáil don Choimisiún go rialta ➤ Bearta seiceála maidir leis an gcomhlíontas i ndáil le coinníollacha úinéireachta agus rialaithe
Tuiscint níos fearr ar an réimeas ceadúnúcháin a chothú i measc sealbhóirí ceadúnais agus an pobal i gcoitinne	<ul style="list-style-type: none"> ➤ Nóta treorach níos cuimsithí a fhoilsiú maidir lena n-éilítear i gcás úinéireachta agus rialaithe ➤ Dioscaí ceadúnais a eisiúint maidir le gach oibritheoir heileacaptair agus aerárthaigh bhig

CEADÚ MAIDIR LE LÁIMHSEÁIL AR DHROIM TALÚN

Ról an Choimisiúin

Tugann an Coimisiún ceadú do chomhlachtaí a bhíonn i mbun gnóthaí láimhseála ar dhroim talún ag aerfort Bhaile Átha Cliath, aerfort Chorcaí agus aerfort na Sionna. Is é atá i gceist le láimhseáil ar dhroim talún go ginearálta na seirbhísí sin ar fad a bhíonn de dhíth maidir le heitleán ón uair a thuirlingíonn sí go n-éiríonn sí den talamh arís, e.g. eitleán a threorú, luchtú / folmhú, líonadh le breosla, láimhseáil bagáiste, láimhseáil paisinéirí agus obair chothabhála ar eitleáin. Is féidir le haerlíne socrú na seirbhísí a chur ar fáil ar a son féin (láimhseáil ar a son féin) nó comhlacht eile a fhostú ar conradh (láimhseáil tríú páirtí), bíodh sin ina aerlíne eile nó ina chomhlacht láimhseála ar dhroim talún.

Ní mór do chuideachta ceadú roimh ré a fháil ón gCoimisiún sula dtéitear i mbun obair láimhseála ar dhroim talún. Eisítear cead ar feadh tréimhse cúig bhliana. Ní mór do na sealbhóirí coinníollacha áirithe a shásamh, mar shampla, acmhainneacht airgeadais, an t-árachas cuí a bheith acu agus inniúlacht ó thaobh cúrsaí teicniúla. Ar cúig bhliana a bheith caite, is féidir ceadú maidir le láimhseáil ar dhroim talún a athnuachan tar éis próiseas athnuachana a thabhairt chun críche.

Níl aon fhreagracht ar an gCoimisiún maidir le plé le fiosruithe ó phaisinéirí i ndáil le bagáiste a chuaigh amú nó a ndearnadh damáiste dó ná, níos ginearálta ná sin, maidir le hidirghabháil a dhéanamh i gcás ina mbeadh tomhaltóir míshásta leis an lucht láimhseála ar dhroim talún.

Ceadú agus Cúrsaí Comhlíontais

Ag deireadh na bliana 2010, 13 aerlíne ceadaithe a bhí ann maidir le seirbhísí láimhseála ar dhroim talún a chur ar fáil (ar a son féin) chomh maith le 37 soláthraí ceadaithe eile (nó láimhseálaithe tríú páirtí) ag obair ag na haerfoirt i mBaile Átha Cliath, i gCorcaigh agus sa tSionainn. D'fhág sin a líon trí cinn níos ísle ná líon na n-oibrítheoirí ceadaithe ag deireadh na bliana 2009. Ina measc siúd a bhí ceadaithe maidir le seirbhís ar a son féin, bhí ceithre chomhlacht acu ceadaithe maidir le seirbhís a dhéanamh don tríú páirtí. Thug an Coimisiún ceadú le dhá chomhlacht nua ag láimhseáil ar a son féin i rith na bliana 2010 agus ceadú le dhá chomhlacht nua i mbun láimhseála don tríú páirtí. Bhí seacht gcinn de chomhlachtaí a ghéill an ceadú a bhí acu dá ndeoin féin: comhlacht amháin a dhéanadh láimhseáil ar a shon féin agus sé cinn a dhéanadh láimhseáil don tríú páirtí. Seasann ceadú ar feadh tréimhse cúig bhliana. Chuaigh an ceadú a bhí ag 16 comhlacht láimhseála ar dhroim talún i léig i rith na bliana 2010 agus d'éirigh leis na haerlínte / comhlachtaí láimhseála go léir a bhí i gceist iad a athnuachan.

Thug an Coimisiún ceadú nua láimhseála ar a shon féin le Etihad Airways PJSC agus le Bond Air Services (Ireland) Limited i rith na bliana 2010 chomh maith le ceadú nua maidir le láimhseáil don tríú páirtí le Aer Lingus Limited agus le DHL Supply Chain (Ireland) Limited. Ghéill Irish Helicopters Limited dá dheoin féin an ceadú maidir le láimhseáil ar a shon féin ó tharla nach raibh an chuideachta i mbun gnó níos mó ag Aerfort Bhaile Átha Cliath. Bhí cúig chomhlacht eile a ghéill ceadú láimhseála don tríú páirtí go toilteanach. Bhí cúiseanna éagsúla leis sin: bhí trí cinn de chuideachtaí nach raibh i mbun obair láimhseála níos mó mar ba ghá chun a ceadú a bheith acu ón gCoimisiún (Airport Ticketing and Travel Service Limited, Greencaps Limited agus Nayak Aircraft Service Netherlands BV), bhí cuideachta amháin nach ndearna athnuachan ar an gceadú (ATRS Limited), agus bhí sealbhóir ceadúnais tríú páirtí eile a chuir deireadh leis an obair sin i mBaile Átha Cliath (FBO Dublin Limited). Ghéill Bond Air Services (Ireland) an ceadú tríú páirtí a bhí aige go toilteanach ionas go bhféadfaí ceadú maidir le láimhseáil ar a shon féin a eisiúint tar éis don chuideachta Deimhniú Aeroibritheora a fháil.

Tugtar achoimre sa tábla thíos ar an obair i ndáil le Láimhseáil ar Dhroim Talún i rith na bliana 2010.

Tábla 4.1: Briseadh síos ar an obair i ndáil le Láimhseáil ar Dhroim Talún

	Láimhseáil ar a Son Féin	Láimhseáil Tríú Páirtí
Mar a bhí an 1 Eanáir 2010	12	41
Cead nua a eisíodh	2	2
Aisghairm	0	0
Cead a géilleadh de dheoin an tsealbhóra	1	5
Cead a chuaigh in éag agus nach ndearnadh a athnuachan	0	1
Mar a bhí an 31 Nollaig 2010	13	37

Chinntigh an Coimisiún gur chuir gach dream láimhseála ar dhroim talún eolas cuí maidir le cúrsaí airgeadais ar fáil i rith na bliana 2010. Chuir comhlachtaí láimhseála ar dhroim talún a chuireann seirbhísí ar fáil don tríú páirtí cuntais idirdhealaithe faoi bhráid. Chuir gach dream láimhseála ar dhroim talún sonraí reatha faoi chúrsaí árachais ar fáil chun a léiriú go raibh dóthain árachais acu. Leagtar amach sa tábla thíos liosta de na hoibritheoirí láimhseála ar dhroim talún mar a bhí ceadaithe ag an gCoimisiún ar an 31 Nollaig 2010.

Tábla 4.2: Lucht Láimhseála Ceadaithe ar Dhroim Talún mar a bhí an 31 Nollaig 2010

Lucht Láimhseála Tríú Páirtí	Lucht Láimhseála ar a son féin
ACA Air Cargo Associates Limited	Aer Lingus Limited*
Aer Lingus Limited	Air Contractors (Ireland) Limited*
Air Atlanta Aero Engineering Limited	Bond Air Services (Ireland) Limited
Air Contractors (Ireland) Limited	CHC Ireland Limited
AirOps	CityJet Limited
Alpha Flight (Ireland) Limited	Comhfhorbairt (Gaillimh) ag trádáil dó mar Aer Arann
Delta Airlines Dublin Limited	Delta Airlines Inc.
Derichebourg Multiservices Limited	Etihad Airways PJSC
DHL Express (Ireland) Limited	Jet2.com Limited
DHL Supply Chain (Ireland) Limited	Ryanair Limited
Dublin Aerospace Limited	Starair (Ireland) Limited
EFG Inflight Limited	Thomson Airways Limited*
Fingal Aviation Services Ltd.	Westair Aviation Limited*
Gate Gourmet Ireland Limited	
Hoyer Ireland Limited	
ICTS (UK) Limited	
Knights Cleaning Services Limited	
Monarch Aircraft Engineering Limited	
Oceanbridge Groundhandling Ltd (Universal Aviation)	
OCS One Complete Solution Limited	
Servisair (Ireland) Limited	
Shannon Aerospace Limited	
Shell Aviation Ireland Limited	
Signature Flight Support Dublin Limited	
Signature Flight Support Shannon Limited	
Sky Handling Partner (Cork) Limited	
Sky Handling Partner (Shannon) Limited	
Sky Handling Partner Limited	
South Aer Services Limited	
Specialist Airport Services (Ireland) Limited	
Tedcastles Aviation Fuels Limited	
Thomson Airways Limited	
TNT Express (Ireland) Limited	
United Parcel Service of Ireland Limited	

Lucht Láimhseála Tríú Páirtí	Lucht Láimhseála ar a son féin
US Alliance Flight Support Limited	
Westair Aviation Limited	
Worldwide Flight Services (Ireland) Limited	

()Aeriompróirí a bhfuil cead tugtha dóibh dul i mbun láimhseála ar a son féin agus seirbhísí láimhseála ar dhroim talún a chur ar fáil don tríú páirtí chomh maith.*

Thug an Coimisiún freagra ar iarratas ón gCoimisiún Eorpach eolas a chur ar fáil faoi oibriú an chórais náisiúnta ceadaithe mar atá i bhfeidhm faoi láthair.

Clár oibre na bliana 2011

Mura ndéantar leasú ar an reachtaíocht, ní fheictear don Choimisiún faoi láthair go mbeifear ag tabhairt faoi aon obair bhreise den suntas i rith na bliana 2011 seachas an ról ginearálta maidir le cinntiú go n-oibríonn an réimeas ceadaithe atá i bhfeidhm faoi láthair de réir mar atá beartaithe.

Cuspóir	Bearta d'fhonn sin a thabhairt i gcrích
Leanacht ag tabhairt ceadúnais do chomhlachtaí Láimhseála ar Dhroim Talún agus ag déanamh monatóireachta ina leith	<ul style="list-style-type: none"> ➤ Scrúdú a dhéanamh ar an eolas faoi chúrsaí airgeadais agus árachais a chuireann na sealbhóirí Ceadaithe ar fáil gach bliain d'fhonn an comhlíontas a chinntiú ➤ Athnuachan ar 11 cead maidir le láimhseáil ar dhroim talún de réir mar is cuí

CEADÚNAIS LUCHT TRÁCHTÁLA I NGNÓ AN TAISTIL

Ról an Choimisiúin

Tá dlite ar thionscnóirí turais agus ar ghníomhairí taistil ceadúnas a bheith acu agus iad a bheith faoi bhanna maidir le turais thar lear a thosaíonn taobh istigh den Stát a dhíol nó a thairiscint le ceannach.

Déanann an Coimisiún:

- ceadúnais a eisiúint le gníomhairí taistil agus le tionscnóirí turais atá ag díol turais thar lear;
- scéim bannaí a riar do ghníomhairí taistil agus do thionscnóirí turais;
- próiseáil ar éilimh ar aisíoc agus ar athdhúichiú sa chás go dtéann gníomhaire taistil nó tionscnóir turais as gnó;
- fiosrúchán i gcásanna ina líomhnaítear gur tharla trádáil mídhleathach agus, nuair is gá sin, trádálaithe mídhleathacha a ionchúiseamh.

Ní thagann na nithe seo a leanas faoi scáth ról an Choimisiúin:

- ceadúnais i ndáil le socruithe taistil maidir le taisteal intíre in Éirinn;
- déileáil le gearáin ó thomhaltóirí maidir le gníomhairí taistil, tionscnóirí turais, óstáin, bagáiste nó aerlínte;
- déileáil le gearáin maidir le fógraíocht (ach amháin sa chás go mbainfeadh sé le trádáil mhídhleathach a d'fhéadfadh a bheith ar bun).

Obair Ceadúnúcháin agus Cúrsaí Comhlíontais

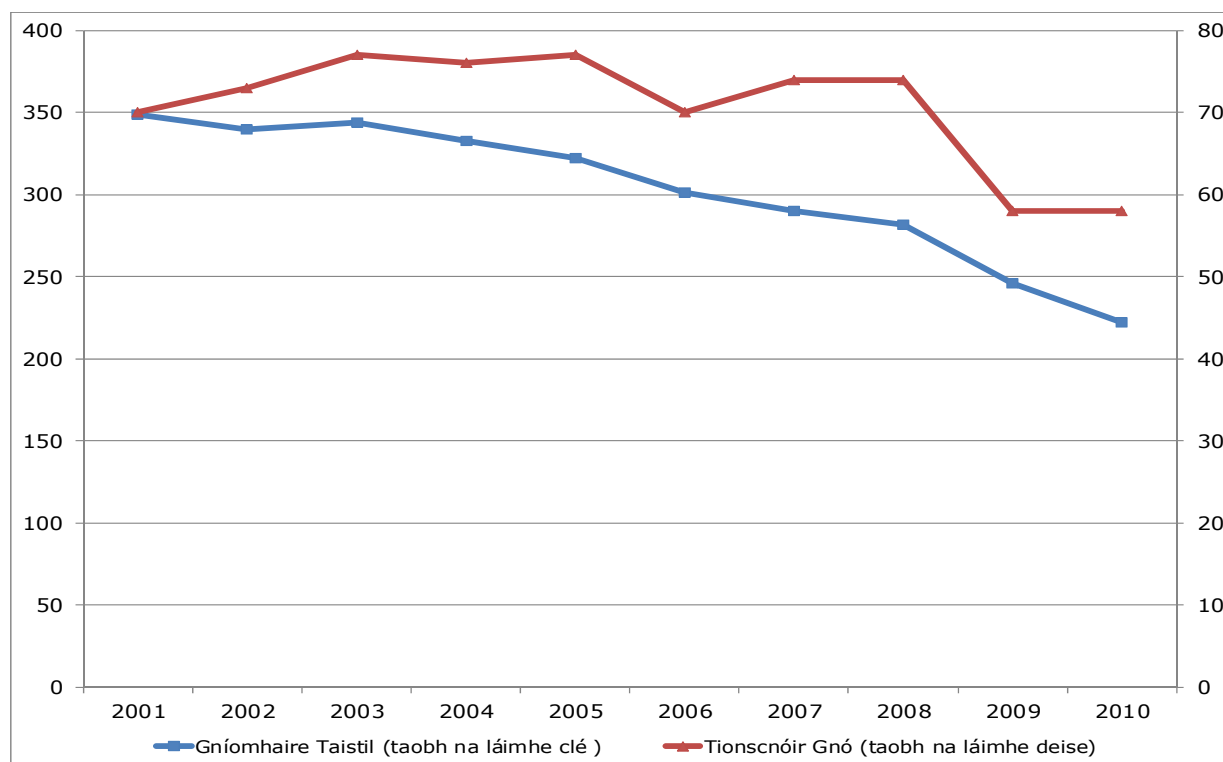
Thug an Coimisiún ceadúnais i rith na bliana 2010 do 280 comhlacht i gcomparáid le 304 sa bhliain 2009 agus 356 sa bhliain 2008, rud a fhágann ísliú de 76 nó 21% in imeacht dhá bhliain. Ainneoin an phátrúin ísliithe sin, tá ceadúnais á dtabhairt i gcónaí do chomhlachtaí nua, seacht gcinn déag acu i rith na bliana 2010. Tugtar sonraí in Tábla 5.1 faoin líon a thosaigh amach sa tionscail agus an líon a d'fhág an tionscail i rith na bliana 2010.

Mar chuid den obair maidir le ceadúnais, thug baill d'fhoireann an Choimisiúin cuairt ar 17 comhlacht i rith na bliana 2010. Rinneadh scrúdú cigireachta ar thaifid na gcomhlachtaí agus rinneadh na córais teicneolaíochta agus na córais gnó atá in úsáid acu a mheas.

Tábla 5.1: Briseadh síos ar an obair maidir le ceadúnais don lucht tráchtála i ngnó an taistil i rith na bliana 2010

	Gníomhairí Taistil	Tionscnóirí Turais	Iomlán
Sealbhóirí Ceadúnais mar a bhí an 1 Ean 2010	246	58	304
Ceadúnais nua	9	8	17
Ceadúnais gan athnuachan	-30	-8	-38
Cuideachtaí i ngnó an taistil ar theip orthu	-3	0	-3
Sealbhóirí Ceadúnais mar a bhí an 31 Noll 2010	222	58	280

Fíor 5.1: Líon na sealbhóirí ceadúnais i ngnó an taistil 2001 - 2010



Cora nua i gcúrsaí dlí maidir le réimse na gCeadúnas do Lucht Ghnó an Taistil

Fáilte Travel Limited

Rinne an Coimisiún achainí os comhair na hArd-Chúirte luath sa bhliain 2009 ar Leachtaitheoir a cheapadh chun Fáilte Travel Limited, tionscnóir turais a raibh teipthe air, a fhoirceannadh, ar an mbunús go raibh sé níos mó ná €1.4m i bhfiacha leis an gCiste Cosanta Taistealaithe (TPF). Cheap an Ard-Chúirt an tUasal Declan Taite as FGS ina Leachtaitheoir. Leanadh den Leachtú i rith na bliana 2010 agus fuair an

Coimisiún €17,016 de na costais a bhí air mar gheall ar an leachtú. Tá tuarascáil deiridh an Leachtaitheora le theacht go fóill.

Manorcastle Limited ag trádáil dó mar United Travel

Tá dhá Ordú de chuid na hArd-Chúirte bronnta ar an gCoimisiún i ndáil le costais in aghaidh Manorcastle Limited (ag trádáil dó mar United Travel) maidir le cásanna achomhairc a thug an chuideachta in aghaidh dhiúltú an Choimisiúin sa bhliain 2008 agus sa bhliain 2008 ceadúnas a thabhairt don chuideachta. Ainneoin a éileamh arís agus arís eile, níor íoc Manorcastle Limited na costais a bhaineann le hábhar (suim isteach agus amach le €140,000), ná níor thángthas i mbun aon phlé chiallmhar maidir leis na costais a íoc. Leanadh den obair i rith na bliana 2010 maidir leis an gcostas a aisghabháil agus tá an Coimisiún ag scrúdú gach rogha eile atá ann faoin dlí.

Budget Travel Limited

Tar éis shocrú Budget Travel Limited i ndeireadh na bliana 2009 dul faoi leachtú toilteanach, d'éirigh an Leachtaitheoir as dhá thacar cúiseanna dlí a bhí tionscanta ag an gcuideachta in aghaidh dhiúltú an Choimisiúin ceadúnas a thabhairt don chuideachta. I mí Márta 2010 bronnadh na costais maidir leis an dá thacar imeachtaí ar an gCoimisiún. Tá na costais aontaithe faoi seo leis an Leachtaitheoir agus tá an Coimisiún i measc na gcreidiúnaithe gan urrús sa phróiseas leachtaithe.

Athbhreithniú ar Ghnó an Taistil agus Treoracha de chuid an AE

I mí na Nollag 2010, d'eisigh an Coimisiún dhá ionstraim reachtúil nua (I.R. 659 agus I.R. 660). Ón mbliain 2011 ar aghaidh, ní bheidh ar an gcuid is mó de na comhlachtaí atá cáilithe faoi dhlí na gcuideachtaí maidir le díolúine ó iniúchóireacht cuntais iniúchta a chur ar fáil chun bheith cáilithe maidir le ceadúnas i ngnó an taistil. Bhí athrú dá réir seo molta ag an gCoimisiún mar chuid den athbhreithniú ar réimeas na gceadúnas maidir le gnó an taistil a cuireadh faoi bhráid an Aire Iompair sa bhliain 2008. D'fhoilsigh an Coimisiún Fógra i mí na Nollag 2010 ina leagtar amach gnás oibre trínar féidir le cuideachtaí cur isteach ar dhíolúine maidir le hiniúchadh.

Rinneadh an Treoir faoi Sheirbhísí a shuí mar chuid de dhlí na hÉireann i mí na Samhna 2010. Tá an Coimisiún i mbun caidrimh leis an Roinn Iompair agus leis an Roinn Fiontair, Trádála agus Nuála d'fhonn anailís a dhéanamh ar thionchar na treorach ar an reachtaíocht atá i bhfeidhm faoi láthair maidir le gnó an taistil.

D'eagraigh an Coimisiún Eorpach roinnt cruinnithe agus ceardlann i rith na bliana 2010 maidir le leasú a d'fhéadfaí a dhéanamh ar an Treoir maidir le Pacáistí Saoire.

Scor ó Thrádáil

Ó lár na bliana 2008 i leith, tá líon mór éileamh a rinneadh leis an gCoimisiún a d'eascair ó ghnólachtaí taistil dul as gnó. Tugtar achoimre ar fhaisnéis i ndáil leis na blianta beaga anuas in Tábla 5.2; tá iniúchóireacht déanta ar na figiúirí a luaitear leis na blianta 2008 agus 2009 agus is dréacht d'fhigiúirí iad sin maidir leis an mbliain 2010.

Tábla 5.2: Achoimre ar an obair maidir le héilimh 2008-2010

Bliain	2008	2009	2010
Líon na nÉileamh a Fuarthas	2,087	4,979	191
Líon na nÉileamh ar Íocaíodh ina leith	1,639	4,438	174
Luach na nÍocaíochtaí ina leith na nÉileamh	€3,582,282	€6,019,605	€215,215
Costais Riaracháin	€295,656	€602,456	€21,263
Bannaí a tarraingíodh anuas	€2,417,180	€6,152,597	€59,080
Éileamh in aghaidh TPF	€1,585,577	€1,316,840	€110,816
Riarachán (% den íocaíocht i leith na n-éileamh)	8.3%	10%	9.9%

Athdhúichiú paisinéirí (ar íoc an Coimisiún air go díreach) agus éilimh ar íoc an tríú páirtí (e.g. comhlachtaí cártaí creidmheasa) an míniú atá ar an difríocht idir líon iomlán na n-éileamh a fuarthas (7,257) agus líon na n-éileamh a ndearnadh íocaíocht ina leith (6,251).

Bhí trí ghnólacht a scoir ó thrádáil i rith na bliana 2010 i gcásanna a d'fhág gur ghá banna na cuideachta a tharraingt anuas chun aisíocaíocht a thabhairt do chustaiméirí. Ba mhór an laghdú seo i gcomparáid leis an 19 eintiteas a chuaigh as gnó go neamhthoilteanach i rith na bliana 2009. Fágann toradh na bliana 2010 gur ionann móriomlán na ngnólachtaí ar theip orthu ó bunaíodh an Coimisiún sa bhliain 2001 i leith agus 47. Leagtar amach líon agus luach na n-éileamh a d'eascair ó scor trí ghnólacht i rith na bliana 2010 in Tábla 5.3.

Tábla 5.3: Scor ó Thrádáil 2010 - Achoimre maidir le hobair ar éilimh

Ainm an Chomhlachta	Líon na nÉileamh	Luach na nÉileamh in € (*)
Paula Coughlan T/A Foreign A Fares	153	152,249
Castle Travel Ltd	28	20,072
Solar Travel Ltd	10	42,894
Iomlán	191	215,215

Nóta: () Is é an cás mar a bhí ar an 31 Nollaig 2010 atá á léiriú le luach na n-éileamh; tá roinnt den phróiseáil ar éilimh le déanamh go fóill agus tharlódh dá bhri sin go mbeidh athrú ar an bhfigiúr deiridh.*

Cuireadh faisnéis i láthair i dtuarascálacha bliantúla roimhe seo maidir le héilimh a d'eascair ó scor ghnólachtaí i rith na bliana 2008 agus na bliana 2009, agus rinneadh sin leis an dréacht de na sonraí airgeadais mar a bhí ar fáil an tráth sin. Ó tharla go bhfuil figiúirí críochnúla iniúchta ar fáil anois, luaitear i dTábla 5.4 iomlán na n-éileamh maidir leis an tréimhse 2008-2010 a d'eascair ó scor ghnólachtaí sa bhliain 2008 agus sa bhliain 2009.

Tábla 5.4: Scor ó Thrádáil 2008 /2009 – Éilimh Fhabhráithe

Ainm an Chomhlachta	Luach Fabhraithe na Íocaíochtaí ar Éilimh
Dunne & King Travel Ltd T/A Letts Travel	€16,445
Mardan Ltd T/a Home & Away	€88,442
Grant Travel Ltd	€276,063
Wonder Travel Ltd	€58,554
CanAmerica	€135,398
Manorcastle Ltd T/a United Travel	€3,436
Greystones Travel Ltd	€107,446
Toolin Travel Ltd	€484,641
Analagh Ltd	€157,074
Oonagh O'Leary T/A Creation Travel	€67,058
Portlaoise Travel Ltd	€402,795
Cork's City Travel Ltd	€52,184
The Travel Collection Ltd	€187,193
Paul Buckley (Charleville) Ltd	€24,953
Turing Ltd T/A Slatterys	€1,266,160
Albemarie Ltd T/A Tony Bond Travel	€40,090
T & A Killoran T/a Killoran's Travel	€12,045
Budget Travel Ltd	€2,432,685
Donabate Travel Ltd T/A Escape2	€169,872
Delta Travel Ltd	€36,619
Fáilte Travel Ltd T/A Gerry	€1,678,526
Ronane Travel Ltd	€435,785
XL Leisure Group (Ireland) td	€1,395,118
MacLavery Travel Ltd	€62,798
Landaround Travel Ltd	€10,054
Iomlán na nÍocaíochtaí i ndáil le hÉilimh	€9,601,887

An Ciste Cosanta Taistealaithe

Is ar an gCoimisiún a leagtar an fhreagracht maidir le riarachán an Chiste Cosanta Taistealaithe (TPF) a úsáidtear chun aisíocaíochtaí a íoc le custaiméirí sa chás nach bhfuil dóthain acmhainní chuige sin le banna ghníomhaire taistil nó thionscnóir gnó. Baintear úsáid as chomh maith chun costais athdhúichithe a íoc sa chás go bhfágтар fuireach ar chustaiméirí thar lear agus chun costais réasúnta an Choimisiúin a íoc maidir leis an bpróiseáil ar éilimh. Déantar ráitis airgeadais faoi leith a ullmhú don Chiste agus déanann an tArd-Reachtair Cuntas agus Ciste iniúchadh orthu.

Luaitear dréacht d'fhigiúr maidir le hÍocaíochtaí as an gCiste i rith na bliana 2010 in Tábla 5.5. Faoi dheireadh na bliana 2010, b'ionann luach glan na sócmhainní a luaitear sa dréacht de chuntais an TPF agus €5,084,060 i gcomparáid le figiúr €5,209,784 an bhliain roimhe sin.

Tábla 5.5: Íocaíochtaí maidir le héilimh as an gCiste Cosanta Taistealaithe

	2010	2009
Íocaíochtaí i ndáil le héilimh as an gCiste Cosanta Taistealaithe	€110,816	€1,316,840

Holiday World Fair

Bhí seastán ag an gCoimisiún arís ag an taispeántas Holiday World Fair san RDS. Bhí leas as an seastán mar dheis caidrimh idir foireann an Choimisiúin ar thaobh amháin agus lucht thionscal an taistil agus an pobal i gcoitinne ar an taobh eile. Tharraing an taispeántas níos mó ná 50,000 i mí Eanáir 2010.

Clár Oibre don Bhliain 2010

Cuspóir	Bearta d'fhonn sin a thabhairt i gcrích
Leanacht den riarachán i ndáil le ceadúnais agus scéim bhannaí don tionscail	<ul style="list-style-type: none"> ➤ Próiseáil a dhéanamh go tráthúil ar iarratais tríd an deis idirlín ➤ Próiseáil a dhéanamh ar éilimh ar ar aisíocaíochtaí agus ar athdhúichiú de réir mar is gá sin ➤ Fiosrú a dhéanamh i gcás tuairiscí maidir le trádáil gan cheadúnas
Ullmhú don chur isteach a d'fhéadfadh a bheith ag reachtaíocht an AE ar oibriú an réimis reatha maidir le ceadúnais	<ul style="list-style-type: none"> ➤ Caidreamh leis an Roinn Iompair agus leis an Roinn Fiontair, Trádála agus Nuála

CEARTA PAISINÉIRÍ AEIR

Ról an Choimisiúin

Maidir le turais aeir amach ó aerfoirt in Éirinn nó isteach go hÉirinn as tír eile de chuid an Aontais Eorpaigh, nó isteach go hÉirinn as tír eile nach de chuid an AE í ar iompróir atá cláraithe san AE, is é an Coimisiún:

- a phléann le gearáin maidir le cealúchán;
- a phléann le gearáin maidir le moill dhá uair a chloig nó níos faide;
- a phléann le gearáin maidir le cead dul ar bord a dhiúltú agus íslíú céime.

Is é an Coimisiún a chuireann dlí an AE i bhfeidhm maidir le cearta dhaoine faoi mhíchumas agus cearta dhaoine faoi mhíchumas luaineachta le linn dóibh turais aeir a dhéanamh

Oibríonn an Coimisiún lena leathchineál de chomhlachtaí forfheidhmiúcháin san AE maidir le cásanna gearáin a thagann chun cinn ag aerfoirt taobh amuigh d'Éirinn.

Déanann an Coimisiún cigireacht ar na haerfoirt in Éirinn chun a chinntiú go mbíonn na haerlínte ag comhlíonadh dlí an AE. Is féidir leis an gCoimisiún imeachtaí forfheidhmiúcháin a thionscnamh in Éirinn in aghaidh aerlínte a bhfuil an Rialachán á shárú acu. Is i ndáil le haerlínte amháin Rialachán 261 - níl aon dliteanas i ndáil le paisinéirí ag baint le gníomhairí taistil ná tionscnóirí turais faoin reachtaíocht seo.

Níl d'údarás ag an gCoimisiún plé le gearáin maidir leis na nithe seo a leanas, i measc nithe eile:

- Bagáiste, cáin agus táillí aerlínte, formhuirir maidir le breosla san áireamh;
- Earráidí maidir le háirithint nó le ticéad agus gnóthaí víosa;
- Aisíocaíocht mar gheall ar chásanna breoiteachta nó méala;
- Fógraíocht bhréagach;
- Seirbhísí ar bord eitleáin nó cúrsaí le linn eitle;
- Cásanna in mbítear mall ag teacht chun seiceáil isteach;
- Coinníollacha de chuid aerlínte maidir le háirithint a dhéanamh agus deacrachtaí le láithreán gréasáin;
- Cúrsaí sábháilteachta.

Foirm ghearáin ar an idirlíon

Tugadh isteach deis nua an Choimisiúin 2010 chun gearán a dhéanamh ar an idirlíon. Fágann seo gur furasta gearáin a chur faoi bhráid agus cinntítear go dtugann paisinéirí gach eolas a bhainfeadh le hábhar. Seo a leanas an fhoirm nua: www.aviationreg.ie⁵

Moltar go tréan don phobal úsáid a bhaint as an deis seo nuair is féidir sin.

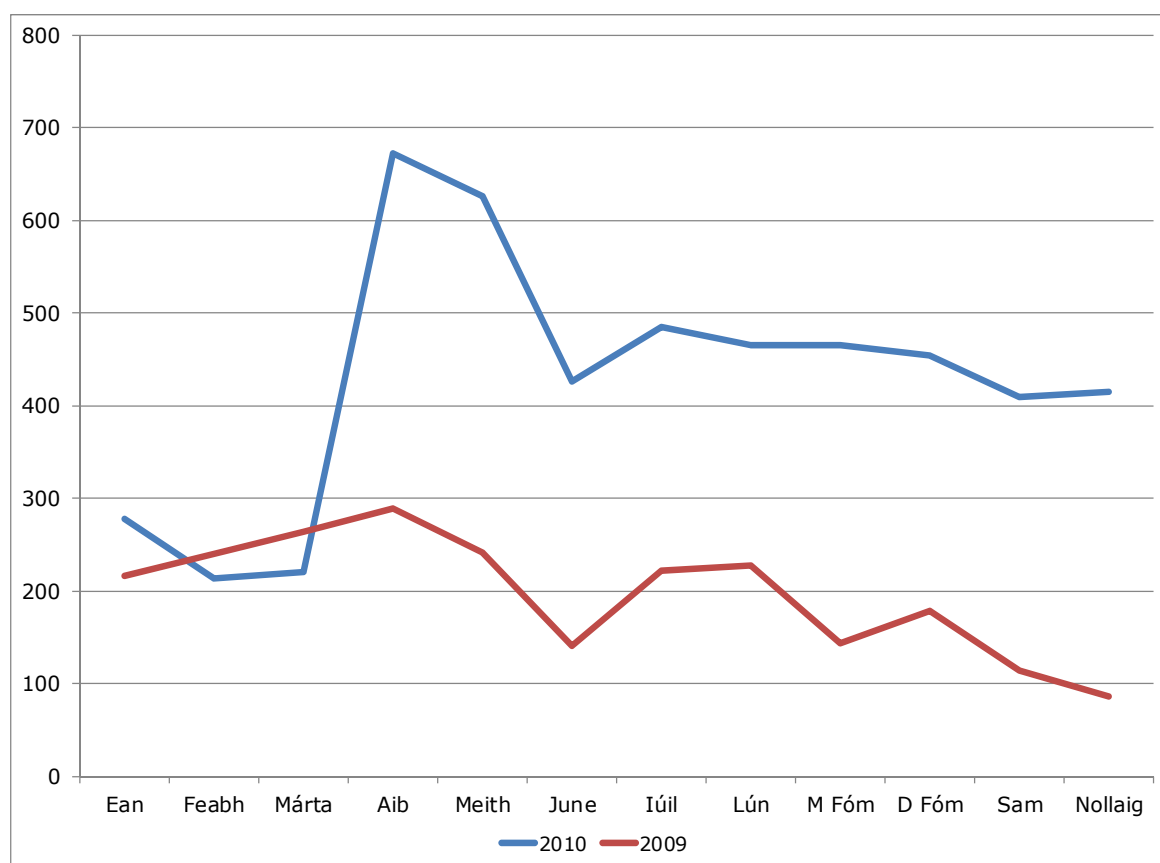
⁵ <https://secure.aviationreg.ie/eseries/car450.xsp?envAuto=263E1C4B05ED32F3>

Iomlán na ngearán a rinneadh

I rith na bliana 2010 tháinig líon iomlán 5,132 iarratas ar eolas agus ar chúnamh chuig an gCoimisiún ó dhaoine den phobal, figiúr ab ionann agus ardú 105% é ar fhiigiúr 2,495 na bliana 2009. Tháinig cuid mhaith fiosrúchán thart ar an am ar tharla an ghéarchéim maidir le luathre bolcáin i mí Aibreán agus mí Bealtaine. Dhírigh foireann an choimisiúin ar fhreagra a thabhairt go pras ar na ceisteanna a cuireadh ionas go raibh an t-eolas ag na paisinéirí sin ar fágadh fuireach orthu a theastaigh chun socrú lán eolais a dhéanamh faoi chúrsaí taistil. Tháinig líon suntasach fiosruithe chuig an gCoimisiún freisin tar éis stailceanna tionsclaíochta sa Fhrainc i rith mhíonna an tsamhraidh agus tar éis na dtréimhsí fada doiníne san Eoraip amach i ndeireadh na bliana 2010.

Léirítear sa tábla thíos líon na n-iarratas ar eolas agus ar chúnamh a tháinig ó mhí go mí.

Fíor 6.1: Líon na bhfiosruithe a rinneadh in aghaidh na míosa



Déantar gach iarracht oibriú chomh luath agus is féidir trí gach fiosrúchán a dhéantar leis an gCoimisiún. Agus seo á scríobh, bhíothas ag próiseáil fiosrúcháin a rinneadh leis an gCoimisiún i mí na Samhna 2010. Dá bharr sin, is dócha go dtiocfaidh ardú ar an bhfigiúr maidir le líon na ngearán a chuirtear i láthair níos faide síos de réir mar a dhéantar scrúdú iomlán ar ar cuireadh faoi bhráid i rith

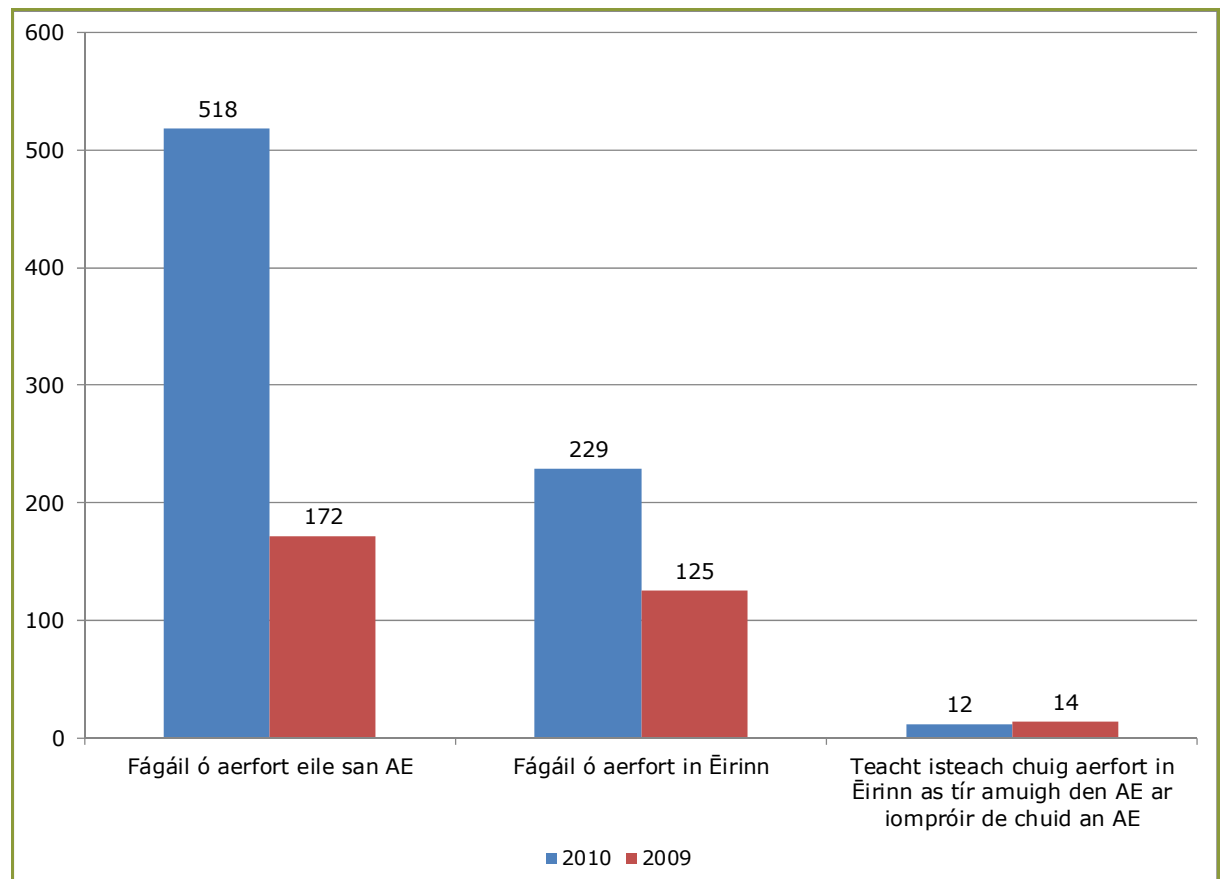
mí na Nollag 2010. Foilseoidh an Coimisiún tuairisc chríochnúil ar obair na bliana 2010 maidir le ceartha phaisinéirí eitilte i lár na bliana 2011.

As na fiosruithe a bhfuil scrúdú déanta orthu go dtí seo, tá le tuiscint i gcás 759 acu go bhféadfadh gur tharla sárú ar an Rialachán agus déileáladh leo sin mar ghearáin i.e. baineann siad le:

- cásanna inar chuir aeriompróir eitilt ar ceal;
- moill ar eitilt ba faide ná na tráthanna a luaitear sa reachtaíocht;
- cásanna inar diúltaíodh daoine a ligean ar bord;
- cásanna inar tharla ísliú céime.

Bhain cúig chéad agus ocht ngearán déag den 759 gearán le turais aeir a d'fhág as aerfort i gceann eile de Bhallstáit an AE agus cuireadh iad sin faoi bhráid na comhlachta forfheidhmiúcháin cuí sa tír lenar bhain d'fhonn scrúdú ar an gcás. Rinne an Coimisiún scrúdú maidir leis an bhfuilleach 241 cás.

Fíor 6.2: Briseadh síos ar na gearáin a rinneadh leis an gCoimisiún

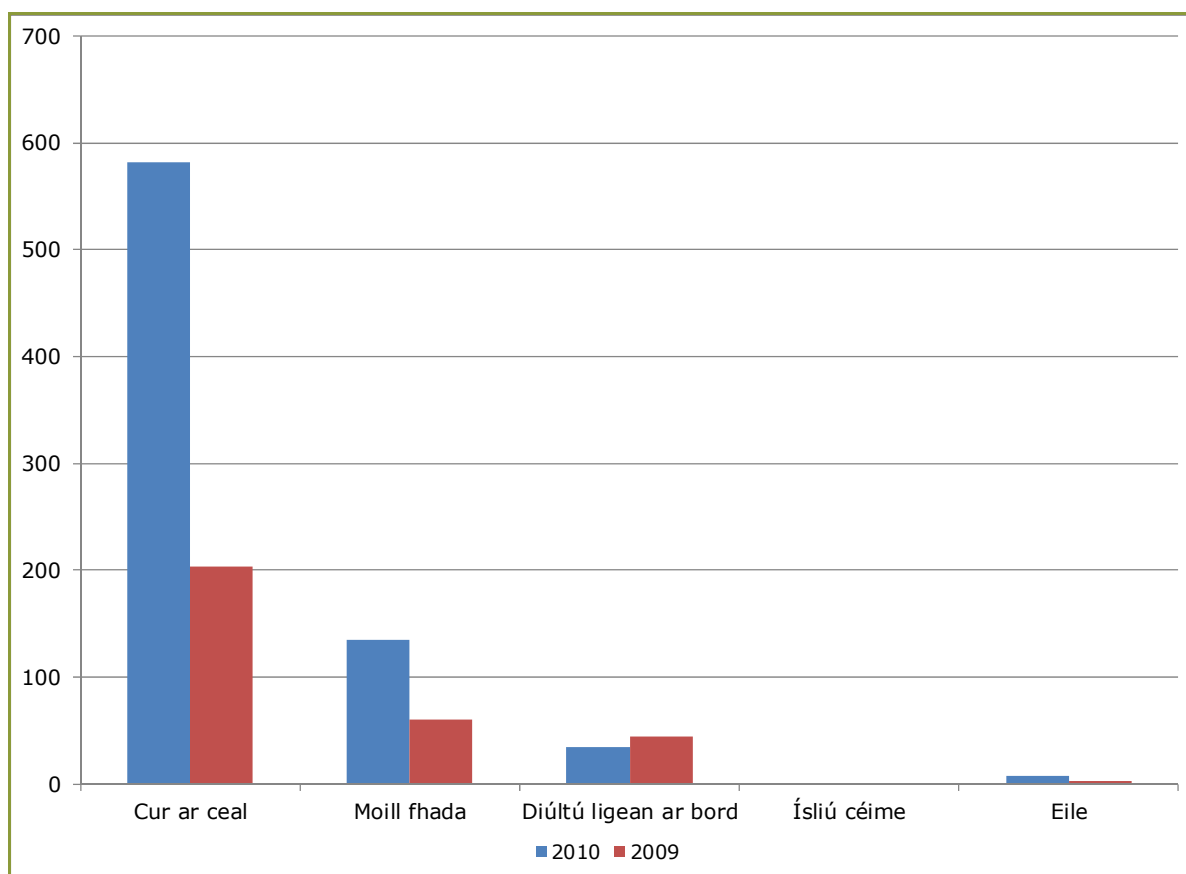


Tugtar briseadh síos sa tábla thíos ar an 759 gearán de réir a gcineál.

Tábla 6.1: Briseadh síos ar na gearáin sa bhliain 2010⁶

Cineál an Ghearáin	Scrúdaigh an C.A.R	Scrúdaigh N.E.B. eile	Líon Iomlán na nGearán	% de na gearáin (759)
Cur ar ceal	171	411	582	77%
Moill fhada	51	84	135	18%
Diúltú ligean ar bord	14	20	34	4%
Íslíú céime	0	0	0	0%
Eile ⁷	5	3	8	1%
Iomlán	241	518	759	100%

Fíor 6.3 Comparáid idir na gearáin a rinneadh leis an gCoimisiún de réir a gcineál



⁶ Mar a bhí scrúdaithe faoi Mhárta 2011.

⁷ Is é a bhaineann leis an aicme "Eile", gearáin ar cosúil go dtagann siad faoi scáth Rialachán (CE) 261/2004 ach a mbeidh gá le scrúdú breise ina leith ag an gcomhlacht forfheidhmiúcháin náisiúnta lena mbaineann chun sin a dheimhniú.

Réiteach ar Ghearáin

Coinníonn an Coimisiún taifead ar gach cás sáraithe maidir leis an Rialachán ionas go gcinntítear go mbíonn monatóireacht á déanamh ar an gcomhlíontas ar bhonn leanúnach. Déantar gearán maidir le neamhchomhlíontais a fhiosrú leis an aeriompróir lena mbaineann. As an 241 gearán a tháinig i rith na bliana 2010 agus a tháinig faoi scáth an Choimisiúin, tá an fiosrúchán maidir le 54 cás acu sin tugtha chun críche. Seo a leanas an toradh deiridh a bhí ar na cásanna sin:

- i 5 chás acu measadh go raibh cúiteamh le hóc leis an bpaisinéir agus fuarthas sin thar a cheann;
- maidir le 11 cás, tugadh de bhreith go raibh an t-aeriompróir saor ó chúiteamh a íoc mar gheall go raibh feidhm leis an díolúine cásanna eisceachta⁸;
- maidir le 28 cás, fuair an Coimisiún aisíoc ar chostais áirithe don phaisinéir;
- i 9 gcinn de chásanna, tharraing an paisinéir siar an gearán nó ba é breith an Choimisiúin, tar éis fiosrúchán a dhéanamh, nár sháraigh an t-aeriompróir an Rialachán;
- in aon chás amháin, thug an Coimisiún chun aire gur tharla sárú ar an Rialachán. Ina ainneoin sin, mar gheall ar chineál an tsáraithe, ní raibh aon chúiteamh airgid le hóc leis na paisinéirí.

Tá an Coimisiún ag leanacht den fhiosrúchán maidir leis na cásanna eile. Leagtar amach achoimre ar an eolas thuas sa tábla seo thíos.

Tábla 6.2: Briseadh síos ar na gearáin a réitíodh i rith na bliana 2010

Réiteach	Líon na nGearán	% den líon iomlán
D'íoc an t-aerlíne cúiteamh	5	9%
Fuarthas aisíoc	28	52%
Cruthaíodh cás eisceachta	11	20%
Tarraingíodh siar an gearán nó níor cruthaíodh é	9	17%
Sárú ar taifead	1	2%
Iomlán na gcásanna réitithe	54	100%

⁸ Foráiltear faoi Airteagal 5(3) nach mbeidh dlite ar aeriompróir cúiteamh a íoc sa chás gur féidir a chruthú gur cuireadh an turas aeir ar ceal mar gheall ar chúinsí eisceachta nach bhféadfaí a sheachaint fiú amháin dá ndéanfaí gach beart réasúnach.

Daoine faoi mhíchumas luaineachta

Thug an Coimisiún deis isteach i rith na bliana 2010 trínar féidir gearáin a chur faoi bhráid ar an idirlíon, d'fhonn éascaíocht do phaisinéirí ar mian leo gearán a dhéanamh mar gheall gur dóigh leo go ndearnadh a gcuid ceart faoi Rialachán 1107 a shárú. Tá sin ar fáil ag⁹ Moltar go tréan do dhaoine den phobal úsáid a bhaint as an deis sin nuair is féidir é.

Líon iomlán na nGearán a Fuarthas

Rinneadh 15 fiosrúchán leis an gCoimisiún i rith na bliana 2010. Ar iad a scrúdú, tugadh faoi deara nach gearán inghlactha a bhí i gcuid mhór acu. Bhí cúiseanna éagsúla leis sin: i roinnt cásanna ní raibh fógra tugtha ag an bpaisinéir don aeriompróir faoin tráth sainluaite faoina raibh de dhíth orthu, agus i gcásanna eile rinneadh fiosrúchán sula ndearnadh aon áirithint.

Chuir an Coimisiún dhá ghearán inghlactha ar taifead. Bhain siad sin leis an gcúnamh a chuireann comhlachtaí bainistíochta ag aerfoirt ar fáil do dhaoine faoi mhíchumas nó do dhaoine faoi mhíchumas luaineachta. Bhain an chéad ghearán le damáiste a rinneadh do threalamh gluaisteachta le linn láimhseáil ar dhroim talún agus bhain an dara ceann le ceist maidir le hoiliúint a chur ar fáil do bhaill foirne ag aerfort in Éirinn. Tá an dá chás gearáin tugtha chun críche: sa chéad chás cuireadh trealamh nua ar fáil agus sa dara cás ba é breith an Choimisiúin go raibh oiliúint ar an leibhéal cuí curtha ar fáil.

Obair eile

Rinne an Coimisiún cigireacht ar aerfoirt sa dlínse chun cinntiú go ndéanann na haeriompróirí an fhaisnéis atá sainordaithe a chur ar taispeáint mar a mbítear ag seiceáil isteach agus eolas breise a chur ar fáil do phaisinéirí a gcuirtear isteach orthu mar gheall ar chur ar ceal, moill fhada nó cásanna ina ndíúltaítear cead dul ar bord.

Bhí cruinniú ag an gCoimisiún le comhlachtaí forfheidhmiúcháin náisiúnta eile chun an ghéarchéim a bhain le luathre bolcáin agus an fhreagracht a bhí ar aeriompróirí lena linn sin a phlé. Thug an Coimisiún freagra ar bhearta comhairliúcháin de chuid an Choimisiúin Eorpaigh chomh maith.

Ghlac an Coimisiún páirt san aonach Holiday World Fair san RDS trína raibh fóram ar fáil chun cur leis an tuiscint ar a mbíonn de cheart ag paisinéirí faoi dhlí an AE agus ar a mbíonn siad ina theideal.

⁹<https://secure.aviationreg.ie/eseries/car460.xsp?envAuto=A53D47DF6F2AD4F5>

Clár oibre na bliana 2011

Cuspóir	Bearta chun a thabhairt i gcrích
Cinntiú go mbíonn dlíthe CE maidir le cearta an phaisinéara á gcomhlíonadh	<ul style="list-style-type: none">➤ Fiosrúchán a dhéanamh maidir le gearáin a thagann➤ Cigireacht ar aerfoirt➤ Íoschaighdeáin a shonrú maidir leis an oiliúint i gcúrsaí míchumais, comhionannais agus feasachta
Cur le tuiscint an phobail ar shaincheisteanna maidir le cearta paisinéirí aeir	<ul style="list-style-type: none">➤ Faisnéis a chur ar fáil ag imeachtaí tionscail oiriúnacha (e.g. Holiday World Fair) agus trí láithreán gréasáin an Choimisiúin

FEIDHMEANNA RIARACHÁIN AGUS DLÍ

Acmhainní Daonna

Ó mhí Márta 2009 i leith, tá an Coimisiún faoi réir *moratorium* maidir le hearcaíocht agus ardú céime san earnáil phoiblí. Fágann sin nárbh fhéidir aon fholúntas a líonadh a tháinig chun cinn mar gheall ar bhaill den fhoireann ag fágáil na heagraíochta. Rinneadh an líon foirne atá ceadaithe don oifig a ísliú i ndeireadh na bliana 2010 ó 22 ball foirne go dtí 18 faoi Chreat Rialú Fostaíochta (ECF) nua i ndáil leis an earnáil phoiblí. Tá aontú na Roinne Iompair iarrtha ag an gCoimisiún le foireann an Choimisiúin a thabhairt ar ais suas go dtí 18 ball foirne ón 15 ball foirne atá aige faoi láthair.

Bíonn tuarastail sa Choimisiún ag teacht le polasaí an rialtais maidir le cúrsaí pá. Is tar éis athbhreithniú sásúil ar dhéanamh na hoibre amháin a cheadaítear breisiócht phá, nuair a bheadh sin i gceist. Tá triúr den fhoireann ar iasacht ón Roinn Iompair agus duine amháin ar iasacht ón Údarás um Shábháilteacht ar Bhóithre. Déantar costas a gcuid tuarastailsean a chúiteamh ar an gcostas féin móide táille socraithe i ndáil le haoisliúntas agus seirbhísí a chuirtear ar fáil go lárnach.

B'ionann iomlán an tuarastail agus na ranníocaíochtaí pinsin don t-aon Chomhalta amháin den Choimisiún i rith na bliana 2010 agus €195,834. Níor cuireadh aon sochar eile ar fáil.

Tá dlite ar gach ball foirne lánaimseartha dul isteach faoi scéim phinsin an Choimisiúin. Níor tháinig aon athrú i rith na bliana 2010 ar stádas eadramhach na scéime sin, táthar ag fanacht le ceadú na Roinne Airgeadais ón mbliain 2002 i leith. Bhí de thoradh ar athbhreithniú achtuair maidir leis na dliteanais pinsin gur léir gannchistíocht leanúnach sa scéim ab ionann agus €116,174 é ag deireadh na bliana 2010, ardú ó €51,020 sa bhliain 2009. Ceaptar go gcuirfidh an Coimisiún €71,692 leis an scéim phinsin sa bhliain 2011.

Lean an Coimisiún i rith na bliana 2010, d'fheidhmeanna riaracháin nach de chroí na hoibre iad, maidir le caidreamh leis na meáin, cothabháil TE agus pá-rolla, a fháil ó fhoinsí seachtracha.

Ceadúnúchán agus deis gearáin do phaisinéirí ar an idirlíon

Rinneadh dhá bhabhta ceadúnúcháin maidir le réimse na nGnóthaí Taistil a thabhairt chun críche ar an gcóras ceadúnúcháin gréasáin i rith na bliana 2010. Ní bhíonn ar an lucht iarratais feasta sonraí a tugadh cheana a chur isteach an athuair le linn an phróisis iarratais. Rinneadh chomh maith na córais maidir le gearáin faoi Chearta Paisinéirí Aeir agus Daoine atá faoi Mhíchumas Luaineachta a chur ar fáil ar an ngréasán i rith na bliana 2010 ionas go bhfuil modh níos fusa agus níos éasca ar fáil gearán den chineál sin a chur faoi bhráid na hOifige. Tá leagtha amach córas den sórt sin a thabhairt isteach maidir le ceadúnú aerlínte i rith na bliana 2011.

Follasacht agus Saoráil Faisnéise

Féachann an Coimisiún leis na feidhmeanna a leagtar air a thabhairt i gcrích ar bhealach macánta follasach. Foilsítear páipéir chomhairliúcháin, cáipéisí taca, freagraí ó gheallsealbhóirí agus cinntí rialúcháin ar láithreán gréasáin an Choimisiúin www.aviationreg.ie agus bíonn cóipeanna crua ar fáil ag an té a iarrann sin. Tá sceideal d'fhoilseacháin an Choimisiúin i rith na bliana 2010 ceangailte leis seo in Aguisín 1.

Níor tháinig aon iarratas faoi na hAchtanna um Shaoráil Faisnéise chuig an gCoimisiún i rith na bliana 2010.

An Coiste Iniúchta

Tháinig an Coiste Iniúchta le chéile ceithre huairé i rith na bliana 2010. Tugadh tuairisc mhion don Choiste ag gach ceann de na cruinnithe ar an dul chun cinn taobh istigh den Choimisiún ar gach ceann de na sraitheanna éagsúla oibre. D'fhreastail an Coimisiúinéir ar roinnt de na cruinnithe seo chun eolas a thabhairt don Choiste faoi chora nua. Tháinig baill d'fhoireann an Choimisiúin a bhíonn ag plé le cúrsaí dlí, riaracháin agus cuntasáíochta i láthair le linn cruinnithe chomh maith chun a gcuid oibre a phlé. Bhí ionadaithe thar ceann Iniúchóirí Inmheánacha an Choimisiúin i láthair le linn na gcodanna sin de gach cruinniú a bhain leis an bhfreagracht a leagtar orthusan.

Ba iad seo a leanas na gnóthaí ar dhírigh an Coiste orthu i rith na bliana 2010:

- An clár riosca
- An phróiseáil ar éilimh
- Seifteanna rialú airgeadais go hinmheánach
- Bearta a eascraíonn ón iniúchadh inmheánach
- An plean maidir le leanacht i mbun gnó i gcás éigeandála, agus
- An Cód Cleachtais maidir le Rialachas na gComhlachtaí Stáit.

Bhí an Coiste Iniúchta sásta le socruithe an Choimisiúin i ndáil leis na réimsí sin.

Dualgais Riaracháin

Déanann an Coimisiún gach dícheall oibriú de réir na gcaighdeán is airde maidir le rialachas corparáide. Leagtar amach roinnt treoirlínte i gCód Cleachtais maidir le Rialachas na gComhlachtaí Stáit¹⁰ (eagrán na bliana 2009) na Roinne Airgeadais atá dírithe ar an dea-rialachas a chur chun cinn. Mar gheall ar chineál na hoibre, chomh maith le struchtúr an Choimisiúin féin, tá gnéithe áirithe den Chód Cleachtais nach féidir a chur i bhfeidhm i ndáil leis an gCoimisiún. Tugtar cuntas achoimre sa tábla thíos ar bheartaíocht an Choimisiúin i ndáil leis an gCód Cleachtais.

¹⁰ <http://www.finance.gov.ie/documents/guidelines/codepractstatebod09.pdf>

De réir an Chóid, tá dlite ar an gCoimisiún nós imeachta a bheith ar bun maidir le sceithireacht faoi rún i ndáil le cás míréir i gcúrsaí airgeadais nó míbheartaíocht eile. Tá moladh curtha ar aghaidh chuig an Roinn Iompair ag an gCoimisiún faoi bhealach ina bhféadfaí an coinníoll ina leith sin a shásamh.

I rith na bliana 2010, chaith an Coimisiún 51,089 KWh fuinnimh, íslíú i ndáil leis an mbliain 2009 rud ar léiriú é ar an laghdú ar líon na foirne agus ar na barrchostais.

Cód Iompair an Choimisiúin	Tá Cód Iompair ag an gCoimisiún do na fostaithe. Tagann baill foirne ar iasacht ón Roinn Iompair faoi réir <i>Chóid Caighdeán agus Iompair na Státseirbhíse</i> .
Iníúchadh Inmheánach	Bíonn comhlacht iniúcháirí ceaptha ag an gCoimisiún chun an fheidhm maidir le hiniúchadh inmheánach a dhéanamh. Oibríonn an t-iniúcháir inmheánach faoi stiúir an Choiste Iniúchta sheachtraigh. Tar éis próiseas oscailte tairisceana sa bhliain 2007, ba iad Mazars a roghnaíodh mar iniúcháir inmheánach ag an gCoimisiún. I rith na bliana 2010, rinne Mazars iniúcháireacht ar phróisis soláthair an Choimisiúin, ar na bearta mar gheall ar iniúcháireacht roimhe seo, ar an bpróiseas maidir le héilimh lucht ghnó an taistil, chomh maith le hathbhreithniú ar an Ráiteas faoi Rialáil Airgeadais go hInmheánach. Is é an comhairle a luadh sna tuarascálacha seo, a ndearna an Coimisinéir, gach Ceann Feidhme agus an Coiste Iniúchta athbhreithniú orthu, go bhfuil próisis agus nósanna imeachta rialála curtha i bhfeidhm ag an lucht bainistíochta a bhfuil curtha acu le próiseas rialachais den fhollasacht agus den chuntasacht.
Soláthar	Bíonn nósanna imeachta an Choimisiúin maidir le cúrsaí soláthair ag teacht leis na treoirlínte agus na teoracha náisiúnta agus, má bhaineann le hábhar, le cuid an CE. Is iondúil gurb iad na treoirlínte náisiúnta a mbíonn feidhm leo mar gheall ar an luach a bhaineann leis an gcuid is mó de na conarthaí. Tá plean soláthair don bhliain 2011 tugtha chun cinn ag an gCoimisiún ina leagtar amach na réimsí sin ina meastar go mbeidh seirbhísí á gcur amach ar tairiscint.
Diúscairt ar shócmhainní agus teacht ar shócmhainní ag an tríú páirtí	Níl aon sócmhainní ag an gCoimisiún ar an scála agus an luach a thagann i gceist faoi na treoirlínte (€150,000). Níor tharla aon diúscairt ar shócmhainní i rith na bliana 2010.
Éagsúlú	Níor chuir an Coimisiún aon mholadh faoi bhráid an Aire i rith na bliana 2010 maidir le héagsúlú a bheadh beartaithe.
Breithmheas ar infheistíocht	Ní dhearna an Coimisiún aon chaiteachas caipitil den suntas i rith na bliana 2010, a thiocfadh le scóip na beartaíochta atá i gceist leis na treoirlínte maidir le Breithmheas ar Infheistíocht.

Gnóthaí Riaracháin agus Díl

An luach saothair don bhainistíocht shinsearach agus táillí stiúrthóirí	Breathnaítear an chuid den chaibidil seo maidir le <i>Acmhainní Daonna</i> . Níl aon Stiúrthóirí ann agus ní thagann táillí i gceist
Socrúithe Tuairiscíochta	<p>Cuireann an Coimisiún tuairiscí chuig an Aire Iompair de réir mar atá ordaithe faoin dlí agus de réir mar a bhíonn de dhíth. Tá córas cuntasáíochta lánfhorbartha ag an gCoimisiún trína gcuirtear tuairiscí bainistíochta agus tuairiscí airgeadais mionsonraithe ar fáil don lucht bainistíochta sinsearacha gach mí. Tá na Caighdeáin Tuairiscíochta Idirnáisiúnta glactha chuige féin ag an gCoimisiún maidir leis an tuairiscíocht. Déantar na cuntais a ríomh ar bhonn chóras cuntasáíochta an fhabhráithe ach amháin sna cásanna sin a shonraítear sna nótaí leis na ráitis airgeadais. Déanann an tArd-Reachtaire Cuntas agus Ciste iniúchóireacht i ndáil leis na ráitis sin mar atá leagtha síos san Acht Eitlíochta 2001.</p> <p>Tá córas ar bun ag an gCoimisiún d'fhonn an dualgas leabhair chuntais a choinneáil go cuí a chomhlíonadh. Coinnítear na leabhair sin ag an aon oifig amháin atá ag an gCoimisiún.</p>
Pleanáil Straitéiseach agus Chorporáideach	<p>Leagtar amach feidhmeanna agus freagrachtaí an Choimisiúin san Acht um Rialáil Eitlíochta 2001, in Acht na nAerfort Stáit 2004 agus san Acht Eitlíochta 2006.</p> <p>Leagann an Coimisiún plean oibre amach gach bliain do gach réimse feidhme agus sin chun na dualgais faoin reachtaíocht a shásamh agus cuspóirí an Choimisiúin a thabhairt i gcrích. Tugann an Coimisiún tuairisc gach bliain don Aire Iompair faoin modh inar comhlíonadh na feidhmeanna sin le bliain anuas.</p> <p>I bhfianaise an fhógra ón Rialtas i mí Deireadh Fómhair 2009 go ndéanfaí an Coimisiún a nascadh leis an Údarás Iompair Náisiúnta, ní dhearna an Coimisiún, le haontú na Roinne Iompair, plean straitéise 5 bhliana a ullmhú.</p> <p>Tugtar tuairisc táirgeachta an Choimisiúin, mar a éilítear faoi Ráiteas an Rialtais maidir le Rialáil Eacnamaíochta i mí Deireadh Fómhair 2009, in Aguisín 2 leis seo. Tá tacar táscairí feidhmiúcháin buntábhachta (KPI's) sonraithe ag an gCoimisiún; cuireadh tús le sonraí a thiomsú sa bhliain 2011 agus tabharfar tuairisc ina leith sa chéad tuarascáil bhliantúil eile.</p>
Imríteach Cánach	Bíonn cáin le híoc ag an gCoimisiún maidir le ÍMAT, CBL agus Cáin ar Sheirbhísí Gairmiúla. Tá gach tuairisceán cánachais a bhaineann le hábhar curtha isteach ag an gCoimisiún i ndáil leis an mbliain 2010 agus gach coinníoll maidir le cúrsaí cánachais comhlíonta.
CRAI	Tá deimhnithe ag an gCoimisinéir sna Ráitis Airgeadais i leith na bliana 2010 go ndearnadh athbhreithniú ar éifeachtúlacht an chórais maidir le rialáil airgeadais inmheánach. Tá tacar cuimsitheach polasaithe agus gnás oibre ag baint leis an SIFC. Is é an Coimisinéir an tOifigeach Cuntasach chun críche cúrsaí cuntasachta don Oireachtas.
Teacht le is an gCód Cleachtas um Rialachas Comhlachtaí Stáit	Tá glactha ag an gCoimisiún leis an gCód Cleachtas um Rialachas Comhlachtaí Stáit agus déantar dá réir mar atá leagtha amach go mion sa chuid seo de Thuarascáil Bhliantúil na bliana 2010.

Gnóthaí Riaracháin agus Dí

Polasáí Taistil	Déantar de réir mar a éilítear faoi pholasáí taistil an Rialtais.
Leas a nochtadh	Sásaíonn lucht foirne an Choimisiúin a n-éilítear maidir le leas a nochtadh de réir mar atá leagtha síos in altanna 17-19 an Achta um Rialáil Eitlíochta, 2001. Is tar éis comórtas oscailte arna eagrú ag Seirbhís na gCeapachán Poiblí faoi alt 11(4) an Achta um Rialáil Eitlíochta a cheaptar Comhalta den Choimisiún.
Bainistíocht maidir le Riosca	Tá clár riosca á choimeád ag an gCoimisiún a ndéanann lucht bainistíochta sinsearach athbhreithniú air go rialta agus oibrítear i gcomhar leis an gcoiste iniúchta d'fhonn bainistíocht a dhéanamh maidir le cásanna baoil.

FAISNÉIS FAOI CHÚRSAÍ AIRGEADAIS

Tobhach

Foráiltear le hAlt 23 den Acht um Rialáil Eitlíochta, 2001, gur féidir leis an gCoimisiún chun críche na costais a thabhairt isteach a dtéann an Coimisiún iontu go cuí i mbun fheidhmeanna an Choimisiúin faoin Acht rialacháin a thabhairt i bhfeidhm trína ngearrtar tobhach d'fhonn na costais agus speansais mheasta i ndáil le hoibriú an choimisiúin a thabhairt isteach ach gan an t-ollchostas measta sin a shárú. Bíonn an tobhach le híoc ag gnóthais de na haicmí sin a shonraíonn an Coimisiún.

Eisíodh Rialacháin dar teideal "Na Rialacháin fán Acht um Rialáil Eitlíochta 2001 (Tobhach Uimh. 11) 2010" (I.R. Uimh. 611 de 2010) ar an 21 Nollaig chun Tobhach an Choimisiúin don Bhliain 2011 a thabhairt i bhfeidhm.

Ráitis Airgeadais na bliana 2009

Rinne an tArd-Reachtair Ciste agus Cuntas iniúchadh i rith na bliana 2010 ar na ráitis airgeadais i ndáil leis an mbliain 2009 agus cuireadh faoi bhráid an Aire iad d'fhonn a leagan os comhair Thithe an Oireachtais, faoi mar atá dlite faoi Alt 26(b) den Acht um Rialáil Eitlíochta, 2001. Cuireadh na cuntais seo faoi bhráid ar an 12 Eanáir 2011, agus tá siad ar fáil ar an láithreán gréasáin atá ag an gCoimisiún.

Dréacht de Ráitis Airgeadais na bliana 2010

Tá ráitis airgeadais ullmhaithe i ndáil leis an mbliain dar críoch an 31 Nollaig 2010 agus cuireadh iad sin faoi bhráid an Ard-Reachtair Ciste agus Cuntas ar an 1 Márta 2011 d'fhonn go ndéanfaí iniúchadh orthu. Tugtar sliocht as na ráitis sin ar na leathanaigh ina dhiaidh seo.

An Coimisiún um Rialáil Eitlíochta
Cuntas Ioncaim & Caiteachais i leith na bliana dar críoch an 31 Nollaig 2010

Ioncam	Nótaí	2010 €	2009 €
Fáltas ó Thobhach	2 (a)	2,688,105	4,230,849
Táillí Ceadúnais	2 (b)	199,828	245,090
Eile	2 (c)	144,181	233,808
Ollioncam		3,032,114	4,709,747
Aistriú (chuig) / as an gCuntas Caipitil	10	6,706	11,923
Ioncam Glan		3,038,820	4,721,670
Caiteachas			
Tuarastail	4	1,652,445	1,764,669
Costais Phinsin	11 (a)	123,514	128,719
Comhairleoireacht		123,209	484,809
Táillí Dílódóra		(170,771)	148,287
Fógraíocht & Caidreamh Poiblí		81,629	120,871
Taisteal & Cothabháil		8,210	7,013
Comhdhála		16,011	12,981
Oiliúint & Earcaíocht		37,515	29,181
Táille Iniúcháireachta		12,408	12,408
Cuntasaíocht		30,016	23,915
Cothabháil Gnóthaí Gréasáin		16,977	26,387
Cíos		283,363	284,850
Glantachán		13,966	15,229
Leictreachas		9,930	10,852
Cothabháil Oifige		2,797	5,443
Árachas		52,713	54,930
Stáiseanáireacht Oifige		11,929	17,606
Postas & Iompras		3,883	5,765
Teileafón		21,881	25,470
Áisitheoireacht Sceidil Aerfort Bhaile		298,573	299,189
Átha Cliath			
Dímheas		16,574	20,434
Táille Seirbhíse		42,539	41,620
Rátaí		33,002	33,677
Costais Stórála		8,455	9,302
Eile		39,482	22,113
		2,770,250	3,605,721
Farasbarr / (Easnamh) Oibriúcháin	15	268,570	1,115,949
Iarmhéid amhail an 1 Eanáir		1,752,177	636,228
Iarmhéid amhail an 31 Nollaig		2,020,747	1,752,177

Is cuid dílis de na Cuntais Airgeadais seo an Ráiteas faoi Bheartais Chuntasaíochta, an Ráiteas faoi Shreabhadh Airgid agus na Nótaí 1 go dtí 19.

Cathal Guiomard
Coimisinéir

1 Márta 2011

An Coimisiún um Rialáil Eitlíochta
Ráiteas faoi Iomlán an Ghnóthachan Aitheanta agus an Chaillteanais Aitheanta don bhliain dar críoch an 31 Nollaig 2010

	Nótaí	2010 €	2009 €
Farasbarr Oibriúcháin		268,570	1,115,949
An gnóthachan iarbhír lúide an gnóthachan measta ar shócmhainní na scéime pinsin	11 (c)	36,394	161,944
Gnóthachan / (caillteanas) ó thaithí a eascraíonn ó dhliteanais maidir leis an scéim phinsin	11 (d)	129,106	114,755
Athrú i ndáil leis an mbonn tuisceana is bonn le luach reatha na ndliteanas sa scéim phinsin		(210,284)	(45,862)
Gnóthachan / (caillteanas) achtúireachta		(44,784)	230,837
Iomlán an Ghnóthachain / (Chaillteanais) aitheanta maidir leis an mBliain Airgeadais		223,786	1,346,786

Is ionann an cailteanas fabhráithe aitheanta ón ngnóthachan achtúirteachta agus ón gcaillteanas achtúireachta a tháinig i gceist le ceithre bliana anuas agus €93,051.

	2010	2009
Athrú sa Chúlchiste Pinsin	(58,807)	(289,644)
Iarmhéid mar a bhí an 1 Eanáir	(44,784)	230,837
Gnóthachan / (caillteanas) Achtúireachta	(103,591)	(58,807)
Iarmhéid mar a bhí an 31 Nollaig		

Is cuid dílis de na Cuntais Airgeadais seo an Ráiteas faoi Bheartais Chuntasaíochta, an Ráiteas faoi Shreabhadh Airgid agus na Nótaí 1 go dtí 19.

Cathal Guiomard
Coimisinéir

1 Márta 2011

An Coimisiún um Rialáil Eitlíochta
An Clár Comhardaithe amhail an 31 Nollaig 2010

	Nótaí	€	2010 €	€	2009 €
Sócmhainní Seasta					
Sócmhainní Inláimhsithe	5		50,423		57,129
Sócmhainní Reatha					
Cuntais Bainc	6	14,245,493		25,822,851	
Féichiúnaithe	& 7	1,392,834		1,370,529	
Réamhíocaíochtaí					
			15,638,327	27,193,380	
Creidiúnaithe:					
Suimeanna atá dlite taobh istigh d'aon bhliain amháin					
Creidiúnaithe & Fabhrú	8	(294,782)		(562,039)	
Cuntais Bhannaí Airgid	6	(12,772,676)		(23,951,521)	
			(13,067,458)	(24,513,560)	
Sócmhainní / (Dliteanais) Reatha Glan			2,570,869		2,679,820
Iomlán Sócmhainní Iúide Dliteanais Reatha			2,621,292		2,736,949
Soláthar do Dhliteanais agus Muirir	9		(537,539)		(935,430)
Sócmhainní Glan gan Dliteanas Pinsin a Áireamh			2,083,753		1,801,519
Sócmhainn / (Dliteanas) Pinsin Glan	11 (b)		(116,174)		(51,020)
Sócmhainní (Dliteanais) Glan agus Sócmhainn (Dliteanais) Pinsin san áireamh			1,967,579		1,750,499
Arna mhaoiniú trí Farasbarr / (Easnamh) sa Chuntas Ioncaim & Caiteachais			2,020,747		1,752,177
Cuntas Caipitil	10		50,423		57,129
Cúlchiste Pinsin			(103,591)		(58,807)
			1,967,579		1,750,499

Is cuid dÍlis de na Cuntais Airgeadais seo an Ráiteas faoi Bheartais Chuntasaíochta, an Ráiteas faoi Shreabhadh Airgid agus na Nótaí 1 go dtí 19.

Cathal Guiomard
Coimisinéir

1 Márta 2011

An Coimisiún um Rialáil Eitlíochta
Ráiteas faoi Shreabhadh Airgid don bhliain dar críoch an 31 Nollaig 2010

	Nótaí	2010 €	2009 €
Réiteach idir an farasbarr oibriúcháin agus an sreabhadh airgid glan isteach / (amach) maidir le gnóthaí oibriúcháin			
Farasbarr / (Easnamh) maidir le hIoncam & Caiteachas Difríocht idir an Costas Pinsin agus Ranníocaíocht an Fhostóra		268,570	1,115,949
Dímheas	5	20,370	20,159
Ús Bainc		16,574	20,434
Aistriú (as)/ chuig an gCuntas Caipitil		(16,949)	(9,576)
Ísliú / (Ardú) maidir le Féichiúnaithe	5	(6,706)	(11,923)
Ísliú / (Ardú) maidir le Réamhíocaíochtaí	7	(34,405)	(186,703)
(Ísliú) / Ardú maidir le Creidiúnaithe	7	12,100	(17,315)
(Ísliú) / Ardú maidir le Fabhrú	8	(184,940)	(9,455)
(Ísliú) / Ardú maidir le Soláthar	8	(82,317)	(276,688)
	9	(397,891)	355,039
An Sreabhadh Airgid Glan Isteach / (Amach) maidir le Gnóthaí Oibriúcháin		(405,584)	999,921
Ráiteas faoi Shreabhadh Airgid			
An Sreabhadh Airgid Glan Isteach / (Amach) maidir le Gnóthaí Oibriúcháin		(405,584)	999,921
Toradh Infheistíochta			
Ús Bainc		16,949	9,576
Caiteachas Caipitil			
Sócmhainní Seasta a cheannach	5	(9,868)	(8,511)
Maoiniú			
Ardú / (Ísliú) maidir le Cuntais Bannaí Airgid & TPF	6	(11,178,845)	(3,560,005)
Bainistiú ar Shócmhainní Leachtacha (Ardú) / Ísliú maidir le Cistí i dTaisce	6	481,056	(1,009,808)
Ardú / (Ísliú) maidir le hIarmhéideanna Airgid		(11,096,302)	(3,568,826)
Réiteach idir an sreabhadh airgid tirim glan agus gluaiseachtaí sna cistí glan			
Ardú / (Ísliú) maidir le hairgead ar láimh i rith na tréimhse		(11,096,302)	(3,568,826)
Airgead in úsáid chun cur leis na sócmhainní leachtacha	6	(481,056)	1,009,808
Athrú sna Glanchistí		(11,577,358)	(2,559,018)
Glanchistí Tús Bliana		25,822,851	28,381,869
Glanchistí ag Ceann Bliana		14,245,493	25,822,851

Is cuid dílis de na Cuntais Airgeadais seo an Ráiteas faoi Bheartais Chuntasaíochta, an Ráiteas faoi Shreabhadh Airgid agus na Nótaí 1 go dtí 19.

Cathal Guiomard
Coimisinéir

1 Márta 2011

Aguisín 1 – Páipéir de chuid an Choimisiúin in 2010

Aguisín 1 – Páipéir de chuid an Choimisiúin i rith na bliana 2010

CP1/2010 Meitheamh 2010	Comhairliúchán maidir le cinneadh Phainéal Achomhairc Eitlíochta na bliana 2010
CP2/2010 Iúil 2010	Cinneadh an Choimisiúin de bhun chur faoi bhráid Phainéal Achomhairc Eitlíochta na bliana 2010
CP3/2010 Deireadh Fómhair 2010	Uasleibhéal na dTáillí Seirbhíse Críochfoirt Eitlíochta is féidir le húdarás Eitlíochta na hÉireann a ghearradh
CP4/2010 Samhain 2010	Sainmhíniúchán ar an Scipéad Rialúcháin
CP5/2010 Samhain 2010	Comhairliúchán maidir le Cuntais Rialúcháin
CN1/2010 Mí na Nollag 2010	Socruithe beartaithe maidir le Ceadúnais a Thabhairt do Lucht Ghnó an Taistil i rith Earrach na Bliana 2011
CN2/2010 Mí na Nollag 2010	Earrach 2011 Ceadúnais do Lucht Ghnó an Taistil

Aguisín 2 – Tuairisc ar Thorthaí Oibre

Rialúchán maidir le Praghsanna

Cuspóir 2010	Toradh Oibre 2010
<ul style="list-style-type: none"> ➤ Monatóireacht a dhéanamh ar an gcomhlíontas maidir leis na huasteorainneacha praghsanna atá i bhfeidhm 	<ul style="list-style-type: none"> ➤ An Coimisiún sásta gur chloígh IAA agu DAA leis an uasteorainn praghsanna ➤ Foilsíodh tuairiscí DAA maidir le Caighdeán Seirbhíse
<ul style="list-style-type: none"> ➤ Tús a chur leis an bpróiseas maidir le Cinneadh nua i ndáil le táillí ATSC (IAA) sna haerfoirt i mBaile Átha Cliath, i gCorcaigh agus sa tSionainn 	<ul style="list-style-type: none"> ➤ Foilsíodh Páipéar Saincheisteanna i mí Meán Fómhair
<ul style="list-style-type: none"> ➤ Athscrúdú ar an réimeas rialúcháin reatha maidir le haerfort Bhaile Átha Cliath, d'fhonn na réimsí sin, más ann dóibh, ina mbeadh gá le hathrú a shonrú 	<ul style="list-style-type: none"> ➤ Foilsíodh páipéar comhairliúcháin maidir le rogha idir scipéid rialúcháin éagsúla ➤ Foilsíodh páipéar comhairliúcháin maidir le formáid na gcuntas rialúcháin

Leithroinnt sliotán

Cuspóir 2010	Toradh Oibre 2010
<ul style="list-style-type: none"> ➤ Cinntiú go leanann oibriú an réimis sceidealúcháin reatha ag aerfort Bhaile Átha Cliath chomh breá agus a oibríonn 	<ul style="list-style-type: none"> ➤ An próiseas tairisceana maidir le comhordaitheoir sceideal nua a thabhairt chun críche sa dara leath den bhliain
<ul style="list-style-type: none"> ➤ Aon athrú a chuirfí ar an réimeas faoi láthair a mheas a chuirfeadh córas ar fáil a d'fheidhmeadh níos fearr 	<ul style="list-style-type: none"> ➤ Níl aon athrú á bheartú

Ceadúnais d'Aeriompróirí

Cuspóir 2010	Toradh Oibre 2010
<ul style="list-style-type: none"> ➤ Cinntiú go sásaíonn sealbhóirí ceadúnais na coinníollacha faoin reachtaíocht 	<ul style="list-style-type: none"> ➤ Tugadh 2 cheadúnas nua / sínte; rinneadh athbhreithniú maidir le 2 cheadúnas
<ul style="list-style-type: none"> ➤ Tuiscint níos fearr a chothú i measc lucht ceadúnais agus an phobail i gcoitinne maidir le cúrsaí ceadúnais 	<ul style="list-style-type: none"> ➤ Eisíodh dioscaí ceadúnais le hoibritheoirí heileacaptair agus aerárthaigh bhig le cur ar taispeáint
<ul style="list-style-type: none"> ➤ Athrú go dtí próiseas idirlín 	<ul style="list-style-type: none"> ➤ Ar athrú go dtí an bhliain 2011

Láimhseáil ar Dhroim Talún

Cuspóir 2010	Toradh Oibre 2010
➤ Cinntiú go sásaíonn sealbhóirí ceadúnais na coinníollacha faoin reachtaíocht	➤ Tugadh ceadú i ndáil le dhá chomhlacht láimhseála ar a son féin agus 2 chomhlacht láimhseála tríú páirtí
➤ Cinntiú go bhfuil an réimeas maidir le láimhseáil ar dhroim talún in Éirinn ag teacht leis na rialacha agus na rialacháin cuí de chuid an AE	➤ Cuireadh eolas ar fáil don Choimisiún Eorpach

Lucht Tráchtála i gCúrsaí Taistil

Cuspóir 2010	Toradh Oibre 2010
➤ Leanacht den riarachán maidir leis na scéimeanna ceadúnais agus bannaí do chomhlachtaí tráchtála i ngnó an taistil in Éirinn	<ul style="list-style-type: none"> ➤ eisíodh 280 ceadúnas agus tugadh cuairt ar 17 comhlacht d'fhonn an comhlíontas a mheas ➤ íocaíodh maidir le 4,438 éileamh airgid ar luach €4.1m ➤ simplíodh coinníollacha iniúchóireachta agus leasaíodh an próiseas ceadúnaithe
➤ Ullmhú don chur isteach a bheadh ag reachtaíocht de chuid na hEorpa ar fheidhmiú an réimis reatha maidir le gnó an taistil in Éirinn	➤ Níl aon athrú beartaithe

Ceartha Paisinéirí Aeir

Cuspóir 2010	Toradh Oibre 2010
➤ Cur le tuiscint an phobail ar cheisteanna maidir le ceartha paisinéirí aeir	➤ Glacadh páirt san aonach Holiday World Fair san RDS
➤ Cinntiú go leanann aerlínte ag cloí lena leagtar de dhualgas orthu faoi Rialachán CE 261/2004	<ul style="list-style-type: none"> ➤ tháinig 759 gearán, 518 acu do chomhlachtaí forfheidhmiúcháin eile dár leithéid ➤ fiosrúchán maidir le 241 cás, 54 tugtha chun críche ➤ scrúdú cigireachta ar 9 aerfort
➤ Cinntiú go mbíonn an forfheidhmiúchán praiticiúil ar na rialacháin in Éirinn ag teacht le dlí an AE.	➤ Soiléiriú ar chur i bhfeidhm an dlí trí chruinnithe agus comhairliúchán ar leibhéal an AE

Daoine faoi Mhíchumas Luaineachta

Cuspóir 2010	Toradh Oibre 2010
➤ Leanacht ag cinntiú go ndéantar Rialachán CE 1107 a chur i bhfeidhm mar is ceart in Éirinn	➤ fiosrúchán maidir le 2 ghearán
➤ Cinntiú go leanann aerfoirt agus aerlínte ag cloí leis an Rialachán	➤ scrúdú cigireachta ar 5 aerfort
➤ Cinntiú go mbíonn an forfheidhmiúchán praiticiúil ar na rialacháin in Éirinn ag teacht le dlí an AE.	➤ caidreamh le comhlachtaí forfheidhmiúcháin eile agus le Coimisiún an AE

An Coimisiún um Rialáil Eitíochta: Sonraí Áirithe 2001 -2010

	2001 (10 m)	2002	2003	2004	2005	2006	2007	2008	2009	Dréachtfhigiúirí 2010
Costais Foirme	652,469	976,542	1,215,224	1,296,339	1,190,659	1,510,215	1,646,429	1,831,265	1,893,388	1,775,959
Costais Díl	478,376	2,059,381	1,413,076	164,472	626,772	646,145	475,383	638,219	148,287	(170,771)
Costais Eile	1,513,496	853,218	1,329,537	1,426,665	1,925,810	1,699,825	1,664,712	1,174,094	1,564,046	1,165,062
● Iomlán na gCostas (% d'athrú in aghaidh na bliana)	2,644,341	3,889,142	3,957,837	2,887,476	3,743,241	3,856,185	3,786,524	3,643,578	3,605,721	2,770,250
	--	47%	2%	-27%	30%	3%	-2%	8	-1%	-23%
Líon Ball Foirme (CLA)	14	16	16	18	20	20	21	21	20	18
** Ceadúnais Trádála Taisil	70	73	77	76	77	70	74	74	58	58
Tionscnóirí Turais	349	340	34	333	322	301	290	282	246	222
Gníomhairí Taisil										
** Ceadúnais Aeríompróirí	18	18	17	17	17	16	18	18	18	18
** Ceadú Lámhseálaithe ar Dhroim Talún										
Ceadú Féinlámhseála	17	19	23	23	18	15	15	12	12	13
Ceadú an Tríú Páirtí	34	33	37	38	40	41	41	41	41	37
Iomlán	51	52	60	61	58	56	56	53	53	50
*** Gearáin ó Phaisinéirí					249	596	396	413	311	759
Paisinéirí faoi Mhíchumas Luaineachta								4	14	2
Éileamh Lucht Tráchtála Ghnó an Taisil			479	1,607	404	117	1	2,087	4,979	191

Nótaí

* Sonraí airgeadais as Ráitis Airgeadais iniúchta i leith na mblianta 2001-2009 agus dréacht de Ráitis Airgeadais i leith na bliana 2010

** Ceadúnais / cead eisithe faoi dheireadh na bliana

*** Sa bhliain 2005 a tháinig tús le ról an Choimisiúin maidir le gearáin ó phaisinéirí agus sa bhliain 2008 a tháinig tús leis an ról maidir le gearáin ó phaisinéirí faoi mhíchumas luaineachta; baineann sonraí na bliana 2010 leis an tréimse go dtí an tríú ráithe.