



Report on Air Passenger Rights Complaints
for the period 1st January to 30th June 2015

11th November 2015

Commission for Aviation Regulation

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1. Introduction

- 1.1 This purpose of this Report is to provide a brief overview of the air passenger rights complaints received by the Commission for Aviation Regulation (the 'CAR') under EC Regulation No. 261/2004 during the period 1st January to 30th June 2015. The relevant information has been set out in table/graphical form where appropriate.
- 1.2 In accordance with Article 16, the CAR is responsible for enforcing the Regulation as regards;
- Flights departing from airports within the country; and
 - Flights into such airports from third-countries provided these are operated by Community-licensed carriers.
 - Other national enforcement bodies have similar responsibilities in respect of their own Member States.
- 1.3 As of the 6th November 2015, the CAR has concluded its investigation into 97% of the valid complaints received between the 1st January and the 30th June 2015 which fell within its remit.

2. Summary of Valid Complaints Received

- 2.1 The CAR received 2,116 queries during the six month period from 1st January to the 30th June 2015. This figure represents a 3% decrease in the number of queries received during the same period in 2014¹.
- 2.2 Of the 2,116 queries received, 1,696 related to an assortment of baggage, pricing, safety and air carrier policy issues. The CAR responded to each of these queries individually, referring passengers to the appropriate bodies where possible.
- 2.3 The remaining 420 queries constituted valid complaints under the Regulation and therefore required investigation by the appropriate national enforcement body. Table 1 illustrates the breakdown of these 420 complaints in line with the categories set out in the Regulation.

Table 1: Total number of valid complaints received by CAR, Jan-Jun 2015

Origin of flight	Number of complaints	%
Departure from an Irish airport	258	61
Arrival into an Irish airport from a non-EU airport on a Community licensed carrier	61	15
Departure from airport situated in another Member State (or arrival into such an airport from a third country on a Community-licensed carrier)	101	24
Total	420	100

¹ 2,180 queries were received in the same period of 2014.

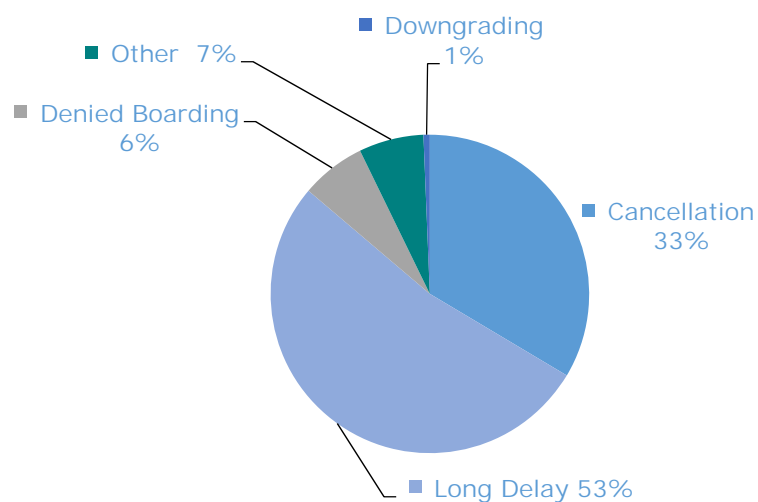
3. Types of Valid Complaints Received

- 3.1 Valid complaints are those which relate to flight cancellations, long flight delays, instances of denied boarding or of downgrading.
- 3.2 Table 2 below provides a breakdown of the 420 complaints received according to these categories.

Table 2: Types of valid complaints received, Jan-Jun 2014

Type of Complaint	Total	Within CAR's remit
Cancellation	145	107
Long Delay	223	168
Denied boarding	26	21
Downgrading	2	2
Other ²	24	21
Total	420	319

Figure 1: Complaints which fell within the remit of CAR



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

4. Resolution of Complaints

- 4.1 As of the 6th November 2015, 97% of the complaints received during the first half of the year which fell within the remit of this Office (308 out of 319) have been concluded.
- 4.2 Of these 308 cases, the final outcomes were as follows³:
- In 28 cases the passengers received either a refund of the cost of their ticket (where appropriate) or reimbursement of expenses incurred as a result of the air carrier's failure to provide the care and assistance set out in Article 9 of the Regulation.
 - In 117 cases the air carrier paid compensation.
 - In 118 cases the air carrier successfully demonstrated that 'extraordinary circumstances' existed and that all reasonable measures to avoid the cancellation/ delay were taken.
 - In 70 cases the complaint was either withdrawn, resolved directly with the air carrier or the infringement was such that no individual redress could be obtained for the passenger⁴.
- 4.3 The CAR is continuing to investigate, and working to conclude, the remaining 11 cases.

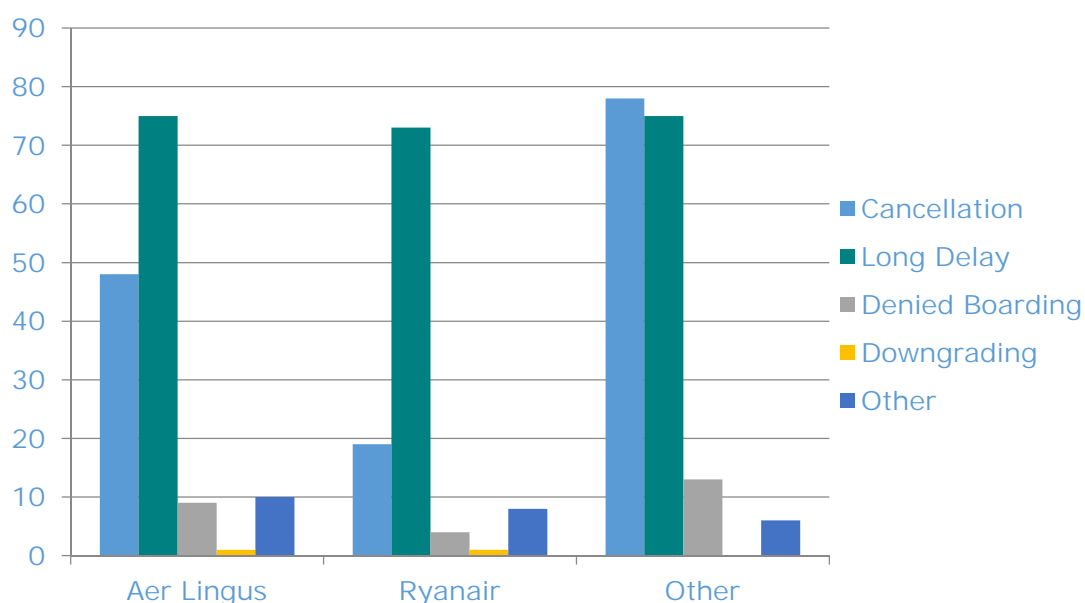
5. Distribution of Complaints by Air Carrier

- 5.1 The CAR received a total of 420 complaints from passengers during the first six months of 2015.
- 5.2 Figure 2 below shows the total complaints against Aer Lingus, Ryanair and an 'Other' category. The 'Other' category refers to all other airlines which were the basis of complaints received by the CAR during this period of time. Complaints were recorded in respect of 39 such air carriers.

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

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

Figure 2: Complaints for Aer Lingus and Ryanair received during H1 2015



6. Complaints referred to other Enforcement Bodies

6.1 Of the total number of complaints received during the first six months of 2015, 101 related either to departures from airports located within other Member States or to arrivals into such airports from third countries on Community-licensed carriers. Responsibility for investigating these complaints lay with the national enforcement body in the Member State in question. In accordance with Article 16, the CAR completed preliminary reviews in respect of these complaints before forwarding them to the appropriate authorities on the passenger's behalf.

6.2 Table 7 below shows a breakdown of these complaints by relevant Member State.

Table 7: Breakdown of complaints by Member State

Country	Total	% ⁵
United Kingdom	22	22
Spain	19	19
Italy	12	12
France	10	10
Germany	10	10
Portugal	7	7
Austria	4	4
Greece	4	4
The Netherlands	3	3
Belgium	3	3
Hungary	2	2
Denmark	2	2

⁵ Percentages have been rounded to the nearest whole number therefore the total may not be exactly 100.

Luxembourg	1	1
Poland	1	1
Sweden	1	1
Total	101	100

7. Conclusions

- 7.1 A full report on the CAR's activities in respect of Regulation 261/2004 during 2015 will be contained in our annual Air Passenger Rights Report which will issue in 2016.
- 7.2 Further information on passenger rights and entitlements in the event of flight cancellations, long delays or instances of denied boarding (and the rights and entitlements of disabled persons and persons with reduced mobility) can be found both on the CAR's general website www.aviationreg.ie and its consumer focused website www.flightright.ie