



Commission for Aviation Regulation Issues Updated Passenger Complaints Figures for 2007

Airlines Commended for Improved Performance

The Commission for Aviation Regulation today (26 June 2008) issued updated figures for complaints received till June 2008 in respect of alleged infringements of Air Passenger Rights under EC Regulation 261 in 2007. The Commission deals with complaints relating specifically to flight cancellations, long delays, denied boarding and downgrading. The full Report is available on the Commission's website, www.aviationreg.ie.

Main Points

- Of the 166 complaints received to date, the number of cases administratively resolved by the Commission has increased from 81 reported in March '08 to 121 by 1 June. This yields a success rate for resolutions of 73%.
- Most airlines have complied with the Final Warning issued by the Commission in November 2007, regarding the need to notify passengers of their rights and appropriate compensation.
- Ryanair remains the most reluctant airline to comply, but much improvement is evident there too. Their website now informs passengers of their rights and that refreshments are being offered free of charge.
- The threat of prosecutions recedes as airlines respond positively to the Commission's enforcement initiatives.
- Treatment of EC Regulation 261 by Ireland sets an example for a blueprint for a successful engagement with carriers elsewhere.

"We're happy to report steady improvement in compliance by most airlines," commented Niall O'Connor, Head of Licensing and Consumer Protection. "Clearly passengers' well-being and satisfaction remain the shared goal of the Regulator and most airlines. While issues remain to be resolved with some airlines, overall we welcome a clear movement in the right direction," he said.

This is a recent EU Regulation, according to O'Connor and challenges remain in the assessment of particular cases, typically in relation to claims by airlines seeking an exemption from paying compensation on the grounds of 'extraordinary circumstances'

He cited an example: *"If a flight departure is delayed out of Cork because the incoming aircraft was itself delayed earlier in the day through weather or technical problems on another sector, airlines might cite this situation as a legitimate 'extraordinary circumstance', which should excuse them from their responsibilities under EC261. While we recognize the difficulty in scheduling for airlines, the Commission has adopted a position that 'extraordinary circumstances' may only be applied to occurrences in the sector in which the delayed or cancelled flight was due to depart," he said.*

Detailed Breakdown

Type of Complaint	Number of complaints	%
Cancellation	97	58%
Long delay (i.e. greater than 2 hours)	42	25%
Denied boarding	10	6%
Downgrade	3	3%
Other	14	8%
Total	166	100%

Resolution of Complaints	no.
Compensation paid by airline	30
Extraordinary Circumstances Proven	27
Infringement noted	25
Offer by airline accepted	15
Refund given	24
Total	121

Complaints by Airline	no.	Complaints by Airline	no.
Air Europe	1	Futura	2
Air France	1	Gulf Air	2
British Airways	3	Globespan	20
BMI	2	KLM	1
Flybe	5	Air Malta	1
Centralwings	4	LTU	1
Dubrovnik Airlines	1	Malev	1
Delta	13	CSA- Czech Airlines	1
Eurocypria	1	Aer Arann	2
Aer Lingus	30	Sata International	3
First Choice Airways	1	TAP Portugal	2
Flightline	7	BMI Baby	3
Ryanair	54	Clickair	4

Airline	Total complaints	Total passengers at 7 airport	Complaints per million passengers per annum carried
Aer Lingus	25	9,700,439	2.58
Ryanair	55	12,082,309	4.55
Other*	69	9,392,891	7.35
Total	149	31,175,639	

* The "Other" category refers to the complaints received by the Commission for all other airlines at the seven airports apart from Aer Lingus and Ryanair.

In conclusion, Mr O'Connor accepted that much progress had been made. *"As well as the complaints detailed here today, we also dealt with nearly 1,500 other enquiries regarding passenger rights."* He added that there was still much to do: *"While passenger awareness of their rights and how to pursue them is clearly increasing, there is still a need to raise it further. The Commission looks forward to working with the airlines and other agencies to develop strategies which can achieve this"*.

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Note to editors:

Niall O'Connor and members of the team in Licensing and Consumer Protection will be available to clarify these figures or the issues surrounding them from approximately 2.00pm to 4.30pm this afternoon (Thursday 26 June).

Otherwise, for further information, contact
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