



Consultation

On

Strategic Plan 2020

Commission Paper 01/2020

14th February 2020

Commission for Aviation Regulation

6 Earlsfort Terrace

Dublin 2

Ireland

Tel: +353 1 6611700

Fax: +353 1 6611269

E-mail: info@aviationreg.ie

CONTENTS

1. Introduction	3
2. About the Commission for Aviation Regulation	4
3. Mission and Strategic Goals	5
4. Efficient, High-Quality Safety Conscious Airport and Air Navigation Services .	6
5. Safe and Financially Robust Airlines and Groundhandlers.....	8
6. Financially Strong Travel Agents and Tour Operators	9
7. Robust Framework to Enforce Passenger Rights	10
8. Regulation that Represents Best International Practice.....	11
APPENDIX 1:	12
ASSESSMENT OF PERFORMANCE IN MEETING STRATEGIC GOALS 2017-2019 ..	12
APPENDIX 2:	24
ORGANISATION STRUCTURE	24

1. Introduction

In March 2017 we issued a Strategic Plan for the period 2017-2019. Since we published our Plan, there have been several developments in the area of regulatory reform. In 2018, the Government made a decision to separate the Irish Aviation Authority's (IAA) regulatory functions from its commercial air traffic control services. The objective of the Government's reform initiative is to create a single national aviation regulator responsible for economic, safety and security regulation by merging the Commission for Aviation Regulation with the Irish Aviation Authority Safety Regulation Division (IAA SRD) and separately a sole commercial air traffic control service. We will continue to work with the Department of Transport, Tourism and Sport and the IAA in 2020 to achieve this objective.

In June 2019, the Minister for Transport, Tourism and Sport published the General Scheme of the Air Navigation and Transport Bill 2019, which was approved by Government. Government has prioritised the formal drafting of the legislation giving formal, legal effect to the restructuring of the IAA and the Commission – which is currently being drafted by the Office of the Attorney General.

In support of the practical arrangements currently being undertaken, the Department has notified the EU Commission of the transfer of responsibility for Ireland's Single European Sky's National Supervisory Authority's economic regulatory functions from the IAA to the Commission, as and from the 1st January 2020.

Against this background, we have decided to extend our existing three-year Strategic Plan by one year to coincide with the establishment of Ireland's new civil aviation regulator. In 2020, we plan to work with the Safety Regulation Division of the IAA to put in place a Strategic Plan for the new Irish Aviation Authority.

In this consultation paper, we do not intend to review the strategic goals and objectives included in our 2017-2019 Strategic Plan. Rather we propose to add to our Strategic Plan, as required, to take account of additional responsibilities that we have taken on or expect to take on during 2020. Appendix 1 summarises how we performed in meeting our strategic goals for the period 2017-2019 and Appendix 2 sets out our current organisation structure.

This is a consultation paper and interested parties are invited to provide comments by: 5pm on Friday 28th February 2020. All responses will be published in full on our website.

Responses and submissions to this paper should be marked as a response to the **Strategic Plan** and forwarded to:

Commission for Aviation Regulation
6 Earlsfort Terrace
Dublin 2
D02 W773
Email: info@aviationreg.ie

2. About the Commission for Aviation Regulation

The Commission for Aviation Regulation regulates certain aspects of the aviation and travel trade sectors in Ireland. It was established on the 27th February 2001 under the Aviation Regulation Act, 2001. It is an independent public body under the auspices of the Department of Transport, Tourism and Sport and is accountable to the Houses of the Oireachtas.

We set the maximum level of airport charges at Dublin Airport. Dublin Airport is subject to economic regulation because it has significant market power in the Irish airport market. This means that if there is no price regulation, Dublin Airport can set the prices that it charges to airlines at levels that are higher than necessary. This is true for any company that has significant market power. Our role is to set a price which mirrors what might be charged competitively thus protecting the interest of users of the airport. We also ensure that the infrastructure and services provided meet the needs of the users. The charges collected by the airport are passed through to passengers by the airlines, as part of the price of their ticket.

We are responsible for discharging Ireland's responsibilities for schedule coordination/slot allocation at Irish airports and appointing, where necessary, a schedules-facilitator/slot-coordinator. Dublin Airport is the only coordinated airport in Ireland. This means that more airlines than can be accommodated want to fly out of Dublin Airport at the same time. We appoint a coordinator to decide at what time each airplane can take off or land. A company called Airport Coordination Limited currently carries out this function at Dublin Airport.

The Commission licenses the travel trade in Ireland. Tour operators and travel agents apply each year and we issue them with licences when they meet certain criteria. We also administer a bonding scheme and a travellers' protection fund; allowing us to reimburse eligible travellers in the event of a collapse. The Commission is also responsible for licensing Irish-based air carriers in accordance with EU legislation and approving groundhandling operations at Dublin, Shannon and Cork Airports.

We have a significant role to play in addressing complaints against airlines and airports in Ireland. We are the agency you contact if you have been denied boarding, have been downgraded or if your flight has been cancelled or delayed. When necessary we will forward your complaint to another regulator, as we can only deal with airlines flying out of Ireland or EU airlines flying directly into Ireland from somewhere outside Europe. In addition, we work to ensure that people with disabilities or reduced mobility are offered the same opportunities for air travel comparable to those of other citizens at all Irish airports. To this end we deal with queries and complaints where an airline has refused to allow a passenger on board. We also set out what assistance these passengers should expect from airports and airlines. Finally, we look at compensation for lost or damaged wheelchairs, mobility equipment or assistive devices.

In addition to the above functions, from 1 January 2020 the Commission has been appointed a National Supervisory Authority for the Single European Sky regulation with responsibility for the economic regulation of the IAA Air Navigation Service Provider (ANSP).

During 2020, we may also acquire functions in relation to monitoring the transparency of airline prices and consumer protection arrangements for packages that do not involve a travel component (as defined in the Package Travel Directive (EU) 2015/2302).

3. Mission and Strategic Goals

We propose to extend our existing 2017-2019 Strategic Plan by one year to allow the Commission and the Safety Regulation Division of the IAA develop a Strategic Plan for the new civil aviation regulatory authority effective from 2021. Consequently, we do not intend to review or revise our mission and strategic goals for 2020.

In 2020, we propose that our mission remains to protect the interests of air passengers by continuing to focus on delivering five strategic goals:

- ❖ Efficient, high-quality and safety conscious airport services
- ❖ Safe and financially robust airlines based in Ireland and groundhandlers at the three state airports
- ❖ Financially strong Irish travel agents and tour operators
- ❖ A robust framework to enforce passenger rights in all Irish airports
- ❖ A regulatory framework that represents best international practice

In addition to the above the Department has appointed the Commission as a National Supervisory Authority for the Single European Sky regulation with responsibility for the economic regulation of the IAA Air Navigation Service Provider (ANSP).

As before, we plan to achieve our strategic goals while striving for the best use of resources, value for money and operating under strict corporate governance arrangements. We will monitor our performance against this plan at the end of this year and include a commentary in our 2020 annual report.

4. Efficient, High-Quality Safety Conscious Airport and Air Navigation Services

The table below summarises how we intend to prioritise our work to meet our strategic goals in 2020. It also provides suggested KPIs against which to measure our performance.

Objective	2020 Priorities	Key Performance Indicator
Set efficient charges at Dublin airport.	Engage with the appeals panel established to review aspects of the 2019 Determination, review its recommendations and confirm or amend our 2019 Determination as appropriate.	Consult on and publish a decision on any referral received.
	Monitor the price cap relating to the revenue per passenger that daa can collect from airport charges at Dublin Airport.	Publish price cap statements.
	Ensure compliance with the European Airport Charges Directive, which sets out minimum standards in relation to consultation and non-discrimination.	Publish evaluation of the annual consultation in the 2020 Annual Report.
	Regulate and monitor the cost-efficient provision of capital projects.	Publish quarterly reports on progress against timelines made by Dublin Airport on projects approved in 2018 and the 2019 Determination, and project expenditure.
	Monitor compliance of airport charges and quality of service measures at Dublin Airport.	Publish quarterly results in relation to the 22 quality of service targets.
Increase stakeholder involvement in decision-making.	Encourage increased level of consultation on charges and infrastructure.	Implement the Stage Gate process for capital investment projects. Publish a decision on guidelines for annual consultations on airport charges.
Promote competition and facilitate new entry	Declare slot-coordination parameters at Dublin Airport.	Conduct analysis and engage with stakeholders on approach we should take in declaring the capacity of the new runway. Publish slot parameter decisions for Winter 2020 and Summer 2021.
	Enforce sanctions for airlines misusing a slot.	Report slot misuse sanctions.

Assess the cost efficiency targets of the	Monitor compliance of en route and terminal charges for 2019 (Reference Period 2)	Conduct analysis and comply with monitoring obligations.
Performance Plans under the Single European Sky Scheme	If the performance plan is referred back to the Commission by the EC, revise the performance plan for 2020-2024 (Reference Period 3)	Conduct analysis, engage with stakeholders, and prepare a revised performance plan if required.

5. Safe and Financially Robust Airlines and Groundhandlers

The table below summarises how we intend to prioritise our work to meet our strategic goals in 2020. It also provides suggested KPIs against which to measure our performance.

Objective	2020 Priorities	Key Performance Indicator
Operate an efficient licensing system	Deliver the remainder of the recommendations arising from a 2018 Audit of our Licensing processes in order to ensure the most efficient Licensing system.	Implementation of the recommendations identified.
	Work closely with the IAA and the relevant stakeholders in relation to how the implementing rules for the safe provision of groundhandling services under the new EASA Regulation will align with the with the existing CAR Approval process in place.	Develop guidelines and enforcement process for non-compliance
	Continue to work with airports to develop a more robust regulatory framework to support groundhandler compliance with Rules of Conduct.	Delivery of items identified to ensure appropriate enforcement compliance with the Rules of Conduct.
	Continue to engage with licence holders and stakeholders in the context of licensing and approval implications as a result of Brexit.	Continuation of compliance with licensing requirements by licence holders.
	Strengthen arrangements with European colleagues to underpin air carrier monitoring	Enter into cooperation agreements with relevant parties.

6. Financially Strong Travel Agents and Tour Operators

The table below summarises how we intend to prioritise our work to meet our strategic goals in 2020. It also provides suggested KPIs against which to measure our performance.

Objective	2020 Priorities	Key Performance Indicator
Implement requirements of the Transport (Tour Operators and Travel Agents) Act, 1982 and the Package Holidays and Travel Trade Act, 1995.	Continue to work closely with stakeholders to implement all necessary arrangements and ensure industry's understanding of these requirements. Improve CAR's understanding of the market.	Number of entities visited. Number of industry meetings.
	Ongoing review of current processes and procedures.	
	Issue licences in accordance with Irish legislation.	Percentage of applicants responded to in 7 days. Percentage of decision in principle letters issued. Number of licenses issued within 2 weeks.
	Monitor security arrangements that are in place.	Continue to apply monitoring regime.
Provide adequate protection to the travelling public.	Implement current legislative insolvency measures.	Implement arrangements.
	Work with the Department of Transport, Tourism and Sport to strengthen consumer protection arrangements.	Input to policy developments and implement any necessary new arrangements.
	Investigate cases of alleged illegal trading.	Report on cases investigated.

7. Robust Framework to Enforce Passenger Rights

The table below summarises how we intend to prioritise our work to meet our strategic goals in 2020. It also provides suggested KPIs against which to measure our performance.

Objective	2020 Priorities	Key Performance Indicator
Deal with passenger complaints efficiently, effectively and fairly	Initiate investigations in a timely manner.	Preliminary review of complaints within one week - target 85%.
	Pursue investigations with airlines in line with agreed response timeframes.	80% of investigations completed within 3 months. 95% of investigations completed within 7 months.
	Issue directions where airlines do not comply.	
	Inspect Irish Airports for compliance with both regulations.	100% of relevant airports in any given year.
Increase the travelling public's awareness of their rights	Develop and implement communications plan.	Implement communications plan.
Work to ensure greater industry compliance with the regulations, to reduce the volume of complaints requiring our intervention	Develop and implement plan for inspections, enforcement actions, visits and meetings.	Implement plan.

8. Regulation that Represents Best International Practice

The table below summarises how we intend to prioritise our work to meet our strategic goals in 2020. It also provides suggested KPIs against which to measure our performance.

Objective	2020 Priorities	Key Performance Indicator
Operate efficient and fit-for-purpose systems	Review and modify systems and processes to deliver best practice performance and customer service.	Collaborate with our colleagues in SRD to develop a digital platform that underpins best practice customer experience and service.
Consult effectively with stakeholders	Continue to develop and implement communication plans to ensure we consult widely and in a timely fashion.	Implement communications plan.
Maintain a Skilled and Motivated Staff	Continue to align and deliver on learning and development actions in support of our Strategic Plan	Track Learning and Development Plan on a monthly basis.
	Following on from our review of organisation resilience, implement the 2 nd phase of our work force plan.	Resources in place by Quarter 3
Adopt regulation that represents best international Practice	Actively participate in the Thessaloniki Forum of European Airport Charges Regulators and the evaluation of the Airport Charges Directive	Contribute to setting guidelines for a better application of the Airport Charges Directive.
	Actively participate in the NSA Coordination Platform (NCP) that seeks a better implementation of the Single European Sky (SES).	Contribute to 1) EU discussions of relevant issues and solutions, 2) the identification of best practices to implement the SES and 3) the provision of mutual expert assistance between NSAs.

APPENDIX 1:

ASSESSMENT OF PERFORMANCE IN MEETING STRATEGIC GOALS 2017-2019

STRATEGIC GOAL – DELIVERY OF EFFICIENT, HIGH-QUALITY AND SAFETY COUSCIOUS AIRPORT SERVICES

Set efficient charges at Dublin Airport

Action	Outcome
Set a price cap for Dublin Airport for the next regulatory period 2020-2024.	<p>In October 2019, we set the maximum level of airport charges at Dublin Airport for the period 2020-2024.¹ The price cap should allow Dublin Airport collect €1.4bn from airport charges over five years and further estimate that Dublin Airport will collect €1.4bn in commercial revenues. We have made allowances for €2.3bn in capital investment in the period. Our decision followed two public consultations that allowed interested parties to make submissions. In April 2018, in our Issues Paper we sought comments about the regulatory policies, methodologies and data sources that we should use;² and in May 2019, in our Draft Determination we consulted on our detailed price cap proposals.³ The 2019 Determination was ultimately informed by:</p> <ol style="list-style-type: none">1. Five submissions received in June 2018 on the Issues Paper.2. The regulatory proposition and final capital investment programme of Dublin Airport received in February 2019.3. The National Policies that the Department of Transport Tourism and Sports notified us in July 2018⁴.4. Thirty-eight submissions received in July 2019 on the Draft Determination.5. Extensive stakeholder engagement in addition to written submissions.6. Our direct engagement with passenger representatives, from November 2018 to June 2019, through the newly formed Passenger Advisory Group⁵

¹ www.aviationreg.ie/fileupload/2019%20Determination/Final%20Determination/2020-2024%20Determination.pdf

² www.aviationreg.ie/fileupload/2019%20Determination/2018-04-30%20CP7%20Issues%20Paper.pdf

³ www.aviationreg.ie/fileupload/2019/Draft%20Determination/2020-2024%20Draft%20Determination.pdf

⁴ www.aviationreg.ie/fileupload/2019%20Determination/2018-07-23%20FT%20to%20CM%20re%202019%20Determination.pdf

⁵ www.aviationreg.ie/regulation-of-airport-charges-dublin-airport/passenger-advisory-group.874.html

Regulate and monitor the cost-efficient provision of capital projects, in particular the North Runway project, giving incentives for Dublin Airport to operate efficiently and sustainably to the benefit of current and future users.

In the 2019 Determination, we introduced three new mechanisms to regulate and monitor the cost-efficient provision of capital projects.

1. We included financial incentives to encourage Dublin Airport to deliver, as planned and on time, 8 major capital projects proposed for 2020-2024 which are worth €859m. If Dublin Airport does not proceed with these proposed projects the price cap is reduced.
2. We introduced Stage Gate which is a process designed to ensure business cases and project scope for key projects, worth €1.3bn, remain optimal as design and costings become more certain.
3. We committed to publish quarterly reports on the progress made by Dublin Airport in delivering the capital investment programme for 2020-2024 against scheduled timelines and spending levels. This builds on the current reporting of project delivery of the supplementary capital expenditure allowances explained below.

In 2017-2019, we reviewed and amended the 2014 Determination twice. In 2018, we made a supplementary capital expenditure (capex) allowance and, in 2017, we amended the regulatory treatment of the north runway.

[Amendment due to Supplementary Capex Allowance](#)

In June 2018, we reviewed and amended the 2014 Determination to allow for a supplementary capex allowance in relation to 23 projects totalling €269.3m. This is the first time that we used the supplementary capex allowance process which we introduced in December 2016 to allow Dublin Airport more flexibility to deal with unexpected circumstances within determination periods.⁶ The €269.3m allowance relates to the delivery of stands (51%), taxiways (31%) and passenger processing projects (19%).⁷ Our decision allowed Dublin Airport to respond more effectively to the unexpected passenger growth experienced within the 2015-2019 determination period.⁸

We also introduced quarterly reporting on the progress made by Dublin Airport in delivering each capital project. We have published the quarterly reports since Q2 2018. Our June 2018 decision was informed by a public consultation on our draft decision which we published in February 2018.⁹ The draft decision considered the formal request for a supplementary capex allowance that we received from Dublin Airport in December 2017.¹⁰ The request from Dublin Airport reflected the consultations that the airport held with users in October 2017 on proposed capital projects to address capacity issues.

	<p><u>Amendment due to North Runway Treatment</u></p> <p>In 2017, we reviewed and amended the 2014 Determination to better align the timing for remuneration of the North Runway with the scheduled delivery of the project. As a result, Dublin airport will start to recover the bulk of costs, approximately €210m, when the runway is operational.¹¹</p>
<p>Continually monitor the compliance of airport charges, as well as fees charged to airlines for passengers with reduced mobility and the quality of service measures at Dublin Airport.</p>	<p>We gave notice of the provisional price cap for the following year and assessed if Dublin Airport complied with the price cap of the previous year.¹² In 2017-2019, we published quarterly results of quality of service monitoring in relation to security queue times, baggage handling facilities and passenger survey results.¹³ Dublin Airport breached the security queue target 1 day in 2017 and 4 days in 2018. Dublin Airport met all targets in 2019.</p>

⁶ www.aviationreg.ie/fileupload/supplementary%20capex%20decision/2016-12-09%20Decision%20on%20process%20for%20supplementary%20capex%20allowances.pdf

⁷ www.aviationreg.ie/regulation-of-airport-charges-dublin-airport/compliance-papers.123.html

⁸ www.aviationreg.ie/fileupload/PACE%20final%20decision/Final%20Decision%20Final%20Draft.pdf

⁹ www.aviationreg.ie/fileupload/PACE%20Draft%20Decision/2018-02-20%20Draft%20Decision%20final%20draft.pdf

¹⁰ <https://www.aviationreg.ie/fileupload/PACE/20180118%20DAP%20PACE%20Submission%20to%20CAR%20corrected.pdf>

¹¹ www.aviationreg.ie/fileupload/Decision%20MASTERCOPY%202017-04-28.pdf

¹² www.aviationreg.ie/regulation-of-airport-charges-dublin-airport/compliance-papers.123.html

¹³ www.aviationreg.ie/regulation-of-airport-charges-dublin-airport/quality-of-service-.820.html

Increase stakeholder involvement in decision making

Action	Outcome
Put in place a framework to encourage an increased level of consultation on airport charges and new infrastructure.	In December 2018, we chaired four days of consultation meetings between Dublin Airport and users on the capital investment programme for 2020-2024. In October 2017, we facilitated Dublin Airport consultations with users on the proposed capital projects to address capacity issues through a supplementary capital expenditure process. In 2017 and 2018, we set out guidance which we expect Dublin Airport and airlines to follow for the annual consultation on the charging strategy of airport charges. We have observed and evaluated the annual consultations on airport charges in compliance with our role as the Irish Independent Supervisory Authority under the Airport Charges Directive.
Examine how to better engage the passenger in the regulatory process.	In 2018, we formed a Passenger Advisory Group ahead of the 2019 Determination. This group provided advice on how passenger priorities should be addressed by the quality of service targets and relevant capital investment projects. The Group was formed following our December 2017 decision that set out the rules governing the Group. ¹⁴ Our decision was informed by an examination of how other regulators have sought to improve consumer representation which fed into high-level proposals for our own regulatory framework, published in April 2017 and workshops with various passenger representative groups, government agencies, industry bodies, Dublin Airport and airlines conducted in May 2017.

¹⁴ www.aviationreg.ie/fileupload/2017/17-12-21%20Decision%20Passenger%20Representation.pdf

Promote competition and facilitate new entry into relevant markets

Action	Outcome
Declare slot coordination parameters at Dublin Airport in a way that makes best use of available infrastructure.	In the period 2017-2019, we declared the coordination parameters for each Winter and Summer scheduling season in line with the IATA timeline for slot coordination. Overall, we allowed for targeted, incremental increases in the number of aircraft which can operate at Dublin Airport. ¹⁵ In September 2018, we approved the “Local Guideline 1” that allows certain time critical operations at Dublin Airport be allocated a slot above normal parameters. ¹⁶ In March 2018, we published a full capacity assessment of Dublin Airport that has since assisted us in declaring slot coordination parameters. ¹⁷ In January 2018, we published a timeline to guide the extensive engagement required during the decision-making process for the biannual declaration of coordination parameters at Dublin Airport. ¹⁸
Engage an independent slot-coordinator at Dublin Airport.	In 2017, we appointed Airport Coordination Limited (ACL) as the Dublin Coordinator from October 2017 to 2020, with the option to extend to 2022.
Enforce sanctions against Airlines operating without a slot at Dublin Airport.	In 2017, we strengthened the implementation guidelines for the Irish Slot Sanctions Scheme. ¹⁹ We aimed to provide additional financial and reputational slot adherence incentives for operators, as well as further transparency to the regime. We issued one sanction in 2019 for operating without a slot and one in 2018 for repeated slot misuse.
Ensure that Access to Installation fees charged to Groundhandlers are relevant, objective, transparent, and non-discriminatory.	In the period 2017-2019, we updated fees, as required, according to new parameters such as the consumer price index and up-to-date passenger forecasts.

¹⁵ www.aviationreg.ie/slot-allocation/schedules-facilitation/documents-slots.244.html

¹⁶ www.aviationreg.ie/fileupload/S19%20Final%20Parameters/Final%20Decision_S19%20Parameters.pdf

¹⁷ [www.aviationreg.ie/fileupload/Helios%20capacity%20assessment%20workstream%202/P2410D008_Final_Report_v1_5_1%20\(clean\).pdf](http://www.aviationreg.ie/fileupload/Helios%20capacity%20assessment%20workstream%202/P2410D008_Final_Report_v1_5_1%20(clean).pdf)

¹⁸ www.aviationreg.ie/fileupload/coordination%20parameters%20timeline%20consultation/Decision%20on%20timeline_%20for%20future%20capacity%20decisions.pdf

¹⁹ [www.aviationreg.ie/fileupload/Slot%20sanctions%20guidelines%20review-%20Oct%202017/Final%20Decision%20Slot%20Sanctions%20Guidelines%20\(with%20appendix\)\(1\).pdf](http://www.aviationreg.ie/fileupload/Slot%20sanctions%20guidelines%20review-%20Oct%202017/Final%20Decision%20Slot%20Sanctions%20Guidelines%20(with%20appendix)(1).pdf)

STRATEGIC GOAL – SAFE AND FINANCIALLY ROBUST AIRLINES AND GROUNDHANDLERS

Operate an efficient process for licencing airlines and ground handlers

Action	Outcome
Continue to be effective by keeping our systems and internal processes under review.	Audit on the current processes and structures in place for licensing completed in 2018.
Review timelines for responses, processes for licence issue, reviews, renewals, withdrawals or revocations.	Internal review completed and improvements implemented.
Further coordinate processes with the IAA in our respective roles of issuing licences to airlines and review our information-sharing arrangements.	Increased interaction with IAA in relation to our respective roles. The draft Memorandum of Understanding superseded by the regulatory reform work.
Explore how relevant ground-handling objectives could be most efficiently achieved at Irish airports within the scope of the existing legislative and regulatory frameworks.	A new escalation process has been agreed with Airports to improve monitoring arrangements and enforcement of compliance with the Rules of Conduct.

STRATEGIC GOAL – FINANCIALLY STRONG TRAVEL AGENTS AND TOUR OPERATORS

Implement requirements of the Package Travel Directive

Action	Outcome
<p>Determine changes to be made to current regulatory arrangements in order to comply with the 2015 Package Travel Directive.</p>	<p>Directive (EU) 2015/2302 on package travel and linked travel arrangements was transposed into Irish legislation by the Minister for Transport, Tourism and Sport through Statutory Instruments 80 and 105 of 2019, signed on 11th March 2019 and 26th March 2019, respectively.</p> <p>The Commission issued updated guidance on the regulatory requirements in May and October this year. This has brought about many changes to the regulatory regime and the Commission has engaged with the industry on an ongoing basis on these requirements. Only Irish established businesses can now be licensed and only for the elements of their business that still meet the definition of overseas travel contract under the Transport (Tour Operators and Travel Agents) Act, 1982. For businesses that have sales that do not meet this definition but for which they do need to provide security under the updated 1995 Act, the Commission has agreed that a suitable insurance policy be put in place for this exposure.</p> <p>For businesses that are not licensed but who do need to either inform/provide evidence to the Commission, we have put processes in place for this. We have met with 50 businesses during the year and have used these meetings to focus on explaining the new requirements.</p> <p>We have also presented to the industry, detailing the regulatory changes, at the ITAA annual conference.</p>
<p>Identify options and implement any changes that need to be made.</p>	<p>We have updated our forms to take account of new requirements e.g. new form for entities who are not applying for a licence. We have agreed policy wordings with insurance providers to cover exposure not included in the definition of an overseas travel contract. We have worked on updating our website to reflect the new requirements with a view to this going live in Q1 2020.</p>

Provide adequate protection to the travelling public

Action	Outcome
Review travel protection arrangements.	<p>We published a report setting out our advice to the Department of Transport, Tourism and Sport in relation to travel trade consumer protection measures. This concluded our consultation with industry on the adequacy of consumer protection arrangements in place.</p> <p>In the second phase of this work (undertaken in 2019) we met with industry in May when we held a workshop to discuss the various options emerging. We published an interim report, for consultation, in August. We received 15 responses to the consultation paper. We issued the final report and responses received alongside our advice paper.</p>
Some Irish established companies sell holidays to customers without having the necessary licence in place. If such a company were to collapse, its customers are not protected by our scheme. We will continue to review our internal processes for monitoring the sector so that we can effectively investigate such activities.	We investigated 11 cases of possible illegal trading during the year and settled any claims outstanding from business failures in 2018.

STRATEGIC GOAL – ROBUST FRAMEWORK TO ENFORCE PASSENGER RIGHTS

Deal with passenger complaints efficiently, effectively and fairly

Action	Outcome
Review our complaint-handling processes, investigating opportunities to reduce volume of queries that fall outside our remit.	<p>In mid-2018 we made changes to the complaint system to make it more difficult to submit invalid (non-function, non-Irish) complaints using the online form for EC261/2004. This has increased the number of invalid complaints being submitted using the form for EC1107/2006 but has reduced overall the volume of non-relevant complaints being submitted.</p> <p>We made some small changes to the information on our websites and the means by which complaints can be submitted which help to ensure that passengers are better informed before submitting a complaint. We have also been engaging actively with other National Enforcement Bodies, industry and other interested agencies (e.g. ECC, Citizens Advice and CCPC) to ensure that they are providing accurate information.</p> <p>In 2019, we undertook a six-month project (involving a team of full-time temporary staff) to investigate and eliminate our backlog of cases. This was successful and we can now start investigating new complaints shortly after we receive them.</p>

Increase the travelling public's awareness of their rights

Action	Outcome
Develop a communications plan, including a review of our websites, to increase awareness of air passenger rights.	Our primary focus has been on industry (airports and airlines) and specific audiences, primarily those to whom EC 1107/2006 is relevant. We plan to do more work on our communications plan in 2020.

STRATEGIC GOAL - REGULATION THAT REPRESENTS BEST INTERNATIONAL PRACTICE

Operate efficient and fit-for-purpose systems

Action	Outcome
Review licensing systems to make sure that they remain up-to-date and represent best practice.	We have carried out a review and streamlined/simplified travel trade, air carrier and groundhandling processes. We have also undertaken some preparatory work to move to a digital processing system as part of the regulatory reform project.
Benchmark ourselves to ensure we are using best practice in enforcing passenger rights, promoting their rights and ensuring airline compliance.	We have made system and process changes and together with additional resource allocation we have reduced claims processing to within KPI limits and removed backlogs. This has allowed an increase in compliance visits.

Consult effectively with stakeholders

Action	Outcome
Develop and implement a formal communications plan.	Effective communication plans were carried out with respect to travel trade collapses, repatriation of passengers from abroad and airline cancellations leveraging all media channels.
We will continue to engage with regulators and industry both nationally and internationally to improve our regulatory practice.	We have initiated and will continue to collaborate both nationally and internationally with aviation and consumer regulators together with stakeholder groups in order to ensure continuous improvement in delivering fit for purpose regulatory practice.
Actively participate in the Thessaloniki Forum of European Airport Charges Regulators.	In 2017-2019, the Thessaloniki Forum of European Airport Charges Regulators adopted six guidance reports written by working groups of the Forum. Out of the six reports, we contributed to drafting three reports and chaired the remaining three. We contributed to drafting: two reports on market power assessments, published in 2017, and one report on benchmarking of airport charges, published in early 2020. We chaired three reports: 1) the use of criteria in economic regulation of airports and 2) non-discrimination under the Airport Charges Directive, published in 2018 and 3) remedies available to regulators, published in early 2020.

<p>Develop best practice approach to regulatory policy in preparation for our 2019 Determination.</p>	<p>We developed and implemented the following best practices ahead of the 2019 Determination:</p> <ul style="list-style-type: none"> • We included financial incentives to encourage Dublin Airport to deliver, as planned and on time, 8 major capital projects proposed for 2020-2024 which are worth €859m. • We introduced Stage Gate which is a process designed to ensure business cases and project scope for key projects, worth €1.3bn, remain optimal as design and costings become more certain. • We introduced a passthrough mechanism for particular operational costs which we consider to be largely outside the control of Dublin Airport and subject to uncertainty, such as rates or particular regulatory charges. • We formed a Passenger Advisory Group in 2018 which provided us with advice on how passenger priorities should be addressed by the quality of service targets and relevant capital investment projects. • We engaged extensively with stakeholders in relation to the 2019 Determination, both by means of public consultations and follow-up meetings with stakeholders.
<p>Keep up to date on developments and provide information to stakeholders in a timely manner.</p>	<p>Ongoing</p>
<p>Publish a strategic plan for the period 2017 to 2019.</p>	<p>Our Strategic Plan was published on 7th April 2017</p>
<p>Review our websites.</p>	<p>We have deferred refreshing our website because we plan to develop a single website for the new aviation regulator in 2020.</p>

Maintain a Skilled and Motivated Staff

Action	Outcome
Align resource education and development plans with this strategic plan.	Organisational development and organisation wide programmes support the Strategic Plan.
Put in place a training plan for staff development based on an analysis of the skill and competency requirements of CAR.	We publish a learning and development plan on an annual basis to meet personal and organisational needs in support of the Strategic Plan and monitor its implementation monthly.
Continue to use our Performance Management Development System to ensure best business practice together with facilitating individual and organisational education and development needs identification.	We continue to use PMDS as an effective method for goal setting, identification of development needs, interim and full year performance review to facilitate continuous improvement, knowledge development and retention.
Develop and implement a knowledge management system in order to retain and enhance our skill set appropriate to the needs of CAR.	We have implemented Phase 1 and will implement Phase 2 of our Work Force Plan during 2020 addressing both key skill retention and facilitating cross-skilling in conjunction with additional resourcing to protect against knowledge loss going forward.

APPENDIX 2: ORGANISATION STRUCTURE

