



Information rights and financial compensation

Compliance report

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CAA House, 45-59 Kingsway, London WC2B 6TE
www.caa.co.uk

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Introduction

- 1. When flights are cancelled or delayed or passengers are refused boarding, European law (Regulation EC 261/2004, referred to hereafter as ‘the Regulation’) provides a set of rights that apply to all those departing from UK airports and returning to the UK on a European airline.**
- 2. The CAA, as the body responsible for enforcing these rights in the UK, has undertaken a number of steps to ensure that airlines understand their obligations and has begun a process of gaining assurance that these obligations are being met.**
- 3. The main focus of our approach is to ensure that airlines take responsibility for their own compliance. We have begun a programme of activity to review the key requirements of the Regulation systematically, taking a topic at a time, and considering the effectiveness of airlines’ own policies and procedures to ensure that they are meeting their obligations.**
- 4. In March 2015, two reports were published that summarised the CAA’s view of the compliance measures of the largest 15 airlines operating in UK. The first report, CAP1227 ‘A Right to Know’, covered the requirement for airlines to proactively provide passengers with information about their legal rights. The second, CAP 1275 ‘Financial compensation, technical faults and time limitations’, covered the payment of compensation in line with recent court decisions.**
- 5. These court decisions are explained in detail in CAP 1275. In summary, one case clarified whether technical faults on an aircraft could be considered to be an extraordinary circumstance which would remove the airline’s obligation to pay compensation, and the other case clarified that airlines could not restrict the time that passengers have to bring a claim for compensation to less than that set down in UK law.**
- 6. We have now extended our review to the next 15 largest airlines by passengers carried, and have combined the topics of information rights and compensation payments into one report for ease of reference.**
- 7. This group of airlines carried over 22 million passengers to or from the UK in 2014. Combined with the largest 15 who carried around 146 million for the same period, we have now reviewed the compliance of the airlines responsible for 90% of passengers. In doing so, we have promoted compliance issues with industry and encouraged improvements across the board.**
- 8. This report summarises the compliance of the second group of airlines, and contains an update on the compliance of airlines covered in the previous reports that were taking steps to improve or were found to be below the acceptable compliance standard, including where the CAA used its formal enforcement powers to ensure compliance with the law.**

Information rights

- 9. In the event of a disruption, one of the most essential services that any airline can deliver is to provide information. Letting the passengers know what they are entitled to as the disruption unfolds is necessary to ensure that these passengers can consider how the disruption will affect them and whether they need to change their plans. It is also a legal requirement in its own right. The Regulation states that airlines must:**
- Display a short notice at check-in desks reminding passengers that information on legal rights is available during disruption; and
 - Provide more detailed information proactively to passengers when disruption occurs (this is required when passengers are denied boarding, their flight is cancelled or their flight is delayed for at least 2 hours).
- 10. In order to assess the compliance of the largest UK departing airlines with these requirements, we asked them to provide information on their policies and procedures. As well as the basic information, such as whether signs are displayed and leaflets provided proactively, we also wanted to know about the wider compliance culture in the airline, including the training that is provided to the staff responsible on the ground and how the airline assures itself that its written procedures are followed in practice.**
- 11. In our previous report [CAP 1227 'A Right to Know'](#) we found that the majority of the 15 largest airlines had a good or very good standard of compliance. In many cases, the compliance standard was raised as a result of our investigations. At that time, three of the airlines (British Airways, Emirates and Lufthansa) were still taking steps to reach what we considered was the minimum compliance standard, whilst a further two, Aer Lingus and Jet2, were below the minimum with no commitment to improve.**
- 12. The same questions have now been put to the second group of airlines, and our view of their compliance standard has been summarised below.**



Questions and ranking - information rights

Questions we asked the airlines to answer

- 1. How, when and where they make hard copy information available to passengers and copies of the information provided**
- 2. The media channels they use (if any), the proportion of passengers they typically expect to reach through these channels, and examples of the information provided**
- 3. Details of their processes for assessing how effective they are in practice in informing passengers of their legal rights at the time they are disrupted**

Compliance standards

13. The benchmark is a good level of compliance. Some airlines are above this benchmark.

Good

14. This means the following are present:

- The passenger information describes the rights accurately;
- Information is pro-actively provided to passengers affected by disruption, this can be demonstrated in one of two ways: leaflets are pro-actively given to passengers who are affected by disruption, or
- E-mails and SMS with clear information about passenger rights is provided, with leaflets prominently available at the airport (this is subject to the airline demonstrating this form of communication works for their passengers);
- There are written procedures for airline or ground handling staff, along with training;
- There is comprehensive detail on the airlines own processes;
- Where relevant, the airline has given a commitment to strengthen the processes to ensure compliance.

Very good

15. In addition to the requirements set out for 'good', the airline will have in place processes which, on the face of it, should provide an even greater level of assurance.

Below the compliance standard

16. Reasons for being below the compliance standard include:

- Hard copy information not being provided pro-actively to passengers and/or insufficient evidence that electronic information is effective;
- No assurance that there are processes to oversee compliance, or limited processes in place.

Summary of compliance

Very good	Good	Taking steps to improve compliance	Below compliance standard
Air Canada	Norwegian Air Shuttle	None	None
Ethiad Airways	American Airlines (merged with US Airways)		
Singapore Airlines	SAS		
	Delta Airlines		
	Turkish Airlines		
	Qatar Airways		
	City Jet		
	Cathay Pacific		
	Stobart Air		
	Alitalia		
	Germanwings/Eurowings		
	Swiss Airlines		



Financial compensation, technical faults and time limitations

17. Passengers are entitled to compensation from airlines when flying out of the UK or when returning to the UK (when the inbound flight was on a European airline) if their flight is cancelled or delayed over 3 hours, or if they are refused boarding. An airline is not liable to pay compensation for cancellation and delay where the disruption was caused by an 'extraordinary circumstance' and where it took reasonable measures to avoid the disruption.

Extraordinary circumstances

18. There is no definition of 'extraordinary circumstance' in the Regulation but various legal cases have been heard in the European Courts as well as in the domestic courts of EU Member States (including the UK) which provide reasoned legal interpretations.

19. Our last report on financial compensation, technical faults and time limitations described the impact of the *Wallentin-Hermann v Alitalia*¹ judgment, which challenged the airlines' general practice of treating all technical faults as extraordinary, and the subsequent *Jet2.com v Huzar*² judgment which expressly stated that even difficult technical problems can be seen as inherent in the normal exercise of an airline's business.

20. The recent judgment handed down by the CJEU in the *KLM v van der Lans*³ case confirms that this is the legal position across Europe. This states that a technical problem, even one that occurred unexpectedly, does not fall within the definition of 'extraordinary circumstances'.

Time limitations

21. There have also been cases in the UK courts to establish whether an airline can limit the time available to passengers to bring a claim for compensation. The Regulation states that airlines must adhere to domestic legislation on this point (in the UK this is the Limitations Act 1980), which the court has confirmed in *Dawson v Thomson Airways*⁴ to mean that UK passengers have 6 years in which to exercise their rights (5 years in Scotland).

22. Our previous report, [CAP 1275](#) 'Financial compensation, technical faults and time limitations' contains more detail on the most recent cases and the CAA's view of the legal position on financial compensation, along with a brief explanation of the EU and English case law, which can be found in Annex 1 of that report.

23. In October 2014 the Supreme Court turned down applications from the airlines to hear an appeal on both the *Jet2.com v Huzar* case and the *Dawson v Thomson Airways* case. The

¹ C-549/07

² [2014] EWCA Civ 791

³ C-257/14

⁴ [2014] EWCA Civ 845

CAA then wrote to all airlines to confirm its expectation that they would be paying claims in accordance with these judgments.

- 24. The 15 largest airlines were asked to confirm this to us by responding to specific questions about their claims payment policies. Their responses were then summarised and published in CAP 1275. These questions have now been put to the next 15 largest airlines along with the questions posed on information rights.**



Questions and ranking - compensation

Questions we asked the airlines to answer

- 1. Do you apply the CAA guidance when considering compensation claims and are you paying passenger claims that fall within the scope of the Jet2.com v Huzar judgment? If not, why not?**
- 2. Can you confirm that you apply the full 6 year limitation period for passengers to make a claim – in line with the Dawson v Thomson Airways judgment? If not, why not?**

Summary of responses

Airline	Paying compensation for technical faults	Applying a 6 year claim period
Norwegian Air Shuttle	✓	✓
American Airlines	✓	✓
SAS	✓	✓
Swiss Airlines	✓	✓
Air Canada	✓	✓
Germanwings/Eurowings	✓	✓
Delta Airlines	✓	✓
Turkish Airlines	✓	✓
Qatar	✓	✓
City Jet	✓	✓
Etihad Airways	✓	✓
Singapore Airlines	✓	✓
Cathay Pacific Airways	✓	✓
Stobart Air	✓	✓
Alitalia	✓	✓

CAA actions and next steps

25. In [CAP1227 'A Right to Know'](#), we set out our approach to enforcing the Regulation's requirements through targeted activity that reinforces industry accountability for routine compliance and allows effective use of our formal enforcement powers. During the winter of 2015/16 we have been monitoring the airlines covered in the first report to review their compliance oversight.
26. The CAA is pleased to conclude that no formal enforcement activity is required at this stage to ensure compliance from any airline reviewed for this report. All of the 15 airlines in the second group have given us an acceptable level of assurance that they provide information proactively in the event of disruption and that they are adhering to the relevant case law when considering compensation claims.
27. We will continue to work with those categorised as good and very good to ensure that the processes they have in place are effective in practice.
28. We will continue to monitor any complaints received by CAA (or made to an appointed Alternative Dispute Resolution (ADR) provider) to ensure that compensation payments are being made appropriately and will investigate any suggestion that the Huzar judgment and subsequent van der Lans judgment are not being applied correctly.
29. The results of our compliance and enforcement activity with the airlines covered in our earlier reports can be found at Annex 4 and 5.
30. CAP1227 'A Right to Know' also detailed our programme for tackling the specific requirements of the Regulation by theme. The next theme for our compliance work will be 'welfare and assistance', looking at what airlines provide for affected passengers during a disruption. We will also be looking at how airlines assist passengers who have been denied boarding or downgraded. We will begin this work later in 2016.



ANNEX 1**Airlines in second phase of work**

Airline	Passengers carried in 2014
Norwegian Air Shuttle	3,244,311
American Airlines + Us	2,833,680
SAS	2,032,859
Swiss Airlines	1,692,013
Air Canada	1,600,858
Germanwings	1,435,594
Delta Airlines	1,402,792
Turkish Airlines	1,372,056
Qatar	1,149,148
City Jet	978,931
Etihad Airways	968,996
Singapore Airlines	954,583
Cathay Pacific Airways	951,553
Stobart Air	874,754
Alitalia	706,811
Total	22,198,939
Proportion of passengers carried	12%
Total passengers carried to / from the UK	186,909,370

Source: CAA's 2014 airport statistics (to avoid duplication domestic passengers are only counted at one reporting airport)

ANNEX 2**Questions included in airline template**

- 1. Airline name**
- 2. UK airports where the airline operates from**

Provision of information to disrupted passengers

- 3. Mechanisms through which information is provided to passengers about their legal rights during disruption**
 - a) Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.
 - b) Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.
 - c) Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.
- 4. Airline procedures and processes for informing passengers of their legal rights during disruption**
 - a) Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.
 - b) Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.
 - c) Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.
- 5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption**
 - a) Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

- b) Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).
- c) Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

- a) Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Final compensation and limitation periods

- 7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.**
- 8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?**
- 9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.**
- 10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.**
- 11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider it is not in conflict with the Dawson v Thomson Airways judgment.**

ANNEX 3

Responses received

1. Airline name

Norwegian Air Shuttle

2. UK airports where the airline operates from

London Gatwick, Manchester, Birmingham and Edinburgh

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

Our agents at the airport are instructed to hand out a hard copy notice detailing the passengers' rights at the check-in desks, ticket desks and departure gates (as appropriate) if a delay of more than two hours or a cancellation is expected. The same document is provided in case of denied boarding due to over sales. The leaflet that we hand-out is produced by the UK CAA.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Our home page provides a link to a separate page explaining passengers' rights. This link is also sent to passengers in a delay/cancellation SMS and is our solution to ensure that passengers that have not arrived at the airport also receive information about their rights. We are able to reach most passengers with these SMSs, provided they have correctly submitted their number in the booking process.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

We have a page with a summary of passengers' rights in our in-flight magazine and we are currently working on a solution where we automatically sends out an apology and information about passenger right after the disruption.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

Our advisors in Customer Relations are responsible for making sure that the information on legal rights is correct and regularly updated, and that all passengers are assisted according to EC261. They regularly audit manuals for the Call Centre and the agents at the airport. We also have dedicated quality coordinators who provide auditing and other general support to team leaders at the Call Centre. The Team Leader/Senior Advisor Customer Relations will advise our passenger coordinators in the operations department if any point needs clarification.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

The following is stated in our Ground Operations Manual:

4.15.4 Delays

Passengers shall receive a written form about their rights according to EU regulation (no. 261/2004). Available to download at Norwegian Air Shuttle ASA extranet.

4.15.5 Cancellations

Passengers shall receive a written form about their rights according to EU regulation (no.261/2004). Available to download at Norwegian Air Shuttle ASA extranet.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

All staff receive initial training in dealing with disrupted passengers. Team leaders and supervisors/Complaint Resolution Officers (CROs) have regular recurrent training. In particular, CROs receive annual training.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Each area manager is responsible for ensuring that the stations under their responsibility are compliant with EU regulation 261/2004. We have prepared Article 14.1 notices and distributed copies to all stations. When the area manager visits or audits a station, they will make sure that sufficient copies of the notice are available. Audits usually cover reports that has been submitted, errors discovered (if any), updated on handling procedure etc. We have also created an extranet for all of our handling agents, where they can print out copies of the latest passenger rights notices and hand them out in case of a disruption. If changes are made to the document saved on extranet, a memo will be sent out. This way we can ensure that the handout is always up to date. Our Ground Operations Manual includes a section regarding passenger rights and an introduction to this is included in initial training of new agents. Most large stations also have a CRO (complaint resolution officer).

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

Our Operational Centre has dedicated staff to take care of the passengers in case of a disruption. Our passenger coordinators are trained to ensure that passengers are assisted according to the regulation. They will cooperate with the agents at the airport to make sure that passengers receive the required standard of care. Station managers conduct audits, as mentioned in section 5. All disruptions require a report to be sent from our agent at the airport to us. The report from the agent or the report from our OCC passenger coordinators will include details about the provision of information to passengers.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

We assess compliance when reviewing the flight reports after a disruption. All reports are sent to area managers for review, and they submit it into our reports system to make it available for Customer relations department to read when dealing with complaints/claims after an irregularity.

We are also currently in the process of including passenger surveys in our CRM (customer relationship management) program, which will enable us to identify any hidden problems with the provision of information on legal rights. If we discover deviations from the procedures, we will take immediate action.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

The area manager will be notified if we experience issues in relation to the provision of information during disruptions, and he or she will confront the agents involved in the disruption. Reminders regarding our obligations will also be sent out to all agents at the station.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

We apply the guidance in all cases.

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

Yes, we do.

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

N/A

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

We are currently applying this limitation period without contractual limitation.

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

N/A

CAA comment	
Norwegian Air Shuttle	Good
Passengers carried in 2014	3.2 million
Estimated number of passengers affected by delay	20,500
Norwegian is now using the CAA leaflet at UK airports and has strengthened its compliance oversight through introducing a new process to record and review data on information provision	
Norwegian has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period	

1. Airline name**American Airlines (including US Airways)****2. UK airports where the airline operates from**

LHR, MAN, GLA, EDI, BHX

Provision of information to disrupted passengers**3. Mechanisms through which information is provided to passengers about their legal rights during disruption**

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

We proactively provide a brochure explaining EC261 rights to passengers on disrupted flights.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

We advise passengers of disruptions through electronic means but do not explicitly communicate information about passenger rights through electronic means.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

Airport Authorities have information displayed throughout the airports in accordance with EU regs. Post-event passenger communications are handled by AA by Consumer Relations

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

At airports, all, airport agents, contractor agents, and Supervisors are responsible for compliance with EC261 provision of information. Legal, Customer Relations, and Customer Services also are involved in compliance efforts.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Procedures are communicated through staff briefings and electronic communications.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

We use formal written briefings to apprise airport agents of their obligations. Whenever we have significant delays or cancellations, briefings occur which will also include instructions on EC261.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

When there is a disruption EC261 brochures are proactively distributed to impacted customers. Briefings occur when disruptions occur which include EC261 information. Supervisors check compliance and ensure stocks of brochures are adequate.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

There are regular debriefs after disruptions, which include discussions on EC261.

No informal passenger testing occurs (such as mystery shopper).

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Station personnel are required to provide written reports regarding flight cancellations and delays of 2 hours or more, providing flight numbers, passenger information, reasons for the delay or cancellation, amenities or service provided, etc. , and stating whether our EC 261 brochure was distributed.

These reports are reviewed within 24 hours by centralized management and kept for ongoing reference. In the event the report indicates brochures were not distributed or relevant information is not included, follow up with the reporting station is made. The written reports are also shared with Customer Relations.

No formal passenger surveys are conducted to assess EC261 information receipt.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Issues would be addressed with the agents and supervisors on an ad hoc basis.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

Confirmed

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

Yes.

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

Not Applicable

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

Confirmed

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

Not Applicable

CAA comment	
American Airlines / US Airways	Good
Passengers carried in 2014	2.8 million
Estimated number of passengers affected by delay	42,000
American Airlines/US Airways has put in place additional steps to strengthen its compliance oversight through introducing a new process to record and review data on information provision.	
American Airlines/US Airways has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period	

1. Airline name**Scandinavian Airlines System Denmark-Norway-Sweden (SAS)****2. UK airports where the airline operates from**

Bristol (seasonal), London Heathrow, Newcastle, Birmingham, Manchester, Edinburgh, Aberdeen

Provision of information to disrupted passengers**3. Mechanisms through which information is provided to passengers about their legal rights during disruption**

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

SAS proactively provides information leaflets in relation to denied boarding, cancellations and delays over two hours. Leaflets are kept at check in, gates and service centers.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

SMS are distributed to passengers providing, inter alia, a link to regulation 261/2004. As it is a prerequisite for receiving a SMS that the passenger has provided his/her phone number, it is very difficult to assess the number of passengers not receiving the information. Our assessment is that the majority of passengers provide us with their phone number at the time of booking on SAS web sites. Normally, travel agencies are also requested to pass on information from SAS to their customers.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

PA announcements at the gate and, at smaller airports, over the PA system of the airport.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

Customer care at head office in Stockholm in collaboration with the legal department.

SAS traffic control/station personnel at the local airports for the day to day work.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Excerpt from SPM Station procedures Manual 20.1.1. Policy

Communication with the Passengers

The passengers shall always be well informed about the situation and the circumstances.

Written information about the passengers' rights regarding compensation and care shall always be distributed to passengers facing delays, cancellations and denied boarding due to over sale.

The folder "SAS EC 261/004 Notice" shall always be available and distributed to affected passengers.

Note that if the passenger for any reason cannot take part of the written information, the text must be read out loud to the passenger by station staff.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Regulation 261/2004 is a part of the basic training. Relevant updates in the station bulletin and in manuals when necessary. The cabin crew has been informed during basic training, but the responsibility resides with ground personnel.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Station personnel are to assess that information leaflets and signs are available and in order at the airports.

Order point for leaflets, minimum 2000. Order of 5000 leaflets at least 3 times a year. Receipt kept for audit. And figures of number of affected passengers.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

Report sheet on 100% of affected flight. Containing number of leaflets handed out to passengers, among other irregularity duties. Report to SAS HQ every 3 month for storage and audits. Start first of September.

Daily work with usually contact with different stations by SAS to its subcontractors for help and control during irregularities.

One personal audit per year Area manager or /and Legal manager with report to SAS HQ.

Spot checks when travelling, by selected staff, with report to SAS HQ.

But as every disruption is unplanned, it is very difficult to do "mystery shopping" or audits.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Ad hoc. Customer care daily assesses the number of disruptions and the number of passengers requesting compensation. Any trends can therefore be monitored and, if necessary, rectified.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

The causes of disruptions vary significantly and therefore the procedures in relation for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption vary as well, depending, inter alia, on the disruption in question. Is it a disruption affecting the only SAS flight in question on that particular day from Bristol or is it a blizzard hitting London Heathrow affecting all airlines. Procedures and processes must therefore sometimes be improvised depending on the disruption in question and, naturally, the airport facilities.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

Yes

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

Yes, in so far as it is applicable

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

Jet2 v Huzar is only applicable in the UK and, as a consequence, mostly for passengers residing in the UK. What is considered not extraordinary in UK might be considered extraordinary in, for example, Denmark.

From September 17 SAS are following the v d Lans verdict in ECJ on all flights.

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

Yes, for claims brought forward under UK legislation, the limitation period is six years.

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

Just as the interpretation of extraordinary circumstances differs quite significantly between different member states, the limitation period varies between different jurisdictions. Some member states have a longer limitation period than UK whilst some have a shorter limitation period.

CAA comment	
SAS	Good
Passengers carried in 2014	2 million
Estimated number of passengers affected by delay	1,700
SAS has put in place additional steps to strengthen its compliance oversight through introducing a new process to record and review data on information provision.	
SAS has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name

Swiss International Airlines LTD / Swiss Global Air Lines

2. UK airports where the airline operates from

LHR, LCY, MAN, BHX

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

The working instruction how the distribution of the “passenger rights flyer” have to be distributed to all passengers is described in the LX PHM* chapter 9. For flights with two hours delay, cancellation and involuntary denied boarding, actively hand-over of the “Passenger Rights Flyer” form to each passenger. In respect of blind and visually impaired persons, the “Passenger Rights Flyer” shall be read out. Hard copy information will be actively provided to passengers at Check-In, Gate, Ticket Desk and Transfer desk

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Information to all our passengers about their legal rights is available under <http://www.swiss.com/ch/EN/terms-conditions>, conditions of carriage. In addition, reference to applicable law and to our conditions of carriage is made on each SWISS eticket.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

Except the distribution of the flyers, the note shown on each electronic ticket copy and the publication displayed through the airport operator within the passenger terminals, there is no further information channel used.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both ‘on-the-ground’ at the airport as well as at head office.

Ground handling staff airport, Customer Service, Legal department

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Passenger Handling Manual (PHM), chapter 9.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Except for ticketing, LX does not offer any passenger handling training. The basic passenger handling training is therefore supplied through the respective handling agent or any other European airline offering training to handling agent staff.

The training documents of handling agent staff are checked and verified on completeness during the LX operations audit. Findings are forwarded to the respective handling agent with a follow up of corrective actions within a set time frame.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

The inspection of processes and compliance is part of regular SWISS station audits. According to FOCA (Switzerland) requirement, all stations have to be audited within 12-18 months. In addition, regular local ground handling checks by station management grant that EU passenger rights information are placed and available for handover to passengers.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

The availability of the "passenger rights flyer" at check-in and gate, the publication of the passenger rights through the airport operator within the passenger terminals and the readiness of the handling agent to proactively distribute the "passenger rights flyer" are checked in the yearly operation audits conducted by LX auditors for LX and FOCA. Findings are forwarded to the respective airport operators or/and handling agents with a follow up of corrective actions within a set time frame.

Facts about the distribution of EU261 leaflets will be additionally included in each single flight irregularity report (through a web form), issued by station and continuously reviewed by responsible organization of the operator.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Internal reporting. In case of several complaints about the same issue concerning the same station, customer service is using the opportunity to go back to the station and inform them about the feedback.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Direct reporting and feedback to/from ground handling- and station management.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

Swiss International Air Lines Ltd. is a company registered in Switzerland and under supervision of Swiss FOCA. Switzerland has adopted the regulation EU 261/2004 and is enforcing the mentioned regulation. As a consequence Swiss International Air Lines Ltd. is following basically the rules and interpretations of Swiss FOCA. To our knowledge the majority of the national enforcement bodies (NEB's) have elaborated a list of extraordinary circumstances and use this list for interpretation of the EU 261/2004 like the Swiss authorities. SWISS follows the applicable law for all flights departing UK.

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

Yes, according to applicable law.

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

Yes, according to applicable law.

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

The limitation period of 6 years is in conflict with the two year prescription period under the Montreal Convention 1999 as well as the Swiss Luftransportreglement. In general Swiss law is applicable to all air transport agreements concluded between Swiss International Air Lines Ltd. and its passengers. Therefore, the limitation period of 6 years under UK law can only be considered to the extent it is applicable. To our knowledge the two year limitation has little relevance in practice since these claims are filed within weeks or a few months after the flight.

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

The terms and conditions (art. 2.5) refer to overriding international law. Swiss International Air Lines Ltd. follows international instruments and Swiss law. UK law is applied to the extent applicable only.

CAA comment	
Swiss International Airlines	Good
Passengers carried in 2014	1.7 million
Estimated number of passengers affected by delay	900
Swiss has put in place additional steps to strengthen its compliance oversight through introducing a new on-line disruption report and process to review data on information provision.	
Swiss has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name

Air Canada

2. UK airports where the airline operates from

LHR - London Heathrow Airport, MAN - Manchester Airport (flights operated by Air Canada rouge), EDI - Edinburgh Airport (flights operated by Air Canada rouge)

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

Air Canada displays a clearly legible notice at check-in and at the gates in accordance with Article 14(1).

Regarding compliance with Article 14(2), Air Canada proactively provides leaflets in the airport at time of disruption and ensures that appropriate stocks of hard copy information on passenger rights is kept and provided.

When Air Canada is running into delays exceeding 3 hours after scheduled departure (note: Air Canada has no flights of 1,500km or less), our agents provide hard copy of information form, ACF519_UK Long Delay and Flight Cancellation Notice proactively. Such form is available in French and English and we check regularly that such form is up to date.

Said forms are available at the transfer, at the ticket-desk, at the baggage drop desk as well as at the departure gates. Such forms are also accompanied with welfare vouchers (for meals, hotels, and ground transportation) when distributed, on request.

The customers may also communicate with our Call Center who will provide additional information about compensation, reimbursement or re-rerouting options and will assist him/her as needed and in accordance with this passenger's specific needs.

When a passenger is denied boarding off a confirmed flight, our agents proactively provide hard copy of information form, ACF520-6_UK1. Such form is available in French and English and we check regularly that such form is up to date.

Both these information forms are also posted on our website, in the Delays and Cancellation section, for all EU Member States where Air Canada operates: http://www.aircanada.com/en/travelinfo/delays/passenger_rights.html

The information about the passenger rights is also incorporated in our tariffs, which are available on our website at: http://www.aircanada.com/en/travelinfo/before/documents/int_rule_80-85.pdf

Lastly, Air Canada is working on sending customers affected by a delayed flight or cancellation an email which would contain a link to both information forms, along with a second link to access an online survey for Air Canada to receive customer feedback regarding the disruption. Air Canada is aiming to implementing this survey by end of year 2015.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Air Canada offers several information sources to receive the most up-to-date information regarding a customer's scheduled flight.

The customer may:

- Sign up for Flight Notifications to their mobile device (text message or e-mail);
- Use our online Flight Status tool available at <http://www.aircanada.com/en/travelinfo/delays/index.html>;
- Call the Air Canada Reservations or Web Assistance, which information is available at http://www.aircanada.com/en/customercare/int/united_kingdom.html;
- Check our Daily travel outlook page for the latest updates by visiting <http://www.aircanada.com/en/travelinfo/before/operation/index.html>.

Consequently, if a passenger has signed up for Flight Notifications, he/she will receive automatically details about any disruption that could occur and enable them to alter travel plans, as needed. These Flight Notifications will prompt customers to visit the webpages mentioned above, which will contain the forms containing information on legal rights.

Also, if a passenger has provided his email information at time of booking, our re-booking system will automatically send notification about the flight(s) on which he/she is being re-routed or re-booked.

Moreover, as stated above, regarding information about rights, both information forms describing the consumers' rights are posted on our website, in the Delays and Cancellation section, for all EU Member States where Air Canada operates: http://www.aircanada.com/en/travelinfo/delays/passenger_rights.html

The information about the passenger rights is also incorporated in our tariffs, which are available on our website at http://www.aircanada.com/en/travelinfo/before/documents/int_rule_80-85.pdf

Lastly, Air Canada is working on sending customers affected by a delayed flight or cancellation an email which would contain a link to both information forms, along with a second link to access an online survey for Air Canada to receive customer feedback regarding the disruption. Air Canada is aiming to implementing this survey by end of year 2015.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

Announcements are usually made informing passengers about their legal rights.

Depending on the delay situation, the announcement may be provided at the gate or at the transfer-desks.

Also, agents at the airport and the Air Canada Call Center are required to advise customers individually about their rights during a major disruption.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

Apart from the information on legal rights provided electronically, at the airport, it is the Air Canada's ground handler Duty Managers, ASIG or Swissport Duty Managers in EDI and MAN, and our own Duty Managers' obligation to inform the customers about their legal rights.

Air Canada Head Office (e.g. Legal Department, International/Commercial Operations) ensures that compliance with EC Regulation No. 261/2004 is effective both at the airport and at Customer Solutions Department, and provides legal advice on those rights.

The Customer Solutions Department ensures that accurate information is provided to customers regarding their rights when they are making a claim.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

As previously mentioned, Air Canada uses its own forms, which are known to airline or ground-handler staff.

- The ACF519: Long Delay and Flight Cancellation Notice
- The AFC520-6_UK: Notice of Denied Boarding Compensation – EU Member Countries

Moreover, Air Canada provides every Duty Managers and all employees working on an Air Canada flight, including our ground handlers, with a web-based tool named ACpedia, which contains up-to-date information regarding Air Canada's specific policies and procedures when dealing with irregular operations, including under EC Regulation No. 261/2004 requirements.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Any new employee performing such functions receives a full week introduction training regarding the requirements of their position, including how to handle irregular operations as well as requirements applicable under EC Regulation No. 261/2004. This training is carried out in the UK by our ground handlers' trainers.

All Air Canada Duty Managers, Customer and Sale Service agents and its ground handler Duty Managers also receive recurrent training including regarding irregular operations at our seasonal stations in EDI and MAN. Agents at all stations are briefed on updates to our policies and procedures by means of bulletins. They are familiar with the requirements of EC Regulation No. 261/2004 and are responsible for distributing the forms for long delays and cancellations are handed out to the customers. The handling staff are therefore fully briefed and trained on regulations, policies and procedures to follow during flight disruptions.

The Air Canada Legal Department also provides training and advice to any employee who would need it based on the nature of his/her functions, such as customer service departments, on the rights and obligations under EC Regulation No. 261/2004.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Air Canada visibly displays the Article 14.1 notice both at check-in counters and boarding gates and works with local airport authorities to ensure that the proper signs are posted.

Stocks of Air Canada Notices are held at the airport and monitored by the Duty Managers and from the Air Canada Head Office, as stated in sections 3 above. Air Canada has an on-line system through its intranet to allow stations to order additional forms from our printing company when required. These forms can also be printed off our website as needed.

Any required changes to our processes are monitored and implemented by the Manager, Customer Solutions Training – International who ensures communication to the agents accordingly.

Refresher training does occur at stations that operate on a seasonal basis, and updates are forwarded to all stations by means of bulletins.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

Air Canada's Operations teams and Airports teams at headquarters are constantly involved in ensuring that its policies and procedures are properly applied at a station level, communicating with Duty Managers, ground handlers, and issuing any communication or reminder to staff that may be deemed necessary based on experience or events that have occurred.

Air Canada has begun implementing a compliance tracking method regarding EU Regulation 261/2004 requirements. It has created the attached IROP Information Sheet to be filled out by airport stations after a flight disruption, which would track whether Air Canada distributed the required information forms and if so, how many, and provide, inter alia, the details of the meals, hotels, and other forms of compensation provided to consumers. Airport agents are currently being informed of this new process and are beginning to fill out the report and emailing it for tracking purposes. Air Canada is also working on IT developments to automate this process.

Moreover, Air Canada is developing an on-line survey for customers to provide their feedback regarding the flight disruption they were involved in. This survey would be available at any time on-line, and the link would also be sent to them by email automatically in the context of a flight disruption.

Both the survey and IROP Information Sheet would allow Air Canada to obtain reports and audit its compliance levels for each requirement under EU Regulation 261/2004 and under its own internal policies for handling customers during flight disruptions (which can be above and beyond the strict requirements of EU Regulation 261/2004).

Customer Solutions and Legal Departments will then be in a position to revert back to EU Stations to address any compliance shortcomings that may have been identified through this auditing process.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Following a flight delay or cancellation, a review of handling is carried out where any compliance issues have been highlighted.

The Customer Solutions and Legal Departments also investigate issues that have occurred brought to their attention either through customers or internally, and discuss regularly with local stations and operations teams how best to handle these issues and address any compliance concerns.

Air Canada's Operations teams and Airports teams at headquarters are constantly involved in ensuring that its policies and procedures are properly applied at a station level, communicating with Duty Managers, ground handlers, and issuing any communication or reminder to staff that may be deemed necessary based on experience or events that have occurred.

Air Canada has begun implementing a compliance tracking method regarding EU Regulation 261/2004 requirements. It has created the attached IROP Information Sheet to be filled out by airport stations after a flight disruption, which would track whether Air Canada distributed the required information forms and if so, how many, and provide, inter alia, the details of the meals, hotels, and other forms of compensation provided to consumers. Airport agents are currently being informed of this new process and are beginning to fill out the report and emailing it for tracking purposes. Air Canada is also working on IT developments to automate this process.

Moreover, Air Canada is developing an on-line survey for customers to provide their feedback regarding the flight disruption they were involved in. This survey would be available at any time on-line, and the link would also be sent to them by email automatically in the context of a flight disruption.

The Customer Solutions and Legal Departments will then be in a position to revert back to EU Stations to address any compliance shortcomings that may have been identified through this auditing process. Air Canada already improves its compliance by acting on feedback received, but these additions will improve the process.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Any issue that arises following a flight delay or cancellation, which has been brought to Air Canada's attention is communicated to the Customer Solutions and/or Legal Department, who investigates the issue on all levels, including at the airport level, and evaluated measures to be put into place to avoid any reoccurrence.

These measures may include a review and re-drafting of specific policies or procedures, a discussion with or reminder to local staff managers, the issuance of communication or bulletins directly to airport agents, etc.

Final compensation and limitation periods

7. **Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.**

Air Canada is applying the CAA updated guidance (CAA List) when evaluating compensation claims.

8. **Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?**

Yes, Air Canada is paying compensation to passenger for claims falling within the scope of the Jet2 v Huzar judgment.

9. **If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.**

N/A

10. **The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.**

Air Canada applies the 6 years limitation period.

11. **If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider**

N/A

CAA comment	
Air Canada	Very good
Passengers carried in 2014	1.6 million
Estimated number of passengers affected by delay	21,900
Air Canada has demonstrated that it exceeds the minimum compliance standard in that it has a range of processes in place to oversee compliance with the Regulation and to ensure passengers receive the information they need on their rights during disruption. Of particular note is Air Canada's commitment to begin surveying all disrupted passengers across the EU in relation to the provision of rights information.	
Air Canada has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period	

1. Airline name

Germanwings / Eurowings

2. UK airports where the airline operates from

DUB, GLA, EDI, NCL, MAN, NOY, BHX, STN, LHR

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

Information is provided in line with Art. 14 of the Regulation.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

(only upon request and on an individual basis)

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

Information by ground staff.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

Passenger Services is responsible to ensure that information on legal rights is distributed to the affected passengers by ground staff. In Head Office a Customer Relations Representative is accountable and also contact person for the NEB's.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Passenger Service Manuals and work instructions.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Ground handling staff receives approx. 2 days of irregularity training. Management/Supervisors receive additional training about once a year.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Procedures and Processes are described in the Passenger Service Manual and Work instructions are distributed for any event. Station Managers are accountable that all procedures are in place. Regional Managers ensure compliance by visiting the Airports on a regular basis.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

Please see above.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

If during passenger complaint handling 4U receives information that a passenger was not or not sufficiently advised about passenger rights, this incident will be reported to the Station Management.

German National Enforcement Body LBA performs spot checks on the premises to guarantee that EC 261 passenger rights are kept during disruptions.

During complaint handling of passenger claims or claims brought to the knowledge of NEB each case of alleged non-compliance with Art 14 provisions will be researched, evaluated and taken up with responsible Station Management.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Please see above. Moreover, the contact person for the NEB's ensures that any official request (by NEB's and other organisations) is discussed -and if necessary- is implemented- with/by the Passenger Services Department.

Final compensation and limitation periods

- 7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.**

We confirm that 4U applies the CAA's updated guidance list when considering compensation claims.

- 8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?**

Yes.

- 9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.**

N/A

- 10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.**

4U applies the 6 year limitation period for claims in connection with EC rule 261/2004 whenever the particular case comes under UK Law.

- 11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider**

N/A

CAA comment	
Germanwings / Eurowings	Good
Passengers carried in 2014	1.4 million
Estimated number of passengers affected by delay	4,700
Germanwings' have confirmed that they are proactive in providing the leaflet on passenger rights. The leaflet was amended when the airline rebranded as Eurowings and is compliant and they reportedly have processes in place to oversee the distribution of information.	

1. Airline name**Delta Air Lines, Inc.****2. UK airports where the airline operates from**

London Heathrow Airport, Manchester Airport

Provision of information to disrupted passengers**3. Mechanisms through which information is provided to passengers about their legal rights during disruption**

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

During a disruption, apology letters are distributed to passengers at the airport providing a reservations number and the Delta website where all options are available. The letter provides the re-booking options, hotel information, and reason for the disruption. Hard copies of passengers' rights leaflet are proactively handed out at check-in, ticket desk and gates.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Passenger rights and due compensation information is available on the Delta website. Passengers can access Delta Domestic and International Tariffs for information and compensation advice for any disrupted flight. In any event, Delta automation attempts to contact passengers proactively in the event of a disruption to their flight via a text message and an e-mail. Whilst the text message does not have enough characters to detail passengers' rights in full, passengers can speak to an agent at the airport or (as is generally advised) choose "need help" within the text/app and either contact Reservations or follow the link to the Delta website. Both will provide care and assistance, which is also available on the Delta website under 'Legal Information'. Delta attempts to contact passengers who have provided their mobile phone/email address via these channels.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

Our Reservations call center and Customer Care center is equipped to provide information to passengers regarding their legal rights. Passengers are also advised at the airport to go to Delta website for additional information regarding the compensation.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

The Station Manager is responsible for ensuring that all local regulations are followed during disruption. The Station Manager is also responsible for ensuring compliance with the EU261/2004 regulations. During disruptions Delta Supervisors are on site to assist customers and to ensure that we are fully complaint. Check in, ticket desk and the gates agents are all accountable for ensuring that the EU 261 leaflets are distributed to the customers.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Delta employees and ground handlers follow the procedure outlined in KM (Knowledge Management) Manual and on the ACS Service Recovery Manual.

The above manuals explain the procedures to follow during disruptions, which include the type of compensation, the duty of care, rebooking options, PA Announcements, amenities to be provided etc. It also outlines the procedure to follow when handling passengers with reduced mobility or unaccompanied minors.

Compensation and other information can be printed and handed to the passenger from the Passenger Manual. The customer may always be referred to the Delta website if they have access.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

All Delta employees and ground handlers have completed the initial service recovery training. Recurrent training is completed every year. Employees are directed to complete new training when there is a change of policy or procedures.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

During a disruption, the Delta supervisor will prepare an apology letter. These are printed as soon as the incident occurs and are made available at check in, ticket desk, and gates along with the EU261 passengers' rights leaflet. The Supervisor will conduct a meeting with the ground handler manager to discuss the disruption, the options available to the customers, the type of compensation and amenities to be made available. The Delta supervisor will ensure that the EU261 leaflets under Article 14 are made available to all passengers at the check in counter, ticket desk and gates.

A Delta supervisor is also responsible for overseeing that there are enough EU261 leaflets on station. As a part of the supervisor's duties, they are responsible for keeping the IROP (Irregular Operation) carts fully stocked and they perform a check for this on the 15th of every month. In addition, they make sure the leaflets are the latest updated version before they are handed out. The carts also contain small bottles of water, snacks, children's colouring books.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

Delta supervisors are responsible for monitoring and supervising our ground handlers during disruptions. Weekly meetings take place with the ground handler to review our policies and procedures. The customers' rights are reviewed and discussed during these meeting.

The Delta supervisors are always present when there is a disruption to ensure that the employees are fully compliant.

Audits are conducted every 6 months to ensure the agents are fully aware of the procedure during disruptions. The audit assesses agents' awareness of the provisions on cancellations and disruptions in Delta's contract of carriage. The results are recorded electronically on Delta Net and we hold a copy on file for six months.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

An Airport Customer service report is completed after each disruption. The report includes a detailed summary of the disruption. The report will also include a question on whether passengers were provided with information on their rights. The report is reviewed by the Station Manager, the Regional Director, the Customer Care team and our HQ. The reviews are used to evaluate performance and consider steps to improve performance where needed.

Our customers are sent a survey and are asked to rate us for the service we provided during the disruption. For example the passengers will be asked: “did the agent offer timely information in relation to the delay of the flight?” or “did the agent keep passengers informed every 7 minutes by making announcements?” or “did the agent apologise for the flight delay and offer flight alternatives?” etc. These are all questions that are thoroughly reviewed as a part of the agent’s training.

In addition, these surveys are reviewed each week with the Delta management and the ground handler. In relation to any negative surveys, when appropriate, the agent who was dealing with that customer will be interviewed.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

In the event that Delta receives a complaint from a customer regarding the service failure, the Station Manager is contacted immediately via email. If possible, an investigation is completed within 7 days to find out why the service failure occurred.

A full report will be requested from our employees and from our ground handler. The employees will be interviewed. A full report will be sent to our Customer Care team who will respond to the customer. The necessary correction action will be put in place. Re-training for the staff will be put in place, as well as a ‘read and sign’ memo.

This service failure is also added as a “hot topic” during the weekly meetings with the supervisors and managers.

Additionally, passengers may flag and escalate an issue such as “failing to provide information” up through the customer care process and also through the survey comments.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an ‘extraordinary circumstance’. Please confirm that you apply this guidance when considering compensation claims.

Yes, we apply this guidance when considering compensation claims.

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

Yes, we are paying passenger claims for compensation that falls within the scope of the Jet2 v Huzar judgment.

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

Not applicable

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

Yes, we currently apply the six year limitation period without contractual limitation.

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

Not applicable

CAA comment

Delta	Good
Passengers carried in 2014	1.4 million
Estimated number of passengers affected by delay	7,700
Delta has put in place additional steps to strengthen its compliance oversight through introducing a new process to record and review data on information provision.	
Delta has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name

Turkish Airlines Inc.

2. UK airports where the airline operates from

London Heathrow Airport, Manchester Airport

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

In case of any flight delays or cancellation will have Turkish Airlines UK passenger rights leaflet which will be handed to our passenger.

Customer are advised of a disruption in the airport in a number of ways including:

- Messages on the flight displays
- Staff at check in desk or baggage drop desks.
- A text message to their phones or emails.

Customer may also request additional information, arrange flights rebooking, obtain meal vouchers at one of our ticket Desk

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Customer may be advised of a disruption by email and text message and internet www.turkishairlines.com. These messages will alert customers to the disruption, which enables to alter their travel plans as needed. With this messages passenger should be able to contact our Call Centre or Ticket Desk at Airports where the customer can arrange re-booking etc. The proportion of passengers' we expect to reach through these channels about 80 %.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

Our primary form of communications is proactively sending out emails and text messages and www.turkishairlines.com internet side.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

UK General Manager, UK Station Manager, UK Customer Service Coordinator, Head Office Customer Service Department.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Ground Operations Manual and Passenger Handling Manual

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Annual training is conducted which includes Reg261 and topics were as follow;

- a) EC Regulation 261/2004 claims and the concept of extraordinary circumstances
- b) The latest changes covering Jet2 & Hazard case ,delay/missconnections according to EC Regulation 261/2004
- c) Montreal Convention 1999 claims and baggage claims.
- d) EC Regulation 1107/2006 and airline obligations to passengers with reduced mobility.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

We have updated leaflet of the Turkish Airlines EU information letters printed and facilities are available at each UK airport. Turkish Airlines also pro-actively provides leaflets to disrupted passengers and hand them out at Check in desks, Ticket desks.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

Flight Disruption reports are completed for all delayed/cancelled flights and as well as standard facts they will also include additional specific passenger handling issues or failures to be addressed, including information provided to passengers. In case of any flight delays or cancellation will have Turkish Airlines UK passenger rights leaflet which will be handed to our passenger. We also show that leaflets are handed to passengers in our Flight Irregularity Form and we will have regular review of this reports to assess information provision.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

All Complaints received, including those relating to flight disruption are investigated and any service failures are then brought to the attention of Management concerned to ensure that policies and procedures are amended or updated to ensure that should a similar incident does not reoccur. We do not conduct post surveys of passenger on disrupted flights.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

The procedures in place for addressing failure to distribute notices of rights in the event of a travel disruption with the scope of regulation 261. Issues can also be addressed through further staff instruction/training on the information distribution requirement.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

We do apply and use the items in CAA 's "extraordinary circumstances" list in replying to passengers and claim companies.

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

As Turkish Airlines is a non-EU carrier and Turkey is not a member of EU, we refer to our solicitor's advice to pay compensation, to check whether the claim falls within the scope of Jet2-Huzar judgement. We pay for the cases where EU Regulation 261/2004 applies to Turkish Airlines.

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

We do not pay under below conditions:

- a) If the delay occurred in a departure located in a non- EU country , we do not pay as Turkish Airlines is not an EU carrier.(see Article 3 1. (b)
- b) If the delay from UK to Istanbul is less than 3 hours and long delay occurred after a misconnection in Turkey. As the High Court decided in Sanghvi v Cathay Pacific Airways, Regulation does not apply to the case of a missed connection which occurs outside of the EU as a non-EU carrier.
- c) If the reason for more than 3 hours delay is listed under “extraordinary circumstances ” list, we do not pay.
- d) If claim company is not registered ,and cannot provide letter of attorney , we consider that this claim is not genuine and do not pay.

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

We do try to apply 6 years limitation period where applicable.

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

In UK, we can only access records of passengers within 6 years. Therefore, if it is older than 6 years we need to ask our Head office in Istanbul. besides, in our computer system , we will need correct full name , flight numbers and travel date. We can also access history of the booking by using TK PNR /vendor locator reference and passenger surname we can not access Passenger details with only Agency booking (third party bookings) Pnr.

CAA comment

THY Turkish Airlines	Good
Passengers carried in 2014	1.4 million
Estimated number of passengers affected by delay	4,500

Turkish Airlines has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.

It also indicated in its response that it does not consider that the Regulation applies to delays that are a result of a missed connection at an airport outside the EU as this is out of scope. We do not necessarily agree with their view, but accept that there is some uncertainty over whether the Regulation applies in these circumstances. This is something that we will be discussing with the European Commission.

1. Airline name

Qatar Airways

2. UK airports where the airline operates from

LHR, MAN, EDI

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

For flight disruptions, a leaflet stating passenger's rights is provided on a pro-active basis to the affected passengers. In addition, passengers are also provided standardised disruption related letters stating their entitlements. All these requirements are specified in the Ground Services Manual.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

In addition to the leaflets, Qatar Airways has a mobile application which can be downloaded from our website through the link www.qatarairways.com/global/en/mobile-services.page.

Once passengers start using the application and subscribe to notifications, the status of their flight(s) e.g. arrival, departure, delays, cancellation etc. are sent to their emails/mobile devices.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

The means to inform passengers about their legal rights during disruption are described above. In addition, Ground Services Manual includes standardised announcements to be made at the airport during disruptions.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

Ground Operations and Operations Control Centre have a joint responsibility for compliance with Regulation EC261.

Qatar Airways and contracted third party Ground Handling Agent's staff provide information (verbally and in hard copy) to passengers in case of disruptions.

In addition, there is a Service Assurance Team located in Qatar Airways Head Office at Doha, Qatar which monitors the handling of disruptions, coordinates with the respective staff at the airport and interferes in case there are any non-conformities.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Ground Services Manual contains all the information on disruption handling.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

The disruption handling procedures are reflected in the Ground Services Manual which is accessible by all Qatar Airways and contracted Handling Agent's staff.

Any changes that affect operational responsibilities are communicated to the frontline staff of the airline or contracted third party handling agent who are required to confirm their understanding through "Read and Sign Sheet".

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Airport Services Manager, as part of his duties defined in both the Ground Operations Manual and Ground Services Manual, is responsible to ensure that the airport operations are conducted in an effective manner. Airport Services Manager also ensures that the staff attends the necessary training.

During pre-flight briefing and in cases when overbooking is anticipated, ground staff are aware of the overbooking formalities. Commercial department closely monitors the regulations and immediately publishes all updates according to which all affected manuals and training material are updated.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

During disruptions, the Airport Service Manager oversees the handling of the disruption and ensures that there are no areas of non-conformity. Additionally the handling agents are in contact with the Operations Control Centre (OCC) which verifies that their actions are in full compliance with the applicable regulations.

Airports complete a Delay Report, and/or a Flight Disruption Report if the delay exceeds three hours. Both the reports are sent to the Head Office for quality assurance purposes. The reports are reviewed by the Service Assurance Team and the Regional Managers based at the Head Office.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

The Service Assurance Team in the Head Office evaluates the handling of disruptions and takes corrective action in case non conformities pertaining to EC261 are observed.

Customer complaints with respect to EC261 are managed by the Customer Care Department. Each case is categorised and notified to the Ground Services team through established internal information and notification processes.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

In case complaints are received regarding disruption handling at airports, the Service Assurance Team investigates the disruption handling, obtains feedback and takes corrective actions which may lead to process improvements.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

Yes

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

Yes.

- 9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.**

Not applicable

- 10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.**

Yes. Qatar Airways apply this limitation period.

- 11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider**

Qatar Airways comply with the limitation periods as defined by local / country's regulations.

CAA comment	
Qatar Airways	Good
Passengers carried in 2014	1.2 million
Estimated number of passengers affected by delay	5,000
Qatar actively monitor complaints data and has put in place additional steps to strengthen its disruption oversight.	
Qatar has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name

CityJet

2. UK airports where the airline operates from

LCY

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

Available pro-actively from 04 September at all airports during flight disruption.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

www.cityjet.com has all the information relating to passenger legal rights related to EC Regulation 261/2004.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

In direct correspondence with customers who contact us, we would refer to the regulations if the claim related to it.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

Airports - Ground Operations Manager

General - Accountable Manager

Customer Care - Customer Care Manager

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Customer Service Manual and Ground Operations Manual available to all third party service providers representing CityJet.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Ground Handling training is provided by the ground handling agent.

Call Centre and Customer Care training is performed by a third party supplier and therefore training is performed by that company. All training is audited by CityJet.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Compliance is measured by our Ground Operations Department in the forms of audits and station inspections.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

The ground handling agent is required to include in their daily report provided to the Ground Operations Manager if they did/ did not provided the leaflet relating to Passenger Rights to passengers during any flight disruption the previous day. The report also includes details of the value of vouchers for meals/ refreshments issued, and at what time they were issued.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

All communication (both email, social media and phone) provided by our Customer Care Department is audited daily to assess compliance with Regulation EC261/2004 both by CityJet and the quality monitoring representative within the third party provider.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

If there has been a finding during an audit, standard audit procedures follow with a corrective action plan formulated with the ground handling agent.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

Correct, we apply these guidance for new claims and also claims that were previously denied and are re-submitted for assessment.

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

Correct

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

N/A

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

Correct

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

N/A

CAA comment	
CityJet	Good
Passengers carried in 2014	0.98 million
Estimated number of passengers affected by delay	2,700
CityJet has made some significant improvements to its written passenger advice and its policies and practices around leaflet distribution. It has started providing leaflets pro-actively and has initiated regular training and monitoring.	
CityJet has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name**Etihad Airways****2. UK airports where the airline operates from**

London Heathrow (LHR), Manchester (MAN)

Provision of information to disrupted passengers**3. Mechanisms through which information is provided to passengers about their legal rights during disruption**

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

In the event of denied boarding; flight cancellations and also when the flight is in disrupted due to delays, the hard copy leaflets are offered pro-actively and additional information is provided on request.

- Additional information in respect of the disruption is disseminated via a number of methods including:
- Facebook and Twitter are updated proactively with all major disruptions and reactively in response to traffic about a particular disruption.
- Telephone calls or text messages from our Contact Centre to those passengers for whom we have contact numbers in the booking reservation. (large percentage of bookings do not have this information as travel agents do not disclose the passenger email address in the booking they make)
- The flight information displays (FIDS) at the airport
- By the staff at check in or at the bag drop desks
- By the boarding gate staff

Information pertaining to the air passenger rights is provided via signage on display at all desks at all UK airports advising passengers of their rights.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Etihad Airways' website has information regarding our policies and the rights of the passenger in case of flight disruption within the EU, titled 'Information on passenger rights in case of flight disruptions at airports within the EU' at <http://www.etihad.com/en-ae/legal/terms-and-conditions/>. We do not have statistics available on the proportion of passengers that read this information.

During a major disruption the [etihad.com](http://www.etihad.com) website is updated with the disruption information and the steps we are taking to overcome the situation. We believe that a majority of the affected passengers or their families access this information on our website.

Facebook and Twitter are updated proactively with all major disruptions and reactively in response to traffic about a particular disruption and here again we have no statistics regarding the proportion of the passengers who could be reached through social media.

Passengers are informed that any claim for compensation should be directed to the Guest Relations Team via email. We use email as the means of communicating with passengers who have made claims for compensation

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

LHR Terminal 4 and MAN airports are silent terminals which preclude announcements, and no announcements are made on-board aircraft to inform passengers of their legal rights. However, details of EU passenger rights are part of the Conditions of Carriage that is applicable to the passenger's travel. Copies of the leaflet are held at the ticket desk lounge and boarding gate.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

Passengers are advised and assisted by all staff at the airport – Airport Managers, ground handling staff including Special Services and lounge staff. Assistance is also provided by our call centre staff; the Guest Relations Department and Legal Department at the Head Office.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

The policies and procedures relating to EU passenger rights are included in the Ground Services Manual which forms part of induction training of all ground staff. Any changes to these policies and procedures will be communicated to relevant staff via bulletin.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

We are currently working with our Training Department to develop an eLearning online course specific to EC261/2004. We expect that this will be ready for deployment shortly. In the interim, we have arranged for a workshop to be delivered to the UK based teams.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Etihad had implemented a Disruption Management Programme which carefully formulated pre-disruption planning and includes on-going practice and training sessions. Etihad also has a Guest Services Delivery team that visits all the airports in the network to ensure compliance with all policies and procedures.

All UK airports also have a regular supply of leaflets and permanent signage on passenger rights. Leaflets are retained at Ticket Desk, Gate and First Class Lounge.

In the event that a flight is oversold, volunteers are actively sought. Etihad Airways are also in the process of introducing a new procedure which enables staff to issue a refreshment voucher in the form of a boarding pass.

No standalone training is currently in place specifically pertaining to EC261/ 2004. Currently the information is disseminated to the ground staff via daily briefings and when and where required. We are now working with the Training Department to implement a new training course that will be available to all Etihad Airways staff.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

The Etihad Guest Service Delivery team conducts mystery shopping at all airports. Managers are on hand to both assist with the passengers and assess staff performance during disruptions. In the event of all delays over 1 hour and all cancellations, the airports are required to prepare and submit a report detailing the disruption and the handling of the disruption including the care provided to the affected passengers.

The report also includes a section to capture the number of leaflets distributed during the specific disruption. The Maintenance Department and Central Reservations Department also prepare reports of their role in the handling of the disruption. The proactive guest handling department (Guest Response) also generates reports and updates on their involvement.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes

for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Information regarding air passenger rights is available at all Etihad Airways UK counters and visible for all guests to see to be informed of their rights. In the event of a flight disruption from an UK airport, the details of the delay are reviewed to determine if the flight satisfies the potential to trigger EC261/2004, for example a departure delay over 3 hours.

Once this has been determined, the Guest Relations (Customer Service) Department initiates a full investigation of the flight to collate all the relevant and associated detailed reports from Flight Operations, Network Operations, the Central Reservations Department, the Airport Manager's Report, Station Shift Reports and the Maintenance Department and prepares an overview of the disruption and forwards to the Legal Department to review and make a determination in line with the Regulation's guidelines as to whether Etihad Airways is liable to pay compensation or not.

This process is usually commenced prior to the receipt of any complaints for compensation and once a decision is taken the result is disseminated to all the relevant staff to ensure consistency in our handling of claims. The Department has also implemented an EC261 Flight Disruption tracker to ensure that the information is readily available to the staff in order facilitate quick and consistent responses to the passengers.

Etihad Airways has been conducting monthly surveys of passengers who write in to our Guest Relations feedback email address to assess their satisfaction and perception of the handling of their complaint. This includes passengers who have made claims under EC261.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Information regarding air passenger rights is available at all Etihad Airways UK counters and visible for all guests to see to be informed of their rights. At all the UK airports where Etihad Airways offers services, there is the referral to the EU document if required and the manager on duty. The Duty Manager conducts briefings and de-briefs to ensure the team is communicated and aware of the legal rights. So when the problem arises, the procedures and processes are followed.

After the event, if the Guest Relations Department is contacted regarding the request for information about air passenger rights, this information is forwarded to the passenger via email and includes the relevant reference to the etihad.com website.

Final compensation and limitation periods

- 7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.**

In the event of the occurrence of flight disruptions in line with the Jet2 v Huzar case, Etihad Airways complies with the payment of EC261 compensation claims.

- 8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?**

Etihad Airways pays all passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment.

- 9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.**

Assuming this question relates to above questions 7 and 8 then this would not be applicable as Etihad Airways pays all eligible passenger claims for compensation.

- 10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.**

Etihad Airways applies the six year limitation period.

- 11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider**

N/A

CAA comment	
Etihad	Very good
Passengers carried in 2014	0.97 million
Estimated number of passengers affected by delay	8,500
Etihad have taken measures to ensure accurate leaflets are proactively provided, using disruption reporting, passenger surveys and developing new staff training for assurance that policies are being followed in practice.	
Etihad has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name

Singapore Airlines

2. UK airports where the airline operates from

London Heathrow and Manchester

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

Depending on when Singapore Airlines Traffic Team is made aware of a delay that will exceed the 2 hour limit, we will provide hard copy brochures about passenger rights at check-in counters and/or at the gate. Our policy is to proactively provide hard copy information to disrupted passengers once the delay to departure is 2 hours and above.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Email and SMS notifications are sent to affected passengers when there are planned schedule changes. In addition, SMS notifications (on the disruption) are also sent to affected passengers in cases where the disruption can be pre-determined. Example - Delay at originating point that results in a consequential en-route delay.

The dissemination of the email and SMS notifications are subject to the availability of the passengers' details in their respective bookings.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

We make announcements at the gate and/or on-board our aircraft to our passengers that we will liaise with Singapore and look after their connecting flight timings once the aircraft is airborne. SIA will assist with any queries upon their arrival into Singapore and take care of their onward journey by providing e.g. re-bookings, hotel accommodation, meal vouchers, transportations if required. Where food and accommodation is being made available to passengers, announcements will be made to passengers to advise them that the airline will be arranging for these, and advising passengers of what they need to do to avail themselves of the same (e.g. approach staff at desk for a voucher).

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

Singapore Airlines Traffic team and Ground Handling Agent Passenger Services teams are accountable for the provision of information on legal rights to disrupted passengers 'on-the-ground'. In order for passengers' claims to be addressed expeditiously, passengers are encouraged to contact the local SIA office in their country of residence to file their claims.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

- Regulation EC261/2004
- SIA Service Recovery guidelines (Sections 11-13)
- SIA Ground Services Manual (Section 4)
- SIA's Guide to Handling EC261 Claims (updated 6 November 2013)

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

The bi-annual tabletop Delay Handling Exercise conducted by the airport teams supplements the training given to staff. The exercise takes up half a day.

Once a year, Singapore Airlines Legal Department will update SQ UK Customer Relations Team on claims handling and the latest Legal developments to ensure our practices are aligned with the law.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Singapore Airlines Traffic team stocks sufficient EC261 notices in our store room, and will activate the distribution of brochures whenever required. According to Article 14.2, Singapore Airlines Traffic Team and Ground Handling Agents will proactively distribute brochures to passengers. Notices will also be displayed to inform passengers of their legal rights per Article 14.1. The bi-annual Delay Handling Exercise also serves to inform Singapore Airlines and Ground Handling Agent teams on the importance of EC261 requirements. Any updates on EC261 guidelines are also disseminated to relevant staff members.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

The person in-charge of the day's operation, will activate the team to distribute EC261 leaflets once the delay reaches 2 hours and above. There will be a Delay Occurrence Report written by the airline to summarise the events during the delay. The report will consist of information such as the necessary rebooking details, any accommodation / meal vouchers / transportation / phone cards provided, and any adverse feedback from passengers. The report will state whether EC261 leaflets are distributed. These Delay Occurrence Reports are also copied to Head Office.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

The supervisor staff at the various customer touch points will monitor the display and distribution of the EC261 leaflets. Singapore Airlines maintains an open feedback channel to our passengers for them to provide any comments on our service handling. Through our hard copy EC261 brochures that are distributed to passengers once delay reaches 2 hours and above, we encourage passengers to write to us via "Feedback & Enquiry" on www.singaporeair.com if they have any queries and/or feedback. (We also hand out delay survey forms once a delay reaches 3 hours and above – this includes questions that cover the information of passenger rights under Regulation EC261 i.e. provision of meals, necessary overnight hotel accommodation etc.)

Brochures are provided when boarding in case any passengers have missed any earlier opportunities to receive this information.

For Denied Boarding Compensation, please refer to point 3 for the procedures and processes we have in place. If the passenger would like to provide their feedback on our service, we will inform the passenger to write to us via SAA Feedback and UK Feedback channels, and hand out our name cards for any follow up actions.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

The manuals/instructions stated in point 4 mentions Singapore Airlines' procedures and processes we have in place, to ensure that the necessary action is taken to address the issues in relation to the provision of information on legal rights during disruption.

In addition, our manuals and service recovery guidelines are reviewed regularly, to take into account changes to the legal landscape arising from new judgements as well as passenger feedback.

Final compensation and limitation periods

- 7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.**

We confirm that Singapore Airlines in the United Kingdom applies the CAA updated list of Extraordinary Circumstances in line with Jet2 vs Huzar judgment and that we apply them to all claims received after the judgment.

- 8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?**

Yes we are paying all passenger claims whose compensation fall within the scope of the Jet2 v Huzar judgment.

- 9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.**

This is not applicable for Singapore Airlines in the United Kingdom as we are paying EC261 compensation for all claims that fall within the scope of the Jet2 v Huzar Judgment. The only claims we don't pay are those where the customers were delayed due the current list of Extraordinary Circumstances issued post Jet2 v Huzar judgment. The process to grant or deny EC261 compensation for a claim is as follows:

- When we receive a claim due to a technical delay, we consult our colleagues in the Engineering Department and ask for the technical reasons for the delay.
- After receiving a report from our Engineering Department, the circumstances of the delay are reviewed with the Singapore Airlines Legal Team who will assess whether or not EC261 compensation is applicable.

- 10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.**

Singapore Airlines in the United Kingdom applies the 6 year limitation period for all EC261 claims received.

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

Not applicable as Singapore Airlines in the United Kingdom applies the 6 year limitation period for all EU261 claims received.

CAA comment	
Singapore Airlines	Very good
Passengers carried in 2014	0.95 million
Estimated number of passengers affected by delay	4,800
Singapore Airlines has in place comprehensive procedures to ensure information is provided to passengers, including set requirements for training and for monitoring, along with a clear route for any oversights to be investigated and corrected.	
Singapore Airlines has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name**Cathay Pacific Airways Limited****2. UK airports where the airline operates from**

London Heathrow (LHR) and Manchester (MAN)

Provision of information to disrupted passengers**3. Mechanisms through which information is provided to passengers about their legal rights during disruption**

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

Fixed signs at each check-in counter and boarding gate provided. The airport signs at counters refers to "Passenger Rights under EC Regulations No. 261/2004" and to contact the airline for further information. The information in our case is the "Cathay Pacific Passenger Information – Passenger Rights under EC Regulations No. 261/2004" leaflets that are provided at various counter desktops, both check-in and gates. Also available on request via any CX manned location (i.e. Lounge, Transfer desk). At the time of disruption Cathay Pacific will proactively hand out the leaflet to ensure that the customer knows of their rights.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

As long as passenger's booking contains valid a mobile number and email, or updated with member profile, the contacts are auto-subscribed for our notiFLY auto messaging service.

During disruption, notiFLY will auto send out cancel/delay/divert message according to the flight status changes. NotiFLY is also available to airport team for sending customized message subject to the disruption communication plan and special arrangement.

Special Ticketing Guidelines listing out what fees are waived and what are not for cancellation, rerouting, and rebooking; along with the deadlines for claiming those special arrangements will be posted as a Travel Advisory at CX.com.

The EC889 notice is also provided on CX.com at <http://www.cathaypacific.com/content/dam/cx/legal-and-privacy/CX-ET-Conditions-of-Contracts-Notices.pdf>

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

Cathay Pacific makes announcements covering reasons for the delay, cancellation or diversion; progress updates, services arrangement on board/ground, etc, but not the passenger's legal rights.

At the airport, general updates and flight delay status announcements are given to customers regularly, e.g. every 30 45 minutes, with accurate and updated information, as per our Public Announcement Handbook for Airports.

In the aircraft, Cabin Crew has been provided an Inflight Public Address Handbook as well with detailed scripted announcements to make following a delay, cancellation or flight diversion. They must carry with them when on duty.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

At the airport, the information would be provided upon request at either the airport ticket desk or at the departure gate. Dependant on the customers' location at the time of the request.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Informed to UK staff via training and Airports Customer Services Policies and Procedures on handling via CX Intranet.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Cathay Pacific Airways has not been involved with any ground handling staff training, however an international law firm, Holman Fenwick Willan do come and give us periodic updates on EU 261 issues. Generally, this is an annual exercise for CX staff.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

IROPS Plan

All CX European offices are required to create and maintain an Irregular Operations Plan (IROPS) that has been localised to meet the needs, requirements and regulations/restrictions of their port operations. This plan will contain, but not limited to, policies and procedures, checklists, guidelines, forms/stationery samples and contact details.

IROPS Communication Briefing

All CX European offices are required to provide a "Communications Briefing" to their ports airline staff as part of their induction to the company. This does not necessarily include handling agency staff, although this is at the CX Port Manager's (of each CX European office) discretion.

The Communication Briefing will outline the purpose of the IROPS plan and details of what is included. It will also detail the staff members' responsibilities and tools available to assist them. It is mandatory for each airport staff member of each CX European office to receive this briefing at least once.

IROPS Table-Top-Exercise

Annually each CX European office is required to complete a table-top exercise. This exercise is based on a standard scenario provided by CX head office in Hong Kong and challenges participants to demonstrate what they would be required to do to handle and resolve the disruption at their port. Participants must include a representative from each job level and can include ground handling agency staff where applicable.

At the completion of the exercise, all participants are required to complete an evaluation form detailing strengths, weaknesses and any action required to improve disruption handling at their port

After Action Review

A CX European office is exempt from completing the annual table top exercise if it has experienced a severe disruption within the calendar year and have completed an After Action Review with the team and consulted head office for their feedback.

IROPS Train-The-Trainer / Flight Disruption Leadership

Training classes are provided in Hong Kong to allow nominated trainers to learn how to conduct the Communication Briefing and facilitate the Table Top Exercise at their home port.

Leadership courses, providing Supervisors, Managers on Duty and Airport Services Managers awareness, tips and tools on handling disruptions are also provided throughout the year in Hong Kong.

Passenger Rights Leaflets

The “EC261/2004 Passenger Information” leaflet (stock number CX6991) is available for all CX European offices to order via CX eBuy online ordering system and is to be made available to passengers at check-in counters and boarding gate on request.

Upon disruption, the Service Leaders / Duty Managers and Ticket staff are aware to proactively make these available and also upon request. Senior team brief the duty team and the airport training covers this in our annual Airports training via Computer Based Training.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or ‘mystery shopping’ during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

An internal audit is conducted every 2 years and regular debrief after disruption with a formal after action report submitted to Head Office. Customer Relations Department (CRD) follows up on all claims.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Other than what is in place at airports, Customer Relations Department (CRD) have systematic procedures and processes in place for identifying problems with the provision of information on legal rights through passenger complaint handling.

The “Customer Feedback and Compensation System” (CFCS) has adequate features that allows the complete monitoring of complaints submitted to CRD by passengers affected by flight disruptions; cancellations, delays and downgrading. Any complaint received for a flight that is covered by EC261/2004 Scope – 1.(b) is tagged, tracked and captured in the system as a complaint case covered by the regulation. This in turn alerts the handling agent to handle the case in accordance with the regulation, adhere to the required handling, investigation, response and compensation as appropriate. Nature of complaints is coded systematically based on the issues raised. Once coded as a EC261/2004 related case, the system automatically follows the defined compensation required in accordance with the regulation.

The “Customer Relations – Complaint Handling Guidelines and Procedures” on the other has a complete section detailing the proper handling of EC261/2004 regulatory related complaints from recording, investigating, responding, and compensating to proper logging in CFCS. Reference is made to the regulation to ensure that the agent adheres to the requirement of the regulation.

The above system and handling guidelines ensure that CRD is compliant with the regulatory requirement in handling EC261/2004 related complaints and covers the requirement of providing affected passengers submitting a complaint their legal rights under the regulation. The agents must inform the affected passengers the rights under the regulation, confirmed or deny any claim in accordance with the regulation.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

All staff are aware of EU261 thus provide information in the form of leaflets and our customer relations information. Customer Relations has processes and procedures in place to ensure that once any issue is raised related to any provision of the regulation including the provision of information on legal rights, that this is properly and timely addressed, explained or clarified.

Final compensation and limitation periods

- 7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.**

Cathay Pacific Airways through enquiries and complaints submitted to Customer Relations Department uses the latest guidance on incidents that could be considered to be an "extraordinary circumstance," specifically flight disruptions caused by technical problems are considered not qualified as extra circumstances. The general guidance of the Montreal Convention of 1999 on limitation or exclusion is also referred to by CRD.

- 8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?**

For complaints received by CRD, we pay compensation in accordance with the regulation to passengers affected by flight disruption that does not fall under extraordinary circumstances as defined by the published guidance.

- 9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.**

Not applicable

- 10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.**

Customer Relations Department's principle in addressing complaints related to the regulation is to comply with all relevant international and local regulations mandating limitations and deadlines, whichever is longer.

- 11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider**

Cathay Pacific apply the 6 year time limit for customers in the UK claiming compensation.

CAA comment	
Cathay Pacific	Good
Passengers carried in 2014	0.95 million
Estimated number of passengers affected by delay	5,300
Cathay Pacific aim to proactively provide information to passengers and has recently enhanced its reporting systems monitoring processes.	
Cathay Pacific has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name

Stobart Air

We operate flights under two franchise agreements with Aer Lingus and Flybe. We are contracted to follow our franchise partners procedures and processes in relation to customer handling.

2. UK airports where the airline operates from

Cardiff, Glasgow, Edinburgh, Aberdeen, Manchester, Bristol, Birmingham, East Midlands, Isle of Man, Jersey, Leeds Bradford, Newcastle, Newquay, Doncaster

Provision of information to disrupted passengers

3. Mechanisms through which information is provided to passengers about their legal rights during disruption

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

All of our ground handling partners have access to our online Ground Operations Manuals and Ground Operations Portal. The relevant soft copies of passenger rights are available for print on this portal. Please see attached Appendix 1 – 5b for relevant hard copies given to passengers. We request all our handling partners to have hard copies available to be given to passengers on request. We have display notices at check-in containing the following.

“If you are denied boarding or if your flight is cancelled or delayed for at least two hours, ask at the check-in counter or boarding gate for the text stating your rights, particularly with regard to compensation and assistance”

Our ground handling company also hand out passenger rights leaflets to passengers during a disruption whilst advising passengers of their flight disruption. The disruption report also has a section to confirm the leaflets have been given to passengers.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Both our franchise partners’ websites provide information to passengers on their legal rights. We would expect to reach all of our passengers through this channel.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

At present we currently do not use any other means to inform passengers of their legal rights. We feel that providing the information freely on our Franchise partner's website and handing out hard copies of their rights during disruptions is sufficient.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

- Head of Ground Operations
- Airport Managers
- Our Franchise Partners Customer Relations Departments
- Our Franchise Partner job roles and teams accountable within their organisations for same
- Stobart Air Business Operations Department

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

As advised above, we provide access to our online Ground Operations Manuals and our Ground Operations Portal to all ground handling staff. The online manuals and portal provide the procedures we require our ground handling staff to follow, when providing information on legal rights to disrupted passengers. Please see appendix 6 for a copy of the manual given.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Our Ground Operations department provide the relevant documentation and manual to all Stobart Air handling partners. The handling partners then take responsibility to train their staff of the policies and procedures of our airline. Our airport managers then carry out regular audits to ensure our policies and procedures are being followed.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Our Airport Managers regularly visit airports to ensure our procedures and processes are being followed. Their audit checklists include checking that information rights leaflets are available and that all staff have a working knowledge of the procedures and processes to follow during a disruption. Please see appendix 7 for a copy of the checklists our Airport Managers use.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

We have a dedicated disruption team within our Operations Department. They specifically liaise with the airports during disruptions to ensure all passengers are given all relevant information by the airport. All airports are then requested to send a disruption report for any flight disruptions giving full details of information and assistance given to passengers. Please see attached appendix 8 the disruption report template.

We have also hired a Product Quality Manager, his primary function is to monitor the passenger experience, which would include how passengers are handled during disruptions. Audits are carried out on a regular basis, with Stobart Air Managers travelling on business carrying out audits also.

We also receive a copy of every complaint letter sent to our Franchise partners, any disruption handling issues raised within these complaints are investigated by the Ground Operations team and appropriate action is taken to ensure the issues are dealt with and do not re-occur.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Our Business Operations Department complete a full investigation once a claim/complaint has been received. We also schedule daily operations meetings to discuss disruptions after the event to highlight any issues and resolve as quickly as possible. We do not conduct surveys on passengers we operate all our flights through a franchise agreement. Surveys may be carried out by our franchise partners.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Our Airport Managers will liaise with the relevant airport and complete a full investigation. They will issue further instruction if needed following the investigation to ensure all issues are addressed and to prevent a further occurrence.

Final compensation and limitation periods

- 7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.**

Yes we follow these guidelines when considering compensation claims

- 8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?**

Yes we are paying compensation if it falls within the scope of the Jet2 v Huzar judgement

- 9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.**

Not applicable

- 10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.**

Yes we apply this limitation period

- 11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider**

Not applicable

CAA comment	
Stobart Air	Good
Passengers carried in 2014	0.87 million
Estimated number of passengers affected by delay	4,600
Stobart Air has demonstrated clear policies which should ensure compliance when following its own processes and those of its franchise partners.	
Stobart Air has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name**Alitalia-Società Aerea Italiana S.p.A****2. UK airports where the airline operates from**

Currently London Heathrow and London City

Provision of information to disrupted passengers**3. Mechanisms through which information is provided to passengers about their legal rights during disruption**

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

Alitalia makes it available in the airport at our ticket desks, check-in desks and at the boarding gate upon request by the passenger. Alitalia gives proactively to each passenger involved in the irregularity the leaflet containing their rights regarding both cash compensation and assistance and instruction for compensation requests.)

When an irregularity event occurs close to departure, Alitalia through its Airport Handler updates visual screens at the airport informing the customer of delays or cancellations, makes announcements informing passengers of any irregularity to operations prior to distributing the leaflet.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

Home Page in the dropdown menu, Information and support or directly from the footer in every page of the website). Alitalia also provide information about foreseen delays or cancellations, possible alternative flight for rerouting to its passengers by sending passengers text messages and e-mails.

Alitalia also uses social media to inform customers in case of major disruption with dedicated posts/tweets through Social Media such as Facebook and Twitter, to generally provide the information and the correct channels to refer to for assistance (i.e. website/Customer Relations/Contact Center)

In addition the social media team manage request of customers requesting information on their rights guiding them to the correct web page where they can find the complete information.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

As indicated above, Alitalia delivers to each passenger involved in the irregularity the text containing their rights according to applicable laws and regulations.

Full information on passengers' rights is also available on the Alitalia website.

Our procedure has been provided to the CAA and is not for wider publication.

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

The Legal and Company Affairs Department provides the legal guidelines to ensure compliance with Reg CE 261/2004 in co-operation with Ground Procedure Office and all other departments involved concur to ensure the definition of the relevant procedures are in line with CE 261/2004.

Once Post Holder Ground/Airport Managers /WEB Management/ Contact Center/ Operational Control Center are devoted to grant the implementation of the procedure in their respective area of activities.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Our procedure has been provided to the CAA and is not for wider publication.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

Our procedure has been provided to the CAA and is not for wider publication.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

Station managers and their teams always verify that an adequate amount of leaflets are available at ticket counters. They are in an easily printable pdf format. Prior to the opening of a desk for where disruption is expected, leaflets and other services required to comply with the regulation (i.e. food vouchers) are made available at the gate desk.

Alitalia's procedure manual containing information even on EC 261 are readily available is Alitalia staff on our internal internet and on extranet sites for handling companies' personnel. Alitalia has a reporting procedure in place to insure that all Station managers and their teams are adhering to our procedure manual.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

Our procedure has been provided to the CAA and is not for wider publication.

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Our procedure has been provided to the CAA and is not for wider publication.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Checks are undertaken to ensure the availability of the leaflets at the Airports, and all other actions described above are taken to recover possible issues.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

For all claims raised by UK passengers, Alitalia takes into consideration the CAA's Guidance and the case of Jet2 v Huzar

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

See above

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

Our customer relations department applies the Reg.CE261/04 taking in to account EU CJ interpretation and local Courts interpretation if mandatory

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

Yes

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

See above

CAA comment	
Alitalia	Good
Passengers carried in 2014	0.71 million
Estimated number of passengers affected by delay	4,600
Alitalia has adopted a policy of proactive distribution and has recently initiated steps to develop its compliance oversight by applying new tracking processes to existing reports.	
Alitalia has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period.	

1. Airline name**American Airlines (including US Airways)****2. UK airports where the airline operates from**

LHR, MAN, GLA, EDI, BHX

Provision of information to disrupted passengers**3. Mechanisms through which information is provided to passengers about their legal rights during disruption**

Please provide an explanation of how, when and where you provide hard copy information about passenger rights. Please specify whether your policy is to proactively provide hard copy information to disrupted passengers, or whether you make this information available passively, for example through making it available on request.

We proactively provide a brochure explaining EC261 rights to passengers on disrupted flights.

Please provide an explanation of whether, and if so how, you use electronic media channels to distribute information to passengers on their legal rights. Please specify the proportion of passengers you typically expect to reach through these channels.

We advise passengers of disruptions through electronic means but do not explicitly communicate information about passenger rights through electronic means.

Please provide an explanation of whether other means are used to inform passengers of their legal rights, for example PA announcements at the airport, announcements on-board the aircraft, contact with the passenger after the event, etc.

Airport Authorities have information displayed throughout the airports in accordance with EU regs. Post-event passenger communications are handled by AA by Consumer Relations

4. Airline procedures and processes for informing passengers of their legal rights during disruption

Please provide the job role(s) or team(s) accountable within your organisation for compliance with Regulation EC261, and in particular the provision of information on legal rights to disrupted passengers, both 'on-the-ground' at the airport as well as at head office.

At airports, all, airport agents, contractor agents, and Supervisors are responsible for compliance with EC261 provision of information. Legal, Customer Relations, and Customer Services also are involved in compliance efforts.

Please provide details of the manuals/instructions which set out the procedures that airline or ground handling staff are required to follow to provide information on legal rights to disrupted passengers.

Procedures are communicated through staff briefings and electronic communications.

Please provide details of any training provided to airline or ground handling staff on the procedures. Please specify the length and frequency of training.

We use formal written briefings to apprise airport agents of their obligations. Whenever we have significant delays or cancellations, briefings occur which will also include instructions on EC261.

5. Airline procedures and processes for assessing compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the 'pre-disruption' procedures and processes you have in place for ensuring compliance. By 'pre-disruption' we mean procedures and processes that take place regularly to ensure, for example, that Article 14.1 notices are displayed, that sufficient stocks of information rights leaflets are available, that refresher training has taken place, etc.

When there is a disruption EC261 brochures are proactively distributed to impacted customers. Briefings occur when disruptions occur which include EC261 information. Supervisors check compliance and ensure stocks of brochures are adequate.

Please provide details of the procedures and processes you have in place for assessing compliance during the disruption. Please specify whether you conduct audits or 'mystery shopping' during disruption (and, if so, their content and frequency) to ensure that information on legal rights is being provided. Please specify also whether you require reports to be produced by airline or ground handling staff for each cancelled/delayed flight (and, if so, what the report captures in relation to the provision of information on legal rights).

There are regular debriefs after disruptions, which include discussions on EC261.

No informal passenger testing occurs (such as mystery shopper).

Please provide details of the procedures and processes you have in place for assessing compliance after the disruption. Please specify whether you have procedures and processes for identifying problems with the provision of information on legal rights through passenger complaint handling (if so, please specify if this is systematic or ad-hoc). Please also specify whether you conduct surveys of passengers on disrupted flights to assess whether they received their rights under Regulation EC261, including in relation to information on legal rights.

Station personnel are required to provide written reports regarding flight cancellations and delays of 2 hours or more, providing flight numbers, passenger information, reasons for the delay or cancellation, amenities or service provided, etc. , and stating whether our EC 261 brochure was distributed.

These reports are reviewed within 24 hours by centralized management and kept for ongoing reference. In the event the report indicates brochures were not distributed or relevant information is not included, follow up with the reporting station is made. The written reports are also shared with Customer Relations.

No formal passenger surveys are conducted to assess EC261 information receipt.

6. Airline procedures and processes for addressing issues with compliance with the requirement to inform passengers of their legal rights during disruption

Please provide details of the procedures and processes you have in place to ensure that, when issues arise in relation to the provision of information on legal rights during disruption, the necessary action is taken to ensure that these issues are addressed.

Issues would be addressed with the agents and supervisors on an ad hoc basis.

Final compensation and limitation periods

7. Following the Jet2 v Huzar judgment the CAA published updated guidance (CAA List) on the incidents that could be considered to be an 'extraordinary circumstance'. Please confirm that you apply this guidance when considering compensation claims.

Confirmed

8. Are you paying passenger claims for compensation that fall within the scope of the Jet2 v Huzar judgment?

Yes.

9. If you are not paying passenger claims, please explain what approach you are taking to these claims and your reasoning for not paying.

Not Applicable

10. The Dawson v Thomson Airways judgment confirmed that the limitation period in the UK for taking a case to court in respect of the Denied Boarding Regulations is 6 years. Please confirm that you apply this limitation period.

Confirmed

11. If, for any reason, you apply a different limitation period, please explain what it is, how you apply it in practice (for example through your Terms and Conditions), and why you consider

Not Applicable

CAA comment	
American Airlines / US Airways	Good
Passengers carried in 2014	2.8 million
Estimated number of passengers affected by delay	42,000
American Airlines/US Airways has put in place additional steps to strengthen its compliance oversight through introducing a new process to record and review data on information provision.	
American Airlines/US Airways has confirmed that it is paying compensation for technical faults and is applying a 6 year claim period	

ANNEX 4

Update on CAP1227 'A Right to Know'

1. The CAA's report into the compliance standards of the 15 largest airlines with the information provision requirements of EC261 concluded that some airlines needed take steps to improve and others were sufficiently below to justify formal enforcement action.
2. The action and the additional steps taken has led to further progress towards our aim of ensuring that all air affected passengers receive the appropriate information about their rights.

Taking steps to improve compliance

British Airways

3. BA was originally intending to rely on electronic communications to inform disrupted passengers of their rights. However, it subsequently decided that the best solution would be to provide disrupted passengers with a leaflet at the airport. BA chose to oversee its compliance by surveying disrupted passengers to check if they received information about their rights. It began the surveys on 1 August 2015, but the initial results demonstrated that further improvements needed to be made. BA is now strengthening its processes to ensure that it pro-actively provides information on legal rights to disrupted passengers. We are working with the airline to provide oversight of this and thereby compliance with the Regulations.

Emirates

4. Following the last report the CAA has met with Emirates to review its provision of information to disrupted passengers. Emirates has now put in place processes to pro-actively hand out leaflets at various points throughout the airport, such as check-in, departure gate and also at hotels for passengers delayed overnight. It has also put in place processes to oversee compliance, this includes:
 - recording the number of leaflets handed out during disruptions;
 - auditing the records held on leaflet distribution;
 - checking passenger complaints about failure to provide information on rights against recorded data;
 - reviewing 261 issues at monthly meetings with stating managers.
5. Emirates now meets the compliance standard.

Lufthansa

6. Lufthansa was originally intending to rely on electronic communications to inform disrupted passengers of their rights. However, it subsequently decided that the best solution would be to ensure that passengers are pro-actively provided with a leaflet at the airport. It has put a range of steps in place to oversee compliance:
 - Lufthansa's Passenger Handling Manual has been updated to include clear instructions to pro-actively hand out leaflets;
 - New public announcements are made to tell passengers where leaflets are being handed out;
 - Passenger rights leaflet stock will be monitored;
 - Instructions have been provided to UK station managers to pro-actively hand out leaflets, and this is now part of Lufthansa's passenger service training;
 - A new distribution report has been introduced that requires information on leaflet distribution;
 - Station managers collect the disruption reports and carry out regular reviews of the information.
7. Lufthansa now meets the compliance standard.

Below compliance standard

Aer Lingus and Jet2

8. We successfully concluded our enforcement action against Aer Lingus and Jet2 in July 2015 when both airlines signed legal undertakings to comply with the requirement to pro-actively provide information to passengers. Both have put in place new processes to oversee compliance. We will continue to monitor compliance with the undertakings.

ANNEX 5

Update on CAP1275 'Financial compensation, technical faults and time limitations'

1. The CAA reported in March 2015 that Jet2 and Wizz Air were delaying the payment of compensation claims under EC261 (referred to as 'staying claims') on the basis that an upcoming legal case may result in further changes to the interpretation of extraordinary circumstances.
2. They were also applying a two year time limit for passengers to make a claim. This created the risk of passengers being 'timed out' as the delay pushed their claim past the two year limit. We also had concerns regarding the lack of clarity around Ryanair's practices, following an investigation we found they were also refusing compensation claims.

Jet2.com

3. Enforcement action was successfully concluded in July 2015 when Jet2 signed a legal undertaking to pay compensation claims for disruptions caused by technical faults on an aircraft. It also undertook to change its contract terms to make it clear that consumers making a claim under EC261 had 6 years to take their claim to court.

Wizz Air

4. Wizz Air agreed to change its approach to paying compensation for disruption caused by technical faults on an aircraft. However, it refused to change its contract terms to remove the 2 year claim limit. We referred the contract terms issue to the Hungarian Authority for Consumer Protection (HACP) which as the local regulator for Wizz Air was best placed to take action. HACP agreed to take up the case under arrangements of the Consumer Protection Co-operation (CPC) network, which enables the CAA to request enforcement bodies in other EU countries take action to stop airline practices that harm UK consumers. HACP is continuing to pursue this case.

Ryanair

5. When we published our previous report we highlighted some concerns regarding Ryanair's approach to compensation claims for technical faults. From the information provided and our subsequent discussions with them there appeared to be a lack of consistency in the way claims were assessed. Ryanair also publicly confirmed in our report that it was applying a 6 year claim limit in the UK for EC261 claims. It subsequently became clear that Ryanair was refusing claims on the basis that the flight was more than 2 years ago and was seeking to rely on its contract terms in the county courts.

6. We issued a further formal information notice in July 2015 and began enforcement action in September 2015. In October 2015, Ryanair signed an undertaking to confirm it would pay claims relating to technical faults and would also apply a 6 year claims limit.