



DECISION NO. 44-C-A-2016

February 11, 2016

APPLICATION by Gábor Lukács against SkyGreece Airlines S.A.

Case No. 15-03912

- [1] On August 28, 2015, SkyGreece Airlines, S.A. (SkyGreece) announced that it would temporarily cease all operations.
- [2] On August 28, 2015, Gábor Lukács filed an application with the Canadian Transportation Agency (Agency) alleging that SkyGreece was refusing to apply its tariff. He requested that the Agency order SkyGreece to offer affected passengers transportation on flights of other airlines and to provide security for anticipated passenger claims.
- [3] On December 4, 2015, the Agency received a Certificate of Assignment, pursuant to paragraph 50.4(8)(b.1) of the *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3 (BIA). The Certificate confirmed that SkyGreece has made a deemed assignment into bankruptcy.
- [4] Subsection 69.3(1) of the BIA provides as follows:
- ... on the bankruptcy of any debtor, no creditor has any remedy against the debtor or the debtor's property, or shall commence or continue any action, execution or other proceedings, for the recovery of a claim provable in bankruptcy.
- [5] Accordingly, pursuant to subsection 69.3(1) of the BIA, the Agency discontinues this proceeding.

(signed)

Raymon J. Kaduck
Member

(signed)

Stephen Campbell
Member
Canada