

# PRESS RELEASE

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## Regulator orders British Airways to rewrite policies

Halifax, January 20, 2014 – British Airways must rewrite its policies governing the rights of passengers in the case of denied boarding, flight delays and cancellations, and damaged and delayed baggage, according to a ruling the Canadian Transportation Agency (CTA) handed down on Friday evening.

The CTA found that British Airways’ denied boarding compensation policy “fails to strike a balance between the passengers’ rights to be subject to reasonable terms and conditions of carriage, and British Airways’ statutory, commercial and operational obligations.” The CTA also held that the airline’s liability policies are “unreasonable” and inconsistent with the Montreal Convention.

The decision, which upholds a complaint by Gábor Lukács, a Halifax mathematician and air passenger rights advocate, orders British Airways to revise its liability policies by February 17, 2014. By that day, the airline also has to explain why the CTA should not impose on it the denied boarding compensation scheme used in the US or the one that was imposed on Air Canada in 2013.

In 2013, the CTA upheld a complaint of Lukacs and ordered Air Canada to pay \$200/\$400/\$800 in cash to bumped passengers on domestic flights, depending on the length of the delay. In a separate decision, Air Canada was also ordered to increase its denied boarding compensation on flights from Canada to the EU to \$400/\$800, depending on the length of the delay.

In the US, the compensation is \$650 or 200% of the airfare for delays less than two hours, and \$1,300 or 400% of the airfare for delays over two hours. In the EU, the compensation ranges from 125 to 600 EUR, depending on the length of the flight and the delay caused to the passengers.

Lukacs says that the decision is an important milestone in his ongoing efforts to ensure that all airlines operating to and from Canada to provide adequate compensation to passengers who are denied boarding, delayed, affected by a cancelled flight, or have their baggage damaged or delayed.

The Canadian Transportation Agency is a quasi-judicial body that is empowered to regulate the airline industry.

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