

PRESS RELEASE
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Porter Airlines ordered to compensate bumped Canadian passengers and to refund passengers on cancelled flights

Halifax, February 3, 2014 – Porter Airlines must compensate bumped Canadian passengers travelling to the US and refund the tickets of passengers it is unable to transport, according to a ruling the Canadian Transportation Agency (CTA) handed down on Friday.

The CTA found that Porter’s current policy of refusing to refund passengers who are prevented from travelling is “unreasonable,” and held that “passengers are entitled to re-protection [rerouting] or a refund, irrespective of the reason for their inability to travel, as long as the passengers are not responsible for it.”

The CTA also slammed Porter’s current policy of compensating bumped passengers only on flights departing from the US but not the other way around, and ordered Porter to implement the US denied boarding compensation scheme on all international flights.

On international flights departing from the US, the compensation is \$650 or 200% of the airfare for delays of less than four hours, and \$1,300 or 400% of the airfare for delays of over four hours.

The CTA decision, which upholds a complaint by Gábor Lukács, a Halifax mathematician and air passenger rights advocate, orders Porter to revise its policies by February 28, 2014.

Lukács says that he is very glad that Porter can no longer discriminate against Canadian passengers nor can it pocket the money of passengers without providing them service.

Lukács has a successful track record when it comes to fighting for passenger rights. In 2013, the CTA upheld his complaint 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 January 2014, the CTA upheld a similar complaint of Lukács against British Airways.

In Friday's decision, the CTA ruled that Porter does not have to comply with the *Code of Conduct of Canada's Airlines*, a code agreed to in 2008 by the Harper government and Air Canada, Air Transat, and WestJet, and which has since become an industry standard.

In this regard, Lukács is puzzled as to why the CTA gave special treatment to Porter.

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

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