

Comments on proposed regulations published in Canada Gazette, Part I, Volume 158, Number 51: Regulations Amending the Air Passenger Protection Regulations

Submitted to: Canada Gazette, Part I via the on-line commenting feature

Submission type: Public

Name: Commenter 25

Date: 02/10/2025

General Comment

Section 86.11(1) of the Canada Transportation Act instructs the Agency to make regulations “in relation to flights to, from and within Canada, including connecting flights.” The Agency should better clarify what is meant by “connecting flights.” Does this include a domestic segment outside Canada to which a passenger connects from a flight that departed Canada?

For example, a Canadian is travelling on a ticket purchased from and issued by United, flying from Montréal-YUL to Chicago-ORD on United, and then Chicago-ORD to Cleveland-CLE also on United. The YUL-ORD segment departs and arrives on time with no issues; however, once the passenger arrives in Chicago, they discover the ORD to CLE segment is delayed by four hours due to crew availability (a disruption that is within the large airline’s control). Do the APPR’s provisions still apply to the delayed passenger even though the impacted flight segment is not to or from Canada?

If so, how is this to be enforced in practice? Do you expect United to have to provide the Canadian customer on the delayed ORD-CLE flight different treatment compared to all the other passengers on that same flight just because they arrived on a connecting flight from Canada? Would the Canadian passenger be entitled to CAD \$400, while the other passengers get nothing (assuming there are no other travellers with a Canadian connecting flight)? The APPR require reasonable meals and refreshments to be given after two hours delayed, but United’s own policy for U.S. flights is to give out meal vouchers after three hours delayed. Does the Canadian-connecting passenger get their meal voucher an hour before everyone else just because they connected from Canada? Likewise, it’s not practical/possible for the communication provisions to apply...a non-Canadian carrier can’t be expected to have to adjust the manner or frequency in which
