



March 6, 2025

Ms. Mary Johnson  
Team Leader  
Analysis and Regulatory Affairs Directorate  
Canadian Transportation Agency  
60 Laval Street, Unit 01  
Gatineau, Quebec  
K1A 0N9

Sent via e-mail to: [Consultations-aeriennes.Air-Consultations@otc-cta.gc.ca](mailto:Consultations-aeriennes.Air-Consultations@otc-cta.gc.ca)

Dear Ms. Johnson:

We the undersigned commercial airline associations appreciate the opportunity to comment on the Canadian Transportation Agency (CTA)'s proposed changes to the Air Passenger Protection Regulations (APPR). We strongly support the comments on this file submitted by the International Air Transport Association (IATA). In particular, we note the following:

- Airlines are perfectly incentivized to avoid costly delays and cancellations and the resulting inconvenience to their passengers.
- There is no evidence that the original APPR resulted in fewer delays and cancellations. This compensation scheme does not impose any requirements on other parts of the commercial aviation ecosystem to address the causes of most of these disruptions.
- The APPR and the amendments being proposed by the CTA are based in large part on the 20-year-old European Union Air Passenger Rights Regulation (EC 261/2004). Rather than reducing delays and cancellations, the EC 261/2004 regime has resulted in billions of dollars of increased costs for airlines, more than 90 court decisions interpreting the regulation, and the creation of claims management companies that extract exorbitant fees from consumers. We encourage the CTA to learn the lessons from this failed wealth transfer program.
- The proposed amendments would require airlines to develop new complex systems to comply with provisions that seek to mandate the CTA's vision on

how airlines should operate. The costs of developing these systems are largely ignored by the mandatory cost-benefit analysis.

- The CTA has proposed a conclusive list of circumstances that would be considered exceptional and therefore not subject to compensation. While we note that the CTA has accepted that aircraft are often impacted by unforeseeable manufacturing and technical defects, we believe it is impossible to capture all circumstances that occur now or in the future that would be outside of an airline's control. This is particularly problematic when in a separate file the CTA is proposing to charge airlines a \$CAD 790 fee for processing passenger claims, regardless of whether the CTA finds in the airlines' favor or not.

We strongly urge the CTA to consider these comments and those of IATA when finalizing the APPR amendments. Airlines are committed to supporting their customers during disruptions in ways that do not reduce their ability to continue to offer safe and affordable air services.

Sincerely,

Airlines for Europe (A4E)

Arab Air Carriers' Organization (AACO)

Association of Asia Pacific Airlines (AAPA)

Latin American and Caribbean Air Transport Association (ALTA)