

Submitted to the Canadian Transportation Agency (Form submission)

Subject: Consultation on proposed changes to strengthen the Air Passenger Protection Regulations

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- While the APPR does not require proof of compensable loss, or of any damage at all to trigger a passenger's entitlement to monetary compensation airlines require proof of loss such as receipts. This discrepancy should be remedied.
- The APPR is fixed compensation, more akin to consumer protection rather than a forum for damages. Without consideration of the entirety of the facts related to a delay or loss the airline adheres to the fixed timing/compensation fee structure. For example, if a flight is 5 minutes short of a 6 hour delay the airline will only provide \$400 compensation vs. \$700. On the balance of probabilities, it is just as likely the flight would occur within the next category of compensation. APPR should take more information into consideration, similar to adjudication or legal judgement to determine appropriate compensation.
- An airline will ignore the difference in compensation for international flights by referring to their tariff / APPR and fixed amounts ignoring the Montreal Convention.
 - o All international flights experiencing delay should also be automatically advised of the Montreal Convention.
 - o Accordingly, airlines must also acknowledge and enable processing of Montreal Convention claims.
- The power imbalance between airlines and passengers reflects airlines legal yet limited customer service resources and escalation opportunities. This precludes international passengers from accessing their rights under the Montreal Convention.

<Attachment removed for privacy reasons>