

China Airlines' Feedback for the Consultation on Air Complaint Fee Implementation

1. Based on our past experience, many customer complaints are often founded on false statements or unreasonable expectations. The proposed consultation on air complaint fees does not differentiate between these scenarios when receiving the submission form from the complaint, which unfairly penalizes airlines. These scenarios include:

- **Frivolous or Opportunistic Claims:** Numerous complaints involve passengers seeking monetary compensation without valid grounds, often based on subjective dissatisfaction.
- **Issues Outside Airline Control:** Complaints frequently arise from events outside the airline's control, such as weather-related delays or mechanical issues related to safety reasons
- **Passenger Responsibility:** In many cases, complaints stem from passenger errors, such as missed flights due to personal oversight, where compensation or refunds are sought despite the fault lying solely with the passenger.

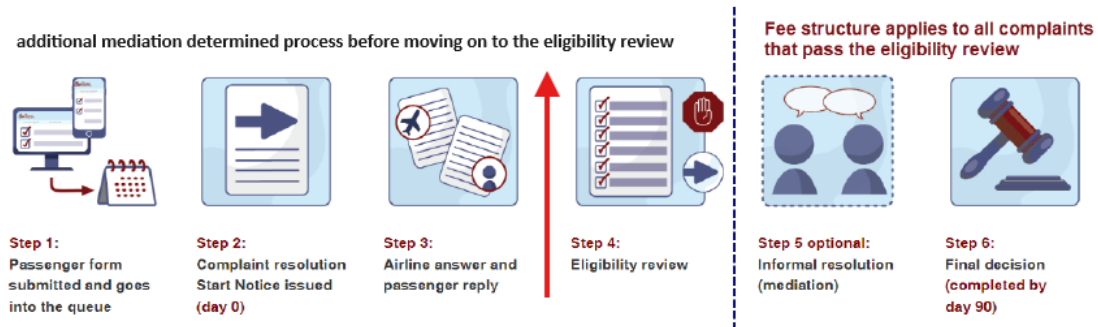
2. Proposed Solutions to Prevent Frivolous Claims

To mitigate the financial and manpower burden on both airlines and the CTA, and to prevent the submission of opportunistic claims, we propose the following recommendations:

- **Passenger Fee for Filing Complaints:** Introducing a nominal fee for passengers who submit complaints would act as a deterrent for frivolous claims. This would filter out passengers who are solely seeking monetary compensation without legitimate cause, ensuring that only genuine grievances are addressed, and reducing administrative strain on both the CTA and airlines.
- **Fee Responsibility in Passenger-Fault Cases:** As a reference to the complaint fee practice from the BC Civil Resolution Tribunal, in cases where the final decision shows that the responsibility does not lie with the air carrier, and the airline is absolved from paying compensation, the proposed \$790 fee should be charged to the passenger, not the airline.

3. Mediation Without Fees – Seeking Clarification

We would like to clarify and propose that when an airline is willing to mediate and compensate the passenger proactively, the \$790 fee should not apply. This encourages airlines to resolve legitimate complaints directly without incurring additional costs. To facilitate this, we suggest separating the mediation process from the airline response phase, allowing for a cost-effective resolution without triggering the complaint fee.



4. Objection to Retroactive Billing

The proposed fee structure includes retroactive billing for even while the industry is still in the consultation phase. Charging airlines for complaints during this period is premature and unjust, as airlines have not yet fully adapted to these impending regulatory changes. We object retroactive billing and suggest that the implementation of the complaint fee should only commence once both parties (the CTA and airlines) have settled and finalized the consultation process.