

Submitted by email to the Canadian Transportation Agency

Subject: SUNWING AIRLINES - APPLICATIONS CASE NO. 20-07774

On October 21, 2020, we filed applications on behalf of Sunwing Airlines in regard to the above matter (the “Original Applications”).

On November 20, 2020, we filed both confidential and redacted copies of further applications, clarifications, additional data and additional submissions (the “Amended Applications”).

In paragraph 6 of the Original Applications, Sunwing Airlines applied to the Canadian Transportation Agency (the “Agency”) as follows:

“6. Sunwing Airlines hereby applies pursuant to the provisions of Sub-Section 80(1)(c) of the *Canada Transportation Act*, that the Agency:

- Extend the period of time of Determination 122 from October 28, 2020 to March 31, 2021;
- Exempt all Canadian air carriers from complying with the compensation provisions of the APPR with respect to any compensation claims arising out of schedule flight changes during the period of October 28, 2020 through March 31, 2021; and
- Exempt all Canadian air carriers from being required to offer alternative travel arrangements that include flights on other air carriers with which they have no commercial agreement.”

Due to the recent changes of circumstances outlined below, Sunwing Airlines applies for permission to amend the above March 31, 2021 dates to December 31, 2021. The changes in circumstances referred to above, are as follows:

1. Pursuant to the announcement by the Prime Minister (the “Announcement”), on February 5, 2021, Sunwing Airlines suspended its flights to Mexico and the Caribbean until April 30, 2021;
2. The above announcement also included further new impediments upon a passenger’s return to Canada from any destination. The

announcement was supplemented by the Prime Minister earlier today.

The ultimate timelines referred to above are, in fact, indeterminate.

Should you require any further information with respect to the above request please advise.

DATED at Toronto, this 12th day of February, 2021.

Kind Regards,

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