

6th tri-national (D/A/CH) informative meeting on Regulations (EC) No 261/2004 and 1107/2006 on October 12th 2023

Update on Air Passenger Rights Enforcement in Germany

Sandra Kohl, Luftfahrt-Bundesamt, Department Z 5 „National Enforcement Body Air Passenger Rights“

Tasks of Luftfahrt-Bundesamt

National Enforcement Body for the Regulations (EC) No 261/2004 and 1107/2006

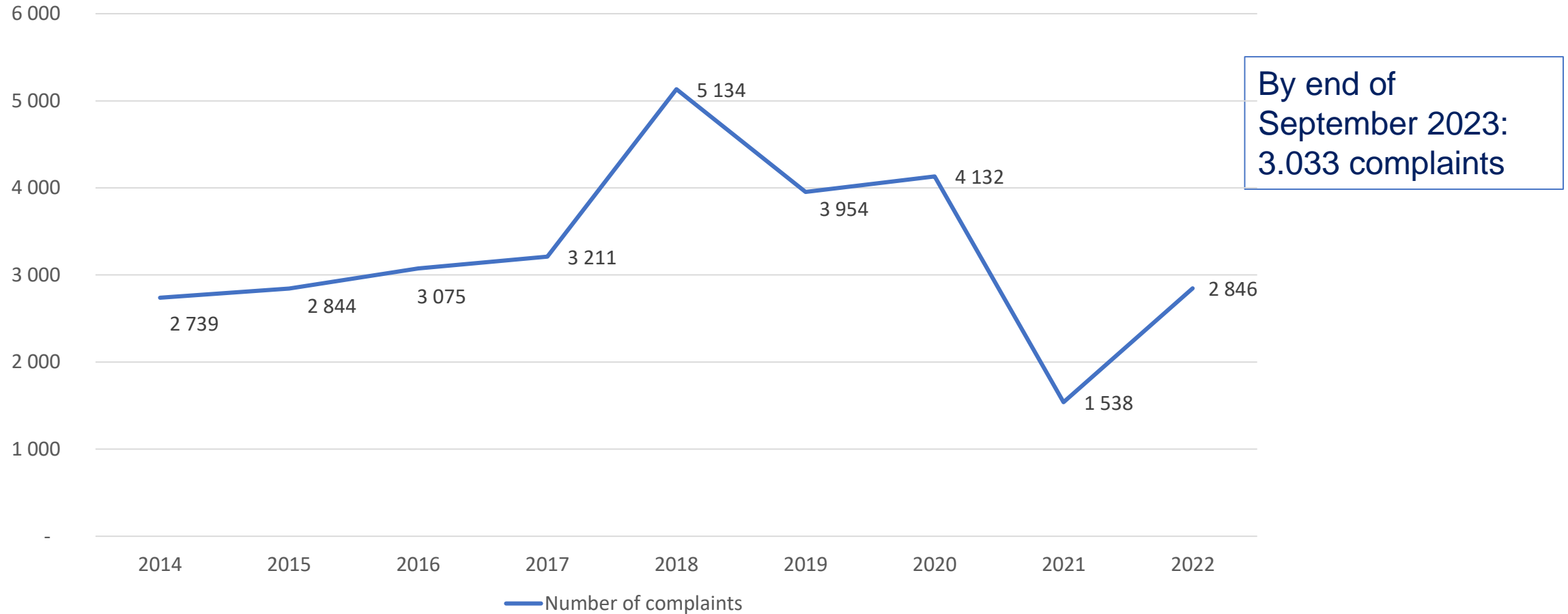
- Provision of information on air passenger rights (LBA website and Citizens Service Centre)
- Handling of incoming passenger complaints, conduct of administrative offence proceedings and imposition of sanctions in cases of determined infringements
- Monitoring activities (audits, inspections, on-the-spot checks)

Competent national authority for Regulations (EC) No 261/2004 and 1107/2006 in the Consumer Protection Cooperation (CPC) network

- Cooperation with other authorities of the CPC-network in enforcement and exchange of information
- Cross-border infringements affecting the collective interests of consumers
- Legal Basis: Regulation (EU) No 2017/2394 and EU Consumer Protection Implementing Act

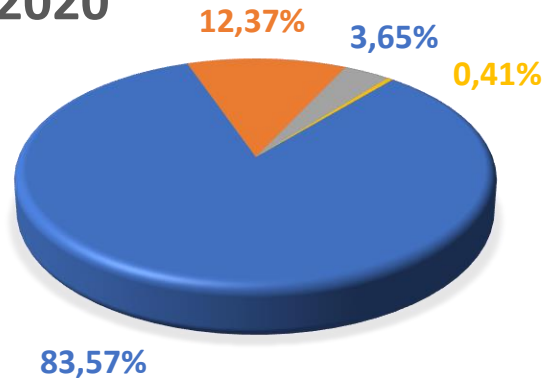
No competence regarding the enforcement of individual civil claims of passengers and no competence as a conciliation body.

Regulation (EC) No 261/2004 (Total) Number of complaints

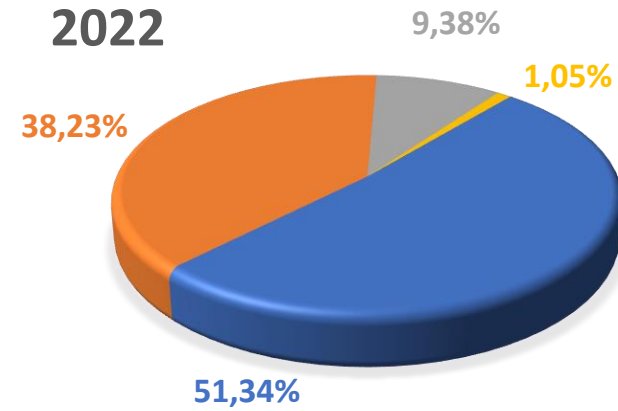


Regulation (EC) No 261/2004 Reasons for complaints (Incidents)

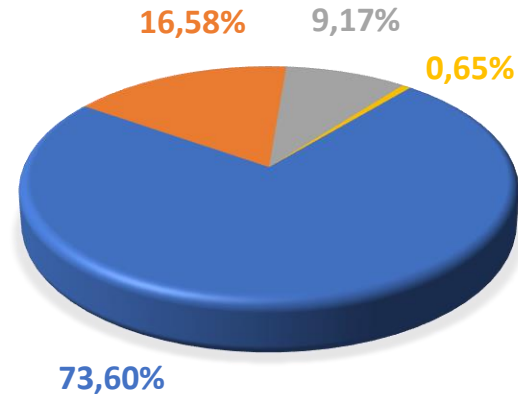
2020



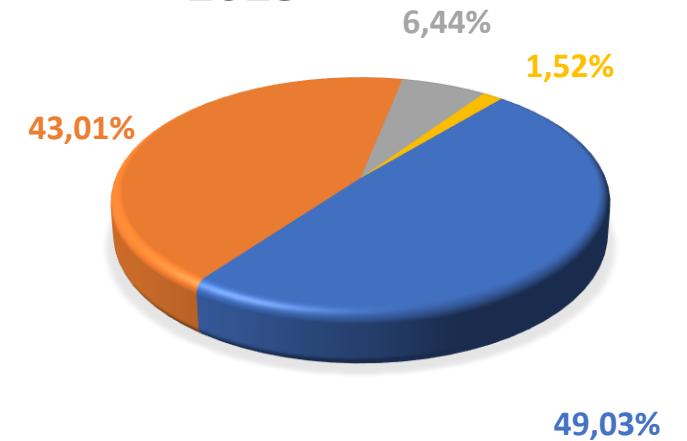
2022



2021



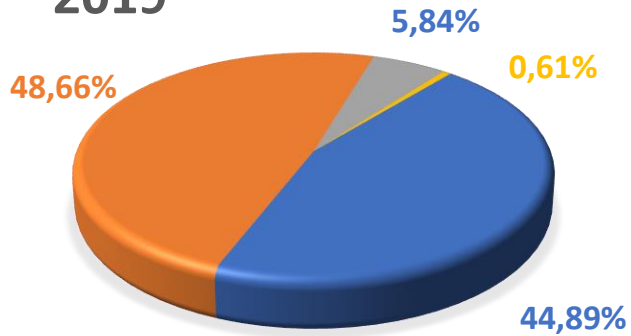
2023



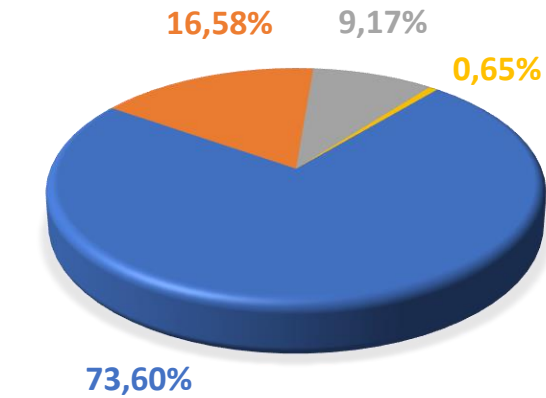
- Cancellation
- Delay
- Denied Boarding
- Up- and downgrading

Regulation (EC) No 261/2004 Reasons for complaints (Incidents)

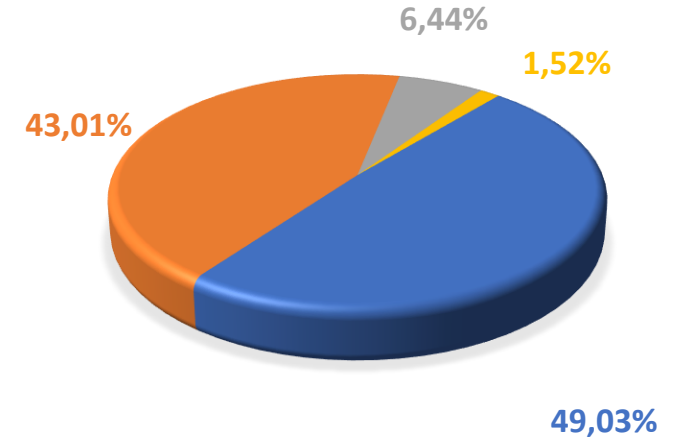
2019



2021

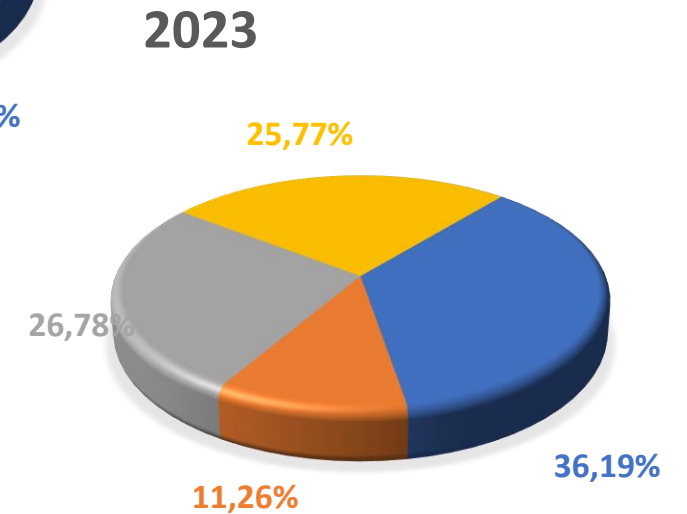
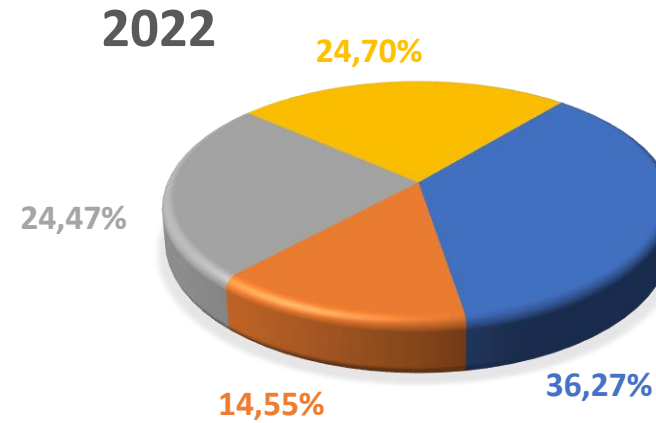
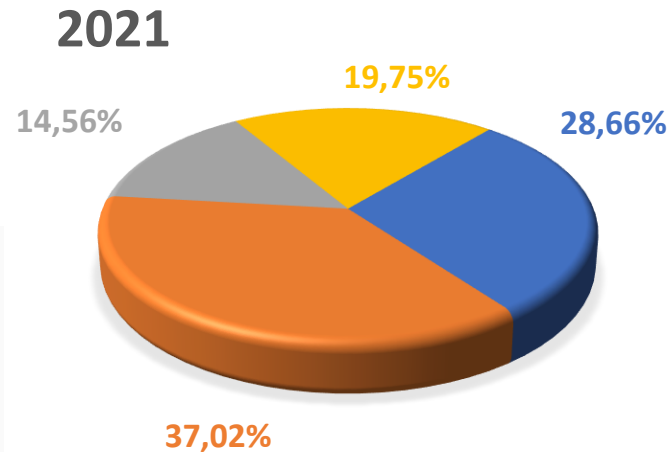
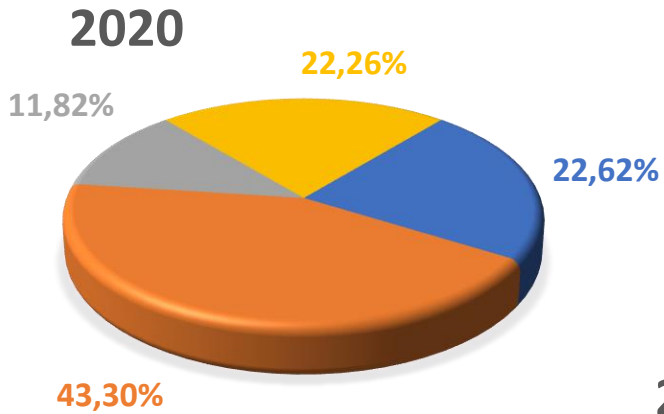


2023



- Cancellation
- Delay
- Denied Boarding
- Up- and downgrading

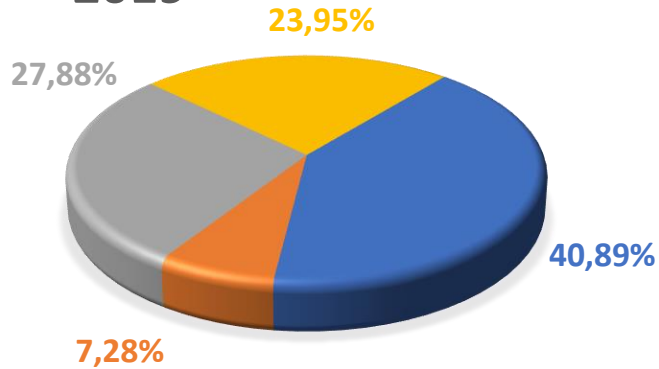
Regulation (EC) No 261/2004 Infringements reported by passengers (multiple answers possible)



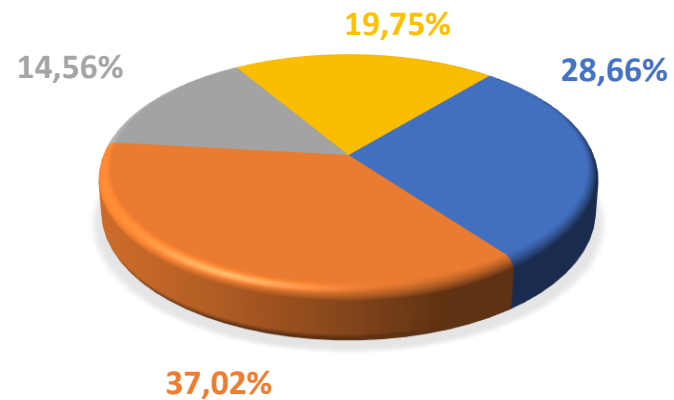
- Art. 7 Compensation
- Art. 8 Reimbursement/Re-routing
- Art. 9 Right to care
- Art. 14 Information about APR

Regulation (EC) No 261/2004 Infringements reported by passengers (multiple answers possible)

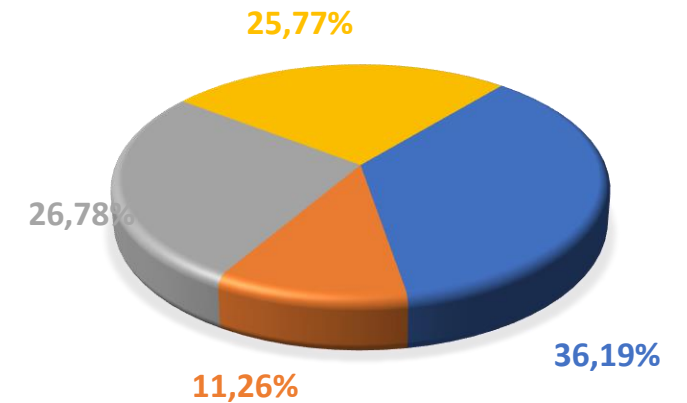
2019



2021



2023

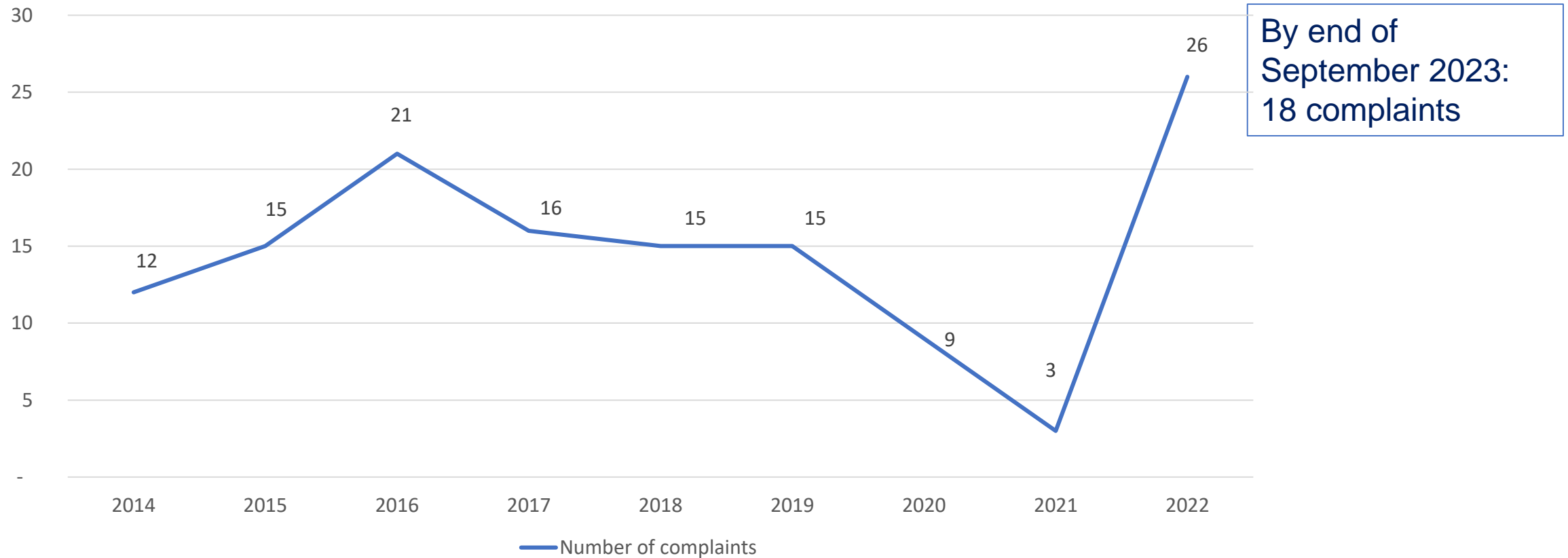


- Art. 7 Compensation
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- Art. 14 Information about APR

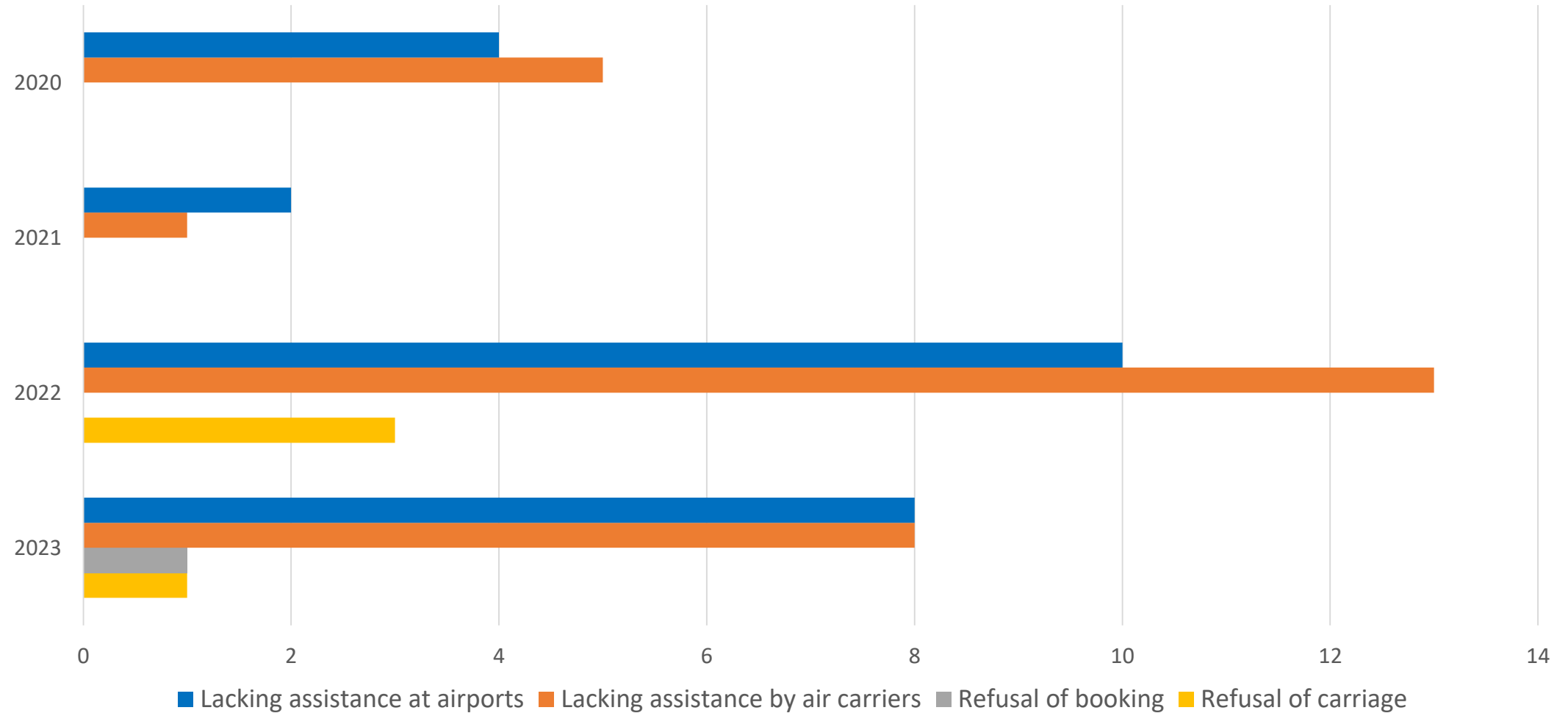
Further findings and framework conditions 2022/2023

- Lacking or insufficient communication and information in the event of disruptions
- Difficulties in contacting airlines and long processing / response times
- Change of relevant contact persons and communication channels for NEB without communication of new contact data
- Long waiting times for security checks leading to denied boarding
- Adjustments to flight schedules

Regulation (EC) No 1107/2006 (Total) Number of complaints



Regulation (EC) No 1107/2006 Reasons for complaints (Incidents)



Regulation (EC) No 1107/2006

Reasons for complaints

- Transport of mobility equipment
- Carriage of recognised assistance dogs
- Seating to meet the needs of PRM
- Transmission of information to the airport by air carriers
- Assistance at airports (point of departure and transit airport)
- Assistance in moving to toilet facilities (Onboard-Wheelchair)
- Lacking or insufficient information on restrictions and relevant safety rules

Regulations (EC) No 261/2004 and 1107/2006 Monitoring Activities

In 2022 restart of monitoring activities that were suspended during the pandemic:

- 2022: 114 on-the-spot checks at 8 German airports
 - 1 audit at a German airport
 - 1 assessment (ECAC Quality Assessment Programme QAP) at a German airport

- 2023: 85 on-the-spot checks at 10 German airports
 - 1 audit at a German airport
 - 1 assessment (ECAC QAP) at an air carrier

- With regard to Regulation (EC) No 261/2004 focus on information requirements (Article 14 para 1)
- Cooperation in monitoring activities with other units of the LBA (Aviation Security and Dangerous Goods Departments)

Regulations (EC) No 261/2004 and 1107/2006

Further Activities and Preview

- Exchange with companies and stakeholders
e.g. participation in the regular PRM dialogue of BDL with disability organisations, regular exchange with Federation of German Consumer Organisations
- Exchange with authorities of the NEB network and the CPC network
e.g. participation in regular NEB-meetings, national coordinators meeting of German CPC authorities
- Participation in the ECAC Quality Assessment Programme
- Participation in a national research project to evaluate legal regulation on accessibility
(Membership of the project advisory board)
- Activities related to „assistance dogs definition“
- Ongoing: Finalisation of web forms for APR-complaints and in this context adaptation of layout and content on the LBA website

Thank you for your attention!

Stay tuned and feel free to contact me and my team

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