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Air Passenger Rights in Canada and Other Jurisdictions

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(Background Paper)

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AIR PASSENGER RIGHTS IN CANADA AND OTHER JURISDICTIONS

1 INTRODUCTION

There have been many media reports in recent years about Canadian airline passengers being denied boarding, having their flights delayed or cancelled, or having to wait hours on the airport tarmac before take-off.¹ These reports suggest that passengers are often unsure about their rights in such situations.

Bill C-49, An Act to amend the Canada Transportation Act and other Acts respecting transportation and to make related and consequential amendments to other Acts (short title: Transportation Modernization Act),² would require the Canadian Transportation Agency (the Agency) to make regulations on air passenger rights. Such rights have existed in the United States (U.S.) and the European Union (EU) for a number of years.

This Background Paper provides an overview of relevant international conventions in relation to air passenger rights and describes air passenger rights regimes in Canada, the U.S., the EU and Australia, respectively. For the U.S. and the EU – the two jurisdictions with legislated regimes – the focus is on the rights available to consumers in terms of denied boarding (i.e., overbooking); flight delays and cancellations; and tarmac delays (i.e., waiting on board an aircraft).³

2 INTERNATIONAL CONVENTIONS⁴

The 1999 *Convention for the Unification of Certain Rules for International Carriage by Air* (commonly known as the Montreal Convention) establishes the rules governing air carrier liability for the international carriage of passengers, baggage, and cargo.⁵ The Montreal Convention modernized the 1929 *Convention for the Unification of certain Rules Relating to International Carriage by Air* (Warsaw Convention).⁶ A jurisdiction may be a party to one, both or neither of the two conventions.

The Montreal Convention applies to air travel between two or more of the 131 parties to the convention, including all of the jurisdictions discussed in this Background Paper.⁷ The Warsaw Convention may still apply in countries that have not signed the Montreal Convention.⁸ In countries that have ratified neither convention, air carriers can establish their own liability limits.

Under the Montreal Convention, air passengers are entitled to compensation when they incur damages related to international flights, expressed in Special Drawing Rights (SDRs), an international reserve asset that was created by the International Monetary Fund in 1969 to supplement its member countries' official reserves.⁹ The SDR is updated daily and as of 28 February 2018, one SDR was worth C\$1.85.¹⁰

The Montreal Convention establishes the liability limits of the air carrier for damages in relation to the carriage of passengers, baggage and cargo. The International Civil Aviation Organization must review these liability limits every five years to determine if they need to be adjusted for inflation. The latest review was conducted in 2014¹¹ and the maximum levels of liability were established as follows:

- a limit of 19 SDRs per kilogram in the case of destruction, loss, damage or delay in relation to the carriage of cargo (or C\$35.15 per kilogram, based on the SDR in effect on 28 February 2018);
- a limit of 1,131 SDRs per passenger in the case of destruction, loss, damage or delay with respect to baggage (C\$2,092.35 per passenger); and
- a limit of 4,694 SDRs per passenger in relation to damage caused by delay in the carriage of persons (C\$8,683.90 per passenger).

3 AIR PASSENGER RIGHTS IN CANADA

3.1 EXISTING RIGHTS

Canada does not have a legislated air passenger bill of rights at present, although Bill C-49 may change that situation if it receives Royal Assent.¹² Nevertheless, other Canadian laws and regulations do contain provisions related to air passenger rights.

Firstly, Canadian regulations require all persons who advertise the price of an air service to show the total price, including all fees, charges and taxes.¹³

While carriers operating in Canada may set their own terms and conditions for air carriage – subject to the terms of the Warsaw and Montreal Conventions¹⁴ – they must also create and publish documents, referred to as “tariffs,” that set out those terms and conditions of their service.¹⁵ Among other things, these tariffs must include an airline’s service commitments to passengers in cases of denied boarding due to overbooking (also known as “bumping”); flight delays and cancellations; and tarmac delays.¹⁶

The Canadian Transportation Agency can help passengers resolve complaints about air travel within, to and from Canada. Specifically, the Agency’s role is to ensure that the airline has properly applied its tariff and to determine whether or not the tariff’s terms are reasonable.¹⁷

Finally, the Agency offers an informal facilitation or mediation process to resolve passenger complaints. If that process is unsuccessful, it offers a formal adjudication process.¹⁸

3.2 BILL C-49¹⁹

The Minister of Transport introduced Bill C-49 in the House of Commons on 16 May 2017. It requires the Agency to establish a new air passenger rights regime through regulations, which will apply to flights to, from and within Canada, including connecting flights. These rights will be deemed to be part of the carrier’s tariff.

Such an air passenger rights regime must include the following obligations on the part of carriers towards passengers, among others:

- the obligation to make certain information, such as the terms and conditions of carriage, readily available to passengers in plain language;
- the obligations in case of bumping, flight delay or flight cancellation; and
- the obligation to facilitate the assignment of seats to children under the age of 14 in close proximity to a parent or guardian at no additional cost.

On 30 January 2018, the Agency told the Standing Senate Committee on Transport and Communications that it would start a three-month consultation on the regulations within three days of the bill being assented to.²⁰

4 AIR PASSENGER RIGHTS IN THE UNITED STATES²¹

Air passenger rights in the U.S. are derived from regulations and legislation adopted in recent years: three versions of the Enhancing Airline Passenger Protections final rule (which came into effect in 2009,²² 2011²³ and 2016,²⁴ respectively), as well as the FAA [Federal Aviation Administration] *Extension, Safety, and Security Act of 2016*.²⁵

4.1 DENIED BOARDING²⁶

According to the U.S. Department of Transportation (DOT), an airline must first seek passengers who will give up seats voluntarily for compensation when a flight is overbooked. Compensation may include money, vouchers, and/or a reduced rate (or even free) ticket for another flight.²⁷ There is no limit to the compensation that the airline may offer to a passenger, and passengers can negotiate with the airline.

If there are no (or not enough) volunteers willing to give up their seat on an overbooked flight, airlines can select passengers to give up their seats and fly on another flight. Airlines can determine their own criteria for bumping passengers, but those criteria cannot subject a passenger to any unjust or unreasonable prejudice or disadvantage.²⁸ Airlines must give bumped passengers a written statement outlining those criteria and describing the passengers' rights.

Passengers who are denied boarding involuntarily are eligible for compensation if the following conditions apply:

- they have a confirmed reservation;
- they check into their flight on time;
- they arrive at their departure gate on time; and
- the airline cannot get them to their destination within an hour of their flight's original arrival time.

However, in certain circumstances, passengers are not eligible for compensation. For example, compensation is not mandatory if the flight is arriving in the U.S. from a foreign destination (i.e., on international flights to the U.S.).

Table 1 summarizes the amount of compensation to which eligible passengers departing the U.S. may be entitled according to the length of delay in arriving at their destination and the type of flight (domestic or international).

Table 1 – Denied Boarding Compensation for Flights Departing the United States

Length of Delay in Arriving at Destination (Domestic Flights)	Length of Delay in Arriving at Destination (International Flights)	Compensation
Less than one hour	Less than one hour	No compensation
One to two hours	One to four hours	200% of one-way fare, up to US\$675 (approx. C\$865)
Over two hours	Over four hours	400% of one-way fare, up to US\$1,350 (approx. C\$1,729)

Note: Currency conversions are calculated as of 28 February 2018 using Bank of Canada, [Currency Converter](#).

Source: Table prepared by the author using data obtained from United States (U.S.), Department of Transportation (DOT), "[Bumping & Oversales](#)," *Aviation Consumer Protection*.

4.2 FLIGHT DELAYS AND CANCELLATIONS

The U.S. DOT states that “[t]here are no federal laws requiring airlines to provide passengers with money or other compensation when their flights are delayed.”²⁹ For significant delays, the department indicates that, in certain cases, passengers “may be entitled to a refund, including a refund for all optional fees associated with the purchase of your ticket.”³⁰ However, the U.S. DOT does not define what constitutes a “significant” delay.

In the case of cancellations, most airlines will book passengers at no charge on the next available flight, when seats are available. However, if a passenger cancels his or her trip because of a cancelled flight, the U.S. DOT notes that the passenger is “entitled to a refund for the unused transportation – even for non-refundable tickets.”³¹

4.3 TARMAC DELAY

For flights departing from an American airport, airlines must “begin to move the airplane to a location where passengers can safely get off before three hours for domestic flights and four hours for international flights.”³² A similar requirement of three hours for domestic flights and four hours for international flights also exists for flights arriving at an American airport. There are exceptions to these time limits for reasons of safety, security or air traffic control.

Airlines are also required to provide passengers with a snack and drinking water no later than two hours after the aircraft leaves the gate (when departing) or touches

down (when arriving). Airlines must also provide passengers with working toilets, comfortable cabin temperatures and adequate medical attention (if needed).

5 AIR PASSENGER RIGHTS IN THE EUROPEAN UNION³³

*Regulation (EC) No 261/2004*³⁴ governs air passenger rights in the EU. It establishes rules on compensation and assistance provided to passengers in cases of denied boarding, flight delays and cancellations. The regulation applies to the following:

- flights within the EU, operated by an EU or a non-EU airline;
- flights arriving in the EU from outside the EU, where an EU airline operates the flight; and
- flights departing from the EU to a non-EU country, operated by an EU or a non-EU airline.

As a result, a Canadian airline may be subject to the regulation when operating a flight to Canada from an EU member state.

5.1 DENIED BOARDING

According to the EU regulation, before bumping passengers, airlines must first seek passengers who are willing to give up their seats in return for compensation.

If an airline denies a passenger the opportunity to board the plane due to overbooking or for operational reasons and the passenger does not voluntarily give up her or his seat, that passenger has three main rights:

- the right to compensation;
- the right to choose between reimbursement, rerouting or rebooking the flight at a later date; and
- the right to assistance (such as food and accommodation).

To qualify for these rights, the passenger must be on time for check-in and have a valid flight reservation and travel documentation.

5.1.1 THE RIGHT TO COMPENSATION

In accordance with *Regulation (EC) No 261/2004*, the amount of compensation allowed to passengers on EU flights (as defined above) is based on flight distance. Table 2 shows the required amount of compensation when an airline bumps passengers.

Table 2 – Denied Boarding Compensation According to European Union Regulation (EC) No. 261/2004

Distance of Trip	Amount of Compensation ^a
1,500 km or less	€250 (approx. C\$391) ^b
Over 1,500 km for flights within the EU and between 1,500 km and 3,500 km for all other flights	€400 (approx. C\$626)
Over 3,500 km	€600 (approx. C\$938)

- Notes:
- a. If an airline reroutes the passenger and the passenger arrives at their final destination with a delay of two, three or four hours (respectively, for each distance increment) the airline can reduce the compensation by 50%.
 - b. Currency conversions are calculated as of 28 February 2018 using Bank of Canada, [Currency Converter](#).

Source: Table prepared by the author using data obtained from European Union, "[Air passenger rights](#)," *Your Europe*.

5.1.2 THE RIGHT TO REIMBURSEMENT, REROUTING OR REBOOKING THE FLIGHT AT A LATER DATE

When an airline denies boarding to a passenger, that airline must also offer the passenger a choice between the following options:

- reimbursing the passenger’s ticket and a return flight to the airport of departure at the earliest opportunity (if the passenger has a connecting flight);
- rerouting to the passenger’s final destination at the earliest opportunity; or
- rebooking the passenger for a rerouted flight at a later date, chosen at the passenger’s convenience, under comparable transport conditions (subject to the availability of seats).

5.1.3 THE RIGHT TO ASSISTANCE

When an airline denies boarding to a passenger, it must assist that passenger free of charge. This assistance includes the following:

- food and other refreshments;
- accommodation (if the passenger is rebooked to travel the next day);
- transport to and from that accommodation; and
- two telephone calls, fax messages or emails.

If an airline does not provide assistance to a passenger, the airline must reimburse any necessary, reasonable and appropriate costs that the passenger has incurred as a result of the denied boarding.

5.2 FLIGHT DELAYS AND CANCELLATIONS

If a flight delay causes a passenger to arrive at his or her destination over three hours late, the passenger is entitled to compensation (see amounts for denied boarding in Table 2). It should be noted that the right to compensation does not apply in certain extraordinary circumstances, such as adverse weather conditions.

As is the case with passengers denied boarding, passengers whose flight is delayed also have the right to have their ticket reimbursed and the right to a return flight to their original airport of departure. They also have a right to assistance. These rights depend on the delay's duration and the distance of the flight.

For cancelled flights, passengers are entitled to the same rights as passengers who are denied boarding due to overbooking or for operational reasons (see above). In general, the right to compensation for a cancellation applies when the airline informs the passengers of a cancellation less than 14 days before the scheduled departure. There are some exceptions to this 14-day rule,³⁵ and the right to compensation does not apply in certain extraordinary circumstances, such as adverse weather conditions.

5.3 TARMAC DELAY

In the case of a tarmac delay, the European Commission (EC) stipulates that passengers have a right to assistance and a right to renounce the flight after five hours' delay.³⁶ A 2013 EC proposal suggested amending *Regulation (EC) No 261/2004* to make those rights more explicit, but it has not yet been implemented.³⁷

6 AIR PASSENGER RIGHTS IN AUSTRALIA³⁸

Australia does not have air passenger rights spelled out in legislation like the U.S. or the EU. According to the Australian consumer advocacy group CHOICE, the country decided not to implement such a regime because of concerns about how it would affect airfares.³⁹

However, Australia's Airline Customer Advocate (ACA) "provides a free and independent service to eligible customers of major Australian airlines by facilitating the resolution of current unresolved complaints about airline services."⁴⁰ The five participating airlines fund the ACA.⁴¹

To be eligible to file a complaint with the ACA, the complaint must be about a specific incident (e.g., a flight delay or cancellation) and the passenger must have already tried to resolve the complaint directly with the airline.⁴² The complaint must also relate to a problem that has occurred in the last 12 months.⁴³

The ACA will respond to the passenger’s complaint within 20 days of the date that they lodged the complaint, although the organization can extend this deadline when it needs to seek more information from the passenger. Airlines must respond to all complaints that the ACA forwards to them.⁴⁴

Nevertheless, the ACA maintains that it “does not have independent power to make decisions that affect the participating airline’s response to [a] complaint.”⁴⁵ In other words, the ACA cannot make the airline respond in a particular way.

Compared to Canada, the ACA’s role most resembles the Canadian Transportation Agency’s facilitation process; however, in contrast to the ACA, the Agency also offers an adjudication process, where its decision is final and binding.

Australian airlines are free to set their own policies regarding such matters as denied boarding, flight delays, cancellations and tarmac delays. These policies are typically available through the airlines’ customer charters (referred to as tariffs in Canada).

7 CONCLUSION

Currently, Canada’s air passenger rights regime is most similar to Australia’s, as both jurisdictions allow airlines to set their own policies on air passenger rights and require them to publish those policies in their tariffs (or customer charters). Both countries also have dispute resolution processes in place, though the Canadian Transportation Agency has more enforcement power than its Australian counterpart.

In contrast, the U.S. and the EU both have legislated air passenger rights in cases of denied boarding, flight delays, cancellations and tarmac delays, even if the specific rights in each jurisdiction varies.

If Bill C-49 becomes law, the Canadian Transportation Agency will be required to establish a new air passenger rights regime through regulations, bringing Canada more in line with the regulatory frameworks in place in the U.S. and the EU.

Table A.1 in Appendix A summarizes the four air passenger rights regimes covered in this Background Paper.

NOTES

1. For examples, see Sophia Harris, [“Dad, 2 young kids ordered off Air Canada plane after mother turned away at gate,”](#) *CBC News*, 26 April 2017; Tracy Johnson, [“WestJet flights to London prompt wave of complaints, compensation,”](#) *CBC News*, 11 July 2016; and Matthew Kupfer, [“Air Transat failed passengers stuck on 2 flights at Ottawa airport, agency decides,”](#) *CBC News*, 30 November 2017.

2. [Bill C-49, An Act to amend the Canada Transportation Act and other Acts respecting transportation and to make related and consequential amendments to other Acts](#), 1st Session, 42nd Parliament.
3. These three topics are highlighted in this Background Paper based on their prevalence in media reports. However, air passenger rights regimes often go beyond these three considerations. For example, see section 3.2 for the list of issues that Bill C-49 will require future regulations to address.
4. Unless otherwise indicated, this section of the Background Paper is based on Canadian Transportation Agency, [Limits of liability for passengers and goods](#).
5. The text of the Montreal Convention can be found in Schedule VI of the [Carriage by Air Act](#), R.S.C. 1985, c. C-26, pp. 44–64.
6. The text of the Warsaw Convention can be found in Schedule I of the *Carriage by Air Act*, pp. 5–17.
7. For the list of the 131 parties, see [Convention for the Unification of Certain Rules for International Carriage by Air Done at Montreal on 28 May 1999](#).
8. For reference, there are 152 parties to the Warsaw Convention. See [Contracting Parties to the Convention for the Unification of Certain Rules Relating to International Carriage by Air Signed at Warsaw on 12 October 1929 and the Protocol Modifying the Said Convention Signed at The Hague on 28 September 1955](#).
9. The value of the Special Drawing Right [SDR] is based on a basket of five major currencies – the United States [U.S.] dollar, the Euro, the Chinese renminbi, the Japanese yen, and the British pound sterling. For more information on the SDR, see International Monetary Fund [IMF], [Special Drawing Right \(SDR\)](#), Fact Sheet, 19 April 2018
10. IMF, [SDRs per Currency unit and Currency units per SDR last five days](#).
11. Darryl Pankratz, [“Status Quo for Limits of Liability under Montreal Convention,” Aviation Law Blog](#), Alexander Holburn Beaudin + Lang LLP, 23 February 2015.
12. The Canadian Transportation Agency released five decisions in June 2012 that expanded air passenger rights in terms of denied boarding and delayed and cancelled flights. These decisions apply to Air Canada, WestJet and Air Transat. See Canadian Transportation Agency, [Backgrounder – Air Canada, WestJet and Air Transat’s International Tariffs and Air Canada and WestJet’s Domestic Tariffs Decisions](#).
13. [Air Transportation Regulations](#), SOR/88-58. For more information, see the “Regulatory Impact Analysis Statement,” in [Regulations Amending the Air Transportation Regulations and the Canadian Transportation Agency Designated Provisions Regulations](#), SOR/2012-298, 14 December 2012, in *Canada Gazette*, Part II, Vol. 147, 2 January 2013, pp. 205–213.
14. The conventions have force of law in Canada under the *Carriage by Air Act*.
15. See [Canada Transportation Act](#), S.C. 1996, c. 10, s. 67; and *Air Transportation Regulations*, ss. 107, 122 and 135.3.
16. Canadian Transportation Agency, [“Denied boarding due to over-booking \(bumping\),” Fly smart](#), and Canadian Transportation Agency, [“Delays, cancellations and schedule changes,” Fly smart](#). The Agency also maintains a list of links to airline tariffs on its website. See Canadian Transportation Agency, [Air carrier tariffs posted on websites](#).
17. Canadian Transportation Agency, [Air travel complaints](#).

18. For more information, see Canadian Transportation Agency, [Facilitation for disputes about federal transportation](#); Canadian Transportation Agency, [Mediation for disputes about federal transportation](#); and Canadian Transportation Agency, [Adjudication for disputes about federal transportation](#).
19. Unless otherwise indicated, this section is adapted from Jed Chong, Zackery Shaver and Nicole Sweeney, [Legislative Summary of Bill C-49: An Act to amend the Canada Transportation Act and other Acts respecting transportation and to make related and consequential amendments to other Acts](#), Publication no. 42-1-C49-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, 4 August 2017.
20. Canadian Transportation Agency, [Chair and CEO Scott Streiner addresses the Standing Committee on Transportation and Communications, Senate of Canada on January 30, 2018](#), Speech.
21. For more detailed information on American air passenger rights, see Rachel Y. Tang, [Airline Passenger Rights: The Federal Role in Aviation Consumer Protection](#), CRS Report, Congressional Research Service, United States Library of Congress, 17 August 2016.
22. U.S., Department of Transportation [DOT], [“Enhancing Airline Passenger Protections,” Federal Register: Rules and Regulations](#), Vol. 74, No. 249, 30 December 2009.
23. U.S., DOT, [“Enhancing Airline Passenger Protections,” Federal Register: Rules and Regulations](#), Vol. 76, No. 79, 25 April 2011.
24. U.S., DOT, [“Enhancing Airline Passenger Protections III,” Federal Register: Rules and Regulations](#), Vol. 81, No. 213, 3 November 2016.
25. U.S., [FAA Extension, Safety, and Security Act of 2016](#), Public Law 114-190, 114th Congress, 130 Stat. 615, 15 July 2016.
26. This section is based on information obtained from U.S., DOT, [“Bumping & Oversales,” Aviation Consumer Protection](#).
27. When offering a reduced-rate ticket, free ticket, or voucher to a passenger in exchange for voluntarily taking a different flight, airlines are required to tell the passenger about any and all restrictions that may apply to that reduced-rate ticket, free ticket, or voucher.
28. Examples of such criteria include the passenger’s check-in time, the fare paid by the passenger, or the passenger’s frequent-flyer status.
29. U.S., DOT, [“Flight Delays & Cancellations,” Aviation Consumer Protection](#).
30. Ibid.
31. Ibid.
32. U.S., DOT, [“Tarmac Delays,” Aviation Consumer Protection](#).
33. Unless otherwise indicated, this section of the Background Paper is based on European Union [EU], [“Air passenger rights,” Your Europe](#). For more detailed information, see also European Commission, [Commission Notice: Interpretative Guidelines on Regulation \(EC\) No 261/2004 of the European Parliament and of the Council establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and on Council Regulation \(EC\) No 2027/97 on air carrier liability in the event of accidents as amended by Regulation \(EC\) No 889/2002 of the European Parliament and of the Council](#), Brussels, 10 June 2016.
34. EU, [“Regulation \(EC\) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation \(EEC\) No 295/91 \(Text with EEA relevance\) – Commission Statement,” EUR-Lex: Access to European Union Law](#).

35. The EU lists a number of exceptions to compensation for cancelled flights.

If your flight is cancelled you're not entitled to compensation:

- if you are informed more than 14 days in advance
- if you are informed between 2 weeks and 7 days before the scheduled departure and you are offered re-routing which would allow you:
 - to depart no more than 2 hours before the original scheduled time of departure and
 - to reach your final destination less than 4 hours after the original scheduled time of arrival
- if you are informed less than 7 days before the scheduled departure and are offered re-routing which would allow you:
 - to depart no more than 1 hour before the original scheduled time of departure and
 - to reach your final destination less than 2 hours after the original scheduled time of arrival.

See EU, "Air passenger rights," *Your Europe*.

36. European Commission, "[Air Passenger Rights Revision – Frequently Asked Questions](#)," *European Commission Memo*, Brussels, 13 March 2013.
37. European Parliament, "[Revision of Regulation on Air Passenger Rights and of Regulation 2027/97 on Air Carrier Liability in Respect of the Carriage of Passengers and Their Baggage by Air](#)," *Legislative Train Schedule: Deeper and Fairer Internal Market with a Strengthened Industrial Base/Services Including Transport*.
38. For more details on the Australian regime, see Airline Customer Advocate [ACA], [Australian Consumer Law Review : Response to Issues Paper and Submission](#), May 2016.
39. Jemma Castle, "[Flight delays and cancellations: Flight times not guaranteed](#)," *CHOICE*, 11 April 2017.
40. ACA, [What is the Airline Customer Advocate?](#)
41. The ACA provides links to the customer charters of the five participating airlines. See ACA, [Airlines Customer Charters](#).
42. ACA, [Our Customer Service Charter](#).
43. ACA, [Are you eligible?](#)
44. ACA, *Our Customer Service Charter*; and ACA, [The process](#).
45. ACA, [About Us](#).

APPENDIX A – SUMMARY TABLE

Table A.1 – Comparison of Air Passenger Rights Regimes in Canada, the United States, the European Union and Australia

Event	Canada	United States	European Union	Australia
Denied boarding	Airlines can set their own policies, which must be published in tariffs Under Bill C-49, the Canadian Transportation Agency will define air passenger rights in future regulations	Airlines must first seek volunteers; compensation available Involuntary denied boarding; compensation available in certain circumstances	Airlines must first seek volunteers; compensation available Involuntary denied boarding; compensation and assistance (e.g., food and accommodation), plus a choice between reimbursement, rerouting or rebooking flight at a later date	Airlines can set their own policies, which must be published in customer charters
Flight delays and cancellations		Compensation not required, but passengers may be entitled to a refund in cases of "significant delay"	Delays: right to reimbursement, return flight and assistance Delays over three hours: compensation as per denied boarding Cancellations: same as denied boarding	
Tarmac delays		Aircraft must start moving to a place where passengers can safely deplane before three hours (domestic flights) or four hours (international flights) Must provide passengers with snacks and water after two hours and working toilets	Right to assistance Right to renounce flight after five hours	
Other	Dispute resolution through Canadian Transportation Agency Airlines must advertise total airfare	N/A	N/A	Dispute resolution through Airline Customer Advocate