



**Consumers' Association of Canada
Association des consommateurs du Canada**

Presentation to

House of Commons
Standing Committee on Transport,
Infrastructure and Communities

Re: Bill C-310, An Act to Provide Certain
Rights to Air Passengers

November 18, 2009

The Consumers' Association of Canada (CAC) is a 62 year old independent, not-for-profit, volunteer based organization with a National office in Ottawa and provincial/territorial representatives. Our mandate is to inform and educate consumers on marketplace issues, to advocate for consumers with government and industry, and work with government and industry to solve marketplace problems in beneficial ways.

Thank you for the opportunity to present our views on Bill C-310. Since we received the invitation to attend less than 24 hours ago, my remarks will be brief.

For the past 25 years, the performance of successive Canadian governments with respect to consumer protection has been less than stellar. I would even go so far as to say that it has been all but non-existent. We now have before us an opportunity to give at least that portion of the Canadian public who travel by air, the service and protection they deserve.

While we have seen increased competition in recent years, since the demise of its major competitor Canadian Airlines, Air Canada (and to a lesser extent other carriers) seem to treat their customers with disdain.

Misleading advertising, finding out that only one seat is available at the advertised price when trying to book for a family of 4, inappropriate add-ons to ticket prices, charges for checking bags, and most recently extra charges for seats that have a little extra legroom because of where they are situated, are some examples.

But those tend to pale by comparison to those situations which bill C-310 attempts to modify or correct. Before I go any further let me note that safety is always paramount. We do not feel that safety should be, nor will it necessarily be compromised by the types of measures introduced in this bill.

This bill deals with a number of the most egregious insults foisted upon the flying traveler; Cancellations, Delays, Sitting on the Tarmac, Denial of Boarding (Overbooking) and Lost Baggage. Even though the CAC is not set up to receive complaints, nonetheless we do receive thousands of them each year relating to those specific problems. I will not take time now to describe these situations since they are well known to committee members.

I will note, however, comments made before this committee by a frequent flyer who calculated that his own incidences were less than 1% of his flights. I would suggest that those of us who fly a lot have become so inured to these occurrences that we hardly notice them unless they actually cause us to miss a meeting or a grandchild's birthday celebration.

But what about the vacationers who lose several days or miss out completely because of cancellations or over bookings, what about the parents trying to amuse two toddlers while waiting for their delayed flight to depart, or the elderly lady who becomes ill while incarcerated for hours sitting on the tarmac with inadequate air or water or other facilities, or the wedding party left without their attire because of lost luggage? It does not matter to them that “this happens less than 1% of the time”.

Contrary to statements made before his committee, bill C-310 IS about rights for passengers and it DOES aspire to improving the travel experience of Canadians. From a consumer’s perspective ALL of the provisions contained in the bill would reduce instances of passenger inconvenience if airlines reacted appropriately. Its aspiration is NOT to penalize airlines but to act as a deterrent – to encourage airlines to do right by their customers, to try harder and thus to avoid penalties.

Please do not be swayed by blackmail – the threats to reduce service to rural communities across Canada. This bill does not have to “profoundly affect the cost structure” of the business or “force dramatic price increases on Canadian consumers”. Not if the airlines view it as an incentive to have satisfied, happy customers.

The requirements that would improve customer convenience (and satisfaction) and compensate them for egregious abuses are not onerous. The bill does not, as stated, “make airlines responsible for the weather”. If the current wording is less than satisfactory, particularly with respect to delays, it can easily be rectified.

There is nothing in this bill that requires airlines to subjugate public safety to passenger convenience. The whole gloom and doom scenario is written by those who do not treat their customers with respect, who do not aspire to improve the passenger experience, who will not accept responsibility for their own shortcomings, who do not wish to alleviate the pain felt by passengers in these situations, and who, as a result, can only see penalties and not opportunities.

We urge the Committee to please endorse Bill C-310 and give Canadian air travelers the protection and comfort they pay for and expect to receive.