



National Transport Authority

Republic of Ireland National Enforcement Body

Activity Report 2015

Rights of Passengers travelling by Sea and Inland Waterway

Regulation (EU) No 1177/2010

October 2015

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1. Introduction

Under the provisions of Article 26 of the Regulation (EU) 1177/2010, the National Enforcement Bodies (NEBs) of each EU Member State are required to publish a report on their activities in the previous 2 calendar years.

The National Transport Authority is the designated National Enforcement Body for passenger rights in Ireland. The NTA's role as the Irish NEB is prescribed in national regulations (S.I. no. 394 of 2012). These regulations also set out the penalties that can be imposed in cases of non-compliance (on summary conviction the operator is liable to a class A fine up to €5,000). No sanctions have been imposed to date – complaints have been resolved with the operator without the need for infringement notices or fines. Ireland has not applied for any exemption under Articles 2(4) and 2(5) of the Regulation.

2. The Irish National Enforcement Body

The National Transport Authority is a statutory body established by the Minister for Transport on 1 December 2009. The Authority's remit is provided for under the Dublin Transport Authority Act 2008, the Public Transport Regulation Act 2009 and the Taxi Regulation Act (2013) for securing the provision of public passenger land transport services, licensing of public bus passenger services, regulation of the small public service vehicle sector, the provision and operation of a smartcard integrated ticketing scheme and integrated information schemes for public transport and all associated administrative activities. The Authority is also the national enforcement body responsible for the rights of passenger travelling by rail or on sea ferries and bus and coach. The commission for aviation regulation is responsible for air passenger rights in Ireland.

The NTA also has responsibility for the development of an integrated transport system within the [Greater Dublin Area](#) (GDA). The principal functions of the NTA with respect to the GDA are:

- strategic planning of transport;
- development of an integrated, accessible public transport network;
- promoting cycling and walking;
- provision of public transport infrastructure generally including light rail, metro and heavy rail;
- effective management of traffic and transport demand.

In addition to its statutory responsibilities, the Authority has various arrangements with the Department of Transport, Tourism and Sport to discharge functions on its behalf with regard to the following:

- Regional cities traffic management
- National Accessibility Programme
- Smarter Travel Workplaces
- Smarter Travel schools
- Rural Transport
- Bus Éireann fleet acquisition, outside the GDA.

The Authority is financed by central government. We currently have a staff of approximately 80, across a range of areas, planners, engineers, economists, accounts, IT, administration and communications.

3. Background Information on the Maritime Sector in Ireland

The Maritime transport market in Ireland can be split into 2 sectors the domestic sector; and the international sector.

Domestic Passenger Market

The domestic sector is primarily services from the mainland to a number of islands off the coast of Ireland. There are two types of service

- Services subsidised by the Department of Arts, Heritage, Gaeltacht and the Islands. These services run on all round year basis.
- Private commercial services no subsidy provided. These services tend to be operated on a seasonal basis during the summer.

In addition there are a number of ferry services operating between 2 points on the mainland. All operators hold a passenger ship certificate issued by the Department of Transport, Tourism and Sport. Figures for passengers carried on the subsidised services in are set out in Table 1 below.

Table.1. No of Passengers carried on subsidised Ferry services to offshore islands by year.

Year	2012	2013	2014
No Passengers	560,138	406,942	404,153

The International passenger market.

The international passenger market is centred on 3 ports in Ireland namely Dublin (Dublin Port), Rosslare and Cork. Ferry services did operate from Dun Laoghaire (Dublin) but these were withdrawn in early 2015. The services are all operated on a commercial basis by operators using non Irish flagged vessels. The services are to destinations in the United Kingdom and France. These services are operated all year round and cater for both foot passengers and passengers with cars. In addition there are services that operate to France and the isle of Man during the summer period. All vessels operating on the routes hold Passenger Ship Certificates

from the Department of Transport, Tourism and Sport. The figures below are for total passenger journeys into and out of Ireland 2012- 2014.

Table.2. International Passenger journeys embarking and disembarking in Ireland in 2012 - 2014 by Port.

Port	Cork	Dublin	Dun Laoghaire	Rosslare
2012	73,000	1,517,000	189,000	878,000
2013	80,000	1,607,000	189,000	869,000
2014	78,566	1,710,275	257,847	869,438

Cruise Ships.

There are also a number of ports which are stops on cruise lines operation. The main ports that engaged in the cruise industry is Dublin and the port of Cork. The ports of Galway, Waterford and Dun Laoghaire also have cruise ship calls but these are to a lesser extent. The Table below provides details of the number of cruise ships and cruise passengers visits to Irish ports.

Table.3. Cruise ships and cruise passenger visits

Year	2012	2013	2014
Cruise ships visits	190	204	177
Passenger numbers	162,797	207,952	202,819

4. Complaint Handling

The Authority acts as an appeals body only and passengers are obliged to make their complaint to the relevant operator in the first instance. If the individual is not satisfied with the outcome of their complaint or if they do not receive a response they can bring their complaint to the attention of the Authority. The Authority will decide if it is a valid complaint under the regulations and if so conduct a full investigation. Passengers can submit their complaint in writing, by email or by filling out the online complaint form on the Authority's website.

The Authority received a total of 3 complaints during the period 18th December 2012 -31st December 2014. The Authority also facilitates complaints which are outside of its jurisdiction by passing them on to the relevant NEB's in other countries.

Statistical Data:

Year	Number of complaints	Reason for complaint (e.g. cancellation, delay, discrimination, lack of assistance):	Comments (if any):
From 18 December 2012 – 31 st December 2013	3	Lack of assistance on board, lack of assistance and long delay	See summary table below
From 1 January 2014 – 31 st December 2014	0	-	-

Complaints under EU Regulation - Maritime 1177/2010

Date	Mode	Nature of Complaint	Regulations 181/2011	Decision/Outcome
18 th September 2013	Ferry	Lack of accessible cabin and lack of assistance on board	Accessibility and assistance on board	Referred to NEB in Northern Ireland as incident occurred outside our jurisdiction
7 th November 2013	Ferry	Long delay and lack of assistance	Compensation for long delay	Referred to EU – awaiting appointment of NEB in Spain incident occurred outside our jurisdiction
10 th December 2013	Ferry	Long delay	Compensation for delay	No compensation due as delay was caused by bad weather – operator provided the customer with travel voucher as good will gesture

5. Guidance and Enforcement

Our website <https://www.nationaltransport.ie/> provides a comprehensive summary of the regulations and where to go for additional information. It also contains a link to our online complaint form for passengers who wish to submit a complaint to us.

The Authority in association with the Department of Transport Tourism and Sport has produced a number of guidance documents specifically for passengers, carriers and port terminal operators. These guidelines are available on request from the Authority and are also available on the Department's website.

As the regulations are relatively new in this sector the NTA proposes to conduct a series of site visits, monitoring of operators website information and in early 2016 the Authority will circulate a compliance questionnaire to operators to ascertain the number and nature of complaints received by operators, the level of awareness of the regulations and the levels of compliance with the regulations.

The Authority works closely with the Department of Transport's Accessibility Consultative Committee on issues relating to accessible transport. The main stakeholders representing passengers with reduced mobility and other transport interest groups are represented on the committee.

Links to guidance documents

<http://www.dttas.ie/sites/default/files/node/add/generic-maritime/Passenger%20Rights%20-%20Passenger%20Information%20Notes.pdf>

http://www.dttas.ie/sites/default/files/maritime/13658-CARRIERS_INFORMATION_NOTE-0_0.pdf

http://www.dttas.ie/sites/default/files/maritime/13659-TERMINAL_AND_PORT_OPERATORS_INFORMATION_NOTE-0_0.pdf

