



## **National Transport Authority**

**Republic of Ireland National Enforcement Body**

**Activity Report 2017**

**Rights of Passengers travelling by Sea and Inland Waterway**

**Regulation (EU) No 1177/2010**

**September 2017**

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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 grants
- National Accessibility Programme
- Smarter Travel Workplaces and campuses
- Smarter Travel schools
- Rural Transport

The Authority is financed by central government. We currently have a staff of approximately 100, across a range of areas, planners, engineers, economists, accounts, IT, admin, 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.**

<b>Year</b>	<b>2015</b>	<b>2016</b>
No Passengers	397,008	416,477

#### **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 2015- 2016

**Table.2. International Passenger journeys embarking and disembarking in Ireland in 2015 - 2016 by Port.**

Port	Cork	Dublin Port	Dun Laoghaire	Rosslare
2015	84,000	1,797,000	Services discontinued	869,000
2016	79,000	1,792,000	Services discontinued	840,000

#### **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 are 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 in Ireland during 2015 and 2016**

Year	2015	2016
Cruise ships visits	193	209
Passenger numbers	241,872	222,217

#### **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 2 complaints during the period 2015 - 2016. 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):
2015	1	Compensation for long delay	See summary table below
2016	1	Compensation, re- routing and reimbursement	See summary table below

## Complaints under EU Regulation - Maritime 1177/2010

Date	Mode	Nature of Complaint	Regulations 1177/2010	Decision/Outcome
27 <sup>th</sup> January 2015	Ferry	Compensation for long delay	Compensation for long delay	No compensation due as delay was caused by bad weather
19 <sup>th</sup> May 2016	Ferry	Long delay and lack of assistance	Compensation for long delay	Concluded in favour of the passenger

### 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.

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

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.