



## National Transport Authority

Republic of Ireland National Enforcement Body

Activity Report 2019

Rights of Passengers travelling by Sea and Inland Waterway

Regulation (EU) No 1177/2010

**December 2019**

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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). In October 2018, the Authority issued 2 notices in concerning infringements of Articles 18 and 19 of the maritime regulation. The notices are currently the subject of court proceedings and certain matters have been referred to the CJEU for clarification.

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 and inland waterways 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 354, across a range of areas, planners, engineers, economists, accounts, IT, admin 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 months.

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>2017</b>	<b>2018</b>
No of Passengers	139,706	153,644

### *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, Spain 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 2017- 2018.

Table.2. International Passenger journeys embarking and disembarking in Ireland in 2017 - 2018 by Port.

Port	Cork	Dublin Port	Rosslare
2017	83,000	1,843,000	844,000
2018	110,000	1,782,000	808,000

### *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 2017 and 2018

Year	2017	2018
Cruise ships visits	234	300
Passenger numbers	264,763	398,505

#### **4. Complaint Handling**

Passengers can submit complaints directly to the operator or to the Authority. On receipt of a complaint directly to the Authority, we would advise passengers to contact the operator directly if they have not already done so. On receipt of a passenger complaint 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 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):
2017	3	Compensation for long delay.
2018	227	Compensation, re- routing and reimbursement.

### 5. Guidance and Enforcement

Our website 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.

<https://www.gov.ie/pdf/19117/?page=1>

<https://www.gov.ie/pdf/19120/?page=1>

<https://www.gov.ie/pdf/19122/?page=1>

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.