

## MACS COMMENTS ON CONSULTATION ON MARITIME PASSENGER RIGHTS

The following represent the views of MACS (the Mobility and Access Committee for Scotland)

CONSULTATION QUESTION	COMMENT
<p>1. Do you agree with the proposed approach for complaint handling? If not please provide your reasons.</p>	<p>1. MACS would wish that as a priority the complaints handling process be accessible to all people with a disability.</p> <p>2. In addition the Department of Transport suggests that the Passenger Shipping Association should be the complaint handling body for England and Wales and in Scotland it will be the Scottish Government. This is really an issue for Transport Scotland who must know if the Scottish Government want to undertake this role. If they do, the likely result will be that anyone dissatisfied with the complaints handling process will write to their MSP. The complaints handling bodies will be expected to provide an evidence based reply within a reasonable period of time. All this will be on a voluntary (non-statutory) basis. MACS thinks the voluntary basis outlined is worth trying. It does not think that complaints handling needs to be statutory, particularly as there appears to be no requirement in the Regulations for the complaints handling function to be statutory.</p>
<p>2. Do you agree with the alternative approach outlined in section 6.8?</p>	<p>The PSA has offered to deal with passenger complaints for all cruises in the UK meaning that the Scottish Government would only deal with ferry complaints. The cruise market and the ferry market are two quite different things. The PSA has a strong incentive to deal with complaints promptly as 30 per cent of all cruises depart from the UK many of them organized by companies who are members of the PSA and who will want to maintain their market share. Cruises are typically longer journeys with high</p>

	<p>value tickets. Passengers expect very good service and the members of the PSA will want to avoid any negative publicity dealing quickly with any mishaps. The Scottish Government does not have any direct role in the cruise market except a wish to promote tourism, as for example the many cruises which sail from other parts of the United Kingdom and visit Scotland. The ferry market is quite different with a mixture of low value short journey tickets and higher value longer journey tickets but even the higher value ferry tickets will be cheaper than most cruise tickets. In this market many of the ferries will be operated either by the state owned ferry company Caledonian MacBrayne Ferries Limited or by ferries run by other public sector bodies. It therefore seems likely that the Scottish Government will be in a much better position to deal with say a complaint relating to the Gourock to Dunoon passenger ferry than with a cruise between Scotland and Norway.</p> <p><b>Therefore MACS supports the PSA proposal that it should deal with passenger complaints for all cruises in the UK.</b></p>
3. Are you able to provide any data or other evidence on the rate of complaints the national enforcement body for the EU Regulation is likely to receive	No.
4. Do you think that the level of penalty is appropriate for each of the offences described above?	Not applicable
5. Are you able to provide any additional evidence relating to the costs and benefits associated with the draft Regulations?	Not applicable

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