

Agency for Passenger Rights (apf) – Overview of the year 2018

Pursuant to section 8 par. 2 Federal Passenger Agency Act¹ and section 9 AStG², the Agency for Passenger Rights (apf) is obliged to compile an annual report on its activities and results every year. The material content of the 2018 report is summarised below. The full report (in German) can be retrieved from the apf website free of charge.³

1. Legislation in Austria

Arbitration board and enforcement body for rail, bus, waterborne and air transport

The Passenger Right Agency Act (PFAG)⁴ came into force on 28 May 2015. With this new legislation, the Agency for Passenger Rights (apf) replaced Schienen-Control's previous rail transport arbitration board and integrated the arbitration board that was already handling complaints relating to air passenger rights at the Federal Ministry for Transport, Innovation and Technology (BMVIT). They were joined by the newly created arbitration boards for bus and waterborne transport. The apf is a BMVIT service and was established as a department of Schienen-Control.

EU-notified body for alternative dispute resolution

As of 9 January 2016, the apf became a notified alternative dispute resolution body (ADR body) pursuant to the Alternative Dispute Resolution Act (AStG)⁵, the national implementation of the directive on alternative dispute resolution in consumer disputes (ADR Directive)⁶. This means it is now one of eight ADR bodies active in Austria. Consumers can recognise the apf's status as an ADR body from the logo with the federal coat of arms and the words *Staatlich anerkannte Verbraucherschlichtungsstelle* ("officially recognised consumer arbitration board"). In terms of structure, funding, legal structure and decision-making, the apf is independent of the companies involved in the arbitration procedures. Arbitration procedures are conducted by the arbitrator appointed by the Federal Minister for Transport, Innovation and Technology.

¹ Federal Passenger Agency Act, Federal Law Gazette (BGBl) I 2015/61 (current version).

² Alternative Dispute Resolution Act – AStG, BGBl I 2015/105 (current version).

³ www.passagier.at.

⁴ Passenger Rights Agency Act – PFAG, BGBl I 2015/61.

⁵ Pursuant to section 4 par. 1 in conjunction with section 25 AStG.

⁶ Directive 2013/11/EU, Official Journal of the EU L 2013/165, 63.

2. Agency for Passenger Rights

The apf is the statutory arbitration board and enforcement body for rail, bus, waterborne and air transport. As part of its arbitration activities, it is responsible for settling passenger complaints out of court and helping passengers obtain justice in disputes with companies. In its function as an enforcement body, the apf informs rail, bus, waterborne and air passengers of their rights, monitors observance of the passenger rights embedded in the EU regulations and, if necessary, takes further steps to induce the companies concerned to fulfil their obligations.

apf organisation

The apf is a department of Schienen-Control and has no separate legal identity. In 2018, complainants' concerns were handled directly by the director of the apf and five to seven full-time / part-time employees.

apf funding

The apf is funded pro rata by contributions from the companies involved in the arbitration procedures and by the Federation. Companies participating in arbitration procedures are liable for costs; at present, these are fixed at 78 Euro per procedure in accordance with the PFAG Cost Contribution Ordinance 2015⁷. These contributions are calculated to cover 40 percent of the apf's costs⁸. The remaining costs are covered by the BMVIT drawing funds from the federal budget.

apf tasks

The apf's task is to help passengers obtain justice without having to go to court. The apf sees itself as an independent mediator between transport companies and their passengers. Passengers and clients of railway undertakings, railway station operators, integrated ticket organisations, airlines, waterborne transport companies and bus / coach companies (and to a lesser extent operators of bus stations, ports, terminals and civilian aerodromes, e.g. airport operators) can lodge complaints with the apf provided they have previously attempted to resolve the issue with the company concerned. The apf is in general not responsible for urban transport companies.

apf competences

Rail transport

With regard to rail transport, the apf helps all passengers and clients of railway undertakings and integrated ticket organisations obtain justice when using the railway. The apf can help with almost any issue involving a contract of carriage.

In a few cases, passengers can also complain directly to the apf without having contacted the company beforehand; in the case of rail transport, this applies for example to possible violations of the Rail Passenger Rights Regulation (e.g. refusal to compensate or reimburse passengers in the event of delay) or the Railway Carriage and Passenger Rights Act (EisbBFG)⁹ (e.g. refusal to allow passengers to appeal against fines), and in general to unlawful regulations in the railway undertaking's/integrated ticket

⁷ PFAG Cost Contribution Ordinance 2015, BGBl II 2015/150

⁸ Pursuant to section 4 par. 3 Federal Passenger Agency Act.

⁹ Railway Carriage and Passenger Rights Act – EisbBFG BGBl I 2013/40.

organisation's conditions of carriage. The apf must notify the Schienen-Control Kommission of any unresolved disputes relating to rail transport (e.g. if it is alleged that the conditions for compensation contain unlawful provisions).

Bus, waterborne and air transport

With regard to bus, air and waterborne transport, the apf's activities are circumscribed by EU regulations, as a result of which its competences are more restricted than in the rail transport sector. The apf also stands up for the rights of disabled persons and persons with reduced mobility.

In an amendment to the Consumer Authorities Cooperation Act (VBKG)¹⁰, the apf was specified as the body responsible for cooperating with consumer protection authorities in the areas of bus, air, and waterborne transport. Under this law, the national authorities responsible for consumer protection legislation may seek assistance from the corresponding authorities abroad. They can then take action against companies in the event of cross-border violations of consumer protection regulations. At the latest by 17 January 2020, this cooperation between authorities will also encompass rail transport and the PRM Air Passenger Rights Regulation¹¹ governing air transport¹².

3. Enforcing passenger rights

If no solution remedying the violation of the respective passenger rights regulation can be found during the arbitration procedure, the apf, in its capacity as the enforcement body, will notify the competent legal authority accordingly. The same applies if the company does not participate in the arbitration procedure.

4. apf arbitration procedures

The apf does not replace the respective company's complaints management. Before the apf can take action, passengers must attempt to reach a mutual agreement with the respective company themselves.

5. Competences of the rail transport regulatory authority

Validation of complaints relating to rail transport

In the case of complaints from rail passengers relating to non-existent or insufficient fare compensation for train delays and cancellations, the Schienen-Control Kommission can declare the apf's proposed solution binding and award the compensation to the passenger¹³. This regulation is enforced in cases where no agreement can be reached with the railway undertaking. The Schienen-Control Kommission does not possess this competence in the other three transport sectors. Even in the rail transport sector,

¹⁰ Consumer Authorities Cooperation Act – VBKG, BGBl I 2006/148 version published in BGBl I 2015/61.

¹¹ Regulation (EC) 1107/2006 OJ L 2006/204, 1.

¹² The national implementation of the new Consumer Authorities Cooperation Regulation (EU) 2017/2394, OJ L 2017/345 1, will extend the scope of this legislation to encompass the PRM Air Passenger Rights Regulation and the Rail Passenger Rights Regulation.

¹³ Pursuant to section 78a par. 5 Railway Act (EisbG).

it extends only to fare compensation in the event of train delays and cancellations and not to any other claims.

Publication and review of conditions of carriage

Railway undertakings and integrated ticket organisations in the railway transport sector are obliged to present their conditions of carriage to Schienen-Control pursuant to section 22b Railway Act (EisbG). These conditions of carriage must be presented both when they are first published and after subsequent amendments. Pursuant to section 78b EisbG, the Schienen-Control Kommission is entitled to examine whether the conditions of carriage published by the railway undertakings and integrated ticket organisations comply with the law; in the event of any violations, Schienen-Control may declare them void. The review encompasses all Austrian and European legislation (e.g. KSchG¹⁴, EisbBFG and the Rail Passenger Rights Regulation¹⁵).

6. apf annual assessment

Complaints and enquiries

In 2018, the apf received a total of 6,248 written complaints and enquiries (2017: 3,870), 5,462 relating to air transport (2017: 2,977), 682 to rail transport (2017: 808), 90 to bus transport (2017: 73) and 14 to waterborne transport (2017: 12).

Arbitration procedures initiated

Figures on arbitration procedures only include cases in which arbitration procedures were actually initiated. 3,750 arbitration procedures were initiated in 2018 (2017: 2,504). Most of these (3,261) related to air transport (2017: 1,887), followed by rail transport with 452 (2017: 587) and bus transport with 37 (2017: 38) procedures initiated. No procedures were initiated in the waterborne transport sector (2017: one procedure).

Compensation, reimbursements and penalty rebates

In 2018, the apf obtained approximately 1,177,017 Euro in monetary compensation, reimbursements and penalty rebates for complainants (2017: 1,032,915 Euro). At 1,124,016 Euro, the lion's share of this amount fell to the air transport sector (2017: 984,420 Euro), followed by 50,706 Euro in the rail sector (2017: 46,567 Euro) and 2,295 Euro in the bus sector (2017: 1,928 Euro).

Reaction time and duration of procedures

The average time taken for initial feedback to be sent to the complainant was just under nine days (2017: 27 hours), the average duration of an arbitration procedure 35 days (2017: 26 days). The average reaction time increased significantly between 2017 and 2018 as the number of complaints relating to air transport almost doubled and the amount of work involved increased accordingly.

¹⁴ Consumer Protection Act – KSchG, BGBl 1979/140 (current version).

¹⁵ Regulation (EC) 1371/2007 OJ L 2007/315, 14.

Rail transport

Complaints and enquiries

682 complaints relating to rail transport were received during 2018 (2017: 808). This figure was approximately 15.6 percent down on the previous year. This decline is probably due to the fact that the railway undertakings are handling complaints more efficiently.

79 percent of the complaints repudiated by the apf were rejected on the grounds that the passenger had not yet lodged a claim with the company concerned (2017: 80 percent).

In 2018, one quarter of all rail transport complainants resided in the federal capital Vienna (2017: a little more than one quarter). 19 percent of complainants came from Lower Austria (same figure as 2017) and eleven percent from Upper Austria. 18 percent of complaints were received from passengers residing abroad (2017: 16 percent).

Arbitration procedures

472 arbitration procedures were concluded in 2018. Compared to the previous year's figure of 582 procedures, this is a decrease of 19 percent.

In 2018, almost 95 percent of all procedures in the rail transport sector reached a positive outcome to the mutual satisfaction of both parties (2017: 94 percent). Despite intensive effort, no mutual agreement was reached in three percent of the procedures (2017: four percent), while two-and-a-half percent were substantively suspended (2017: two percent).

At the end of May 2015, transport companies participating in arbitration procedures were made liable for costs. In 2018, the railway undertakings involved were obliged to pay costs in 358 of the procedures concluded in the rail transport sector (2017: 463).

Company obligation to cooperate and complaints filed with district administrative authorities

In 2018, as in the previous year, no rail transport companies refused to participate in arbitration procedures.

Grounds for procedures and distribution among companies

As in previous years, the most common grounds for the initiation of arbitration procedures in 2018 were fare reimbursements (42 percent, same figure as the previous year). At 28 percent, procedures relating to compensation for delays (ticket costs) and the reimbursement of other consequential expenses (e.g. taxi journeys or hotel accommodation) again took second place in 2018 (2017: 27 percent). Procedures relating to passenger fines and collection claims again came in third at eleven percent (2017: nine percent).

96.6 percent of the procedures involved ÖBB-Personenverkehr (2017: 97 percent), while 2.4 percent involved other railway undertakings (including WESTbahn). The remainder related to ÖBB-Infrastruktur and the integrated ticket organisations.

Compensation, reimbursements and penalty rebates

The total sum obtained by the apf from all rail transport procedures concluded in 2018 amounted to 50,706 Euro (2017: 46,567 Euro). This is the highest amount of compensation ever obtained for rail passengers by means of arbitration. Compared to the previous year, this is an increase of nine percent.

Duration of procedures

In 2018, the apf was able to resolve 60 percent of rail transport procedures in less than two weeks (2017: 41 percent). Another 29 percent of procedures were concluded in less than one month (2017: 35 percent) and nine percent in less than two months (2017: 21 percent). Only two percent of arbitration procedures took longer than two months (2017: three percent); these mostly involved complex cases. The average duration of all (simple to highly complex) arbitration procedures was around 16 days (2017: 22 days).

Bus transport

Complaints and enquiries

In 2018, the apf received a total of 90 complaints relating to bus transport (2017: 73). 88 percent of those repudiated were rejected on the grounds of non-competence (2017: 67 percent), twelve percent because the complainant had not contacted the bus company first (2017: 30 percent).

At 33 percent, most of the complainants in 2018 lived in Vienna (2017: 53 percent), followed by 17 percent whose primary residence was located in Lower Austria (2017: 16 percent). 17 percent of complainants provided a residential address abroad (2017: eleven percent).

Arbitration procedures

In all, 37 procedures were concluded in 2018 (2017: 40). 100 percent of all bus transport procedures reached a positive outcome to the mutual satisfaction of both parties (2017: 93 percent).

The respective bus transport companies were held liable for costs in 32 of the procedures concluded in 2018 (2017: 25).

Company obligation to cooperate and complaints filed with district administrative authorities

In 2018, three bus transport companies refused to some extent to participate in arbitration procedures. During the business year 2018 and at the beginning of 2019, this led in one case to a warning, in one case to the filing of a complaint, and in one case to the Latvian enforcement authority becoming involved within the framework of the cooperative agreement between consumer authorities.

Grounds for procedures and distribution among companies

At 52 percent, cancellations were again the main reason why arbitration procedures were opened in the bus transport sector in 2018 (2017: 33 percent). 27 percent of the complaints received were related to delayed departures (2017: 31 percent).

81 percent of the procedures concluded in 2018 involved Flixbus (2017: 55 percent). In second place with eight percent was Eurolines (joint venture involving 32 European bus companies with a Europe-wide network of long-distance bus routes).

Compensation and reimbursements

In 2018, the apf obtained 2,295 Euro in monetary compensation and reimbursements for bus passengers (2017: 1,928 Euro).

Duration of procedures

45 percent of the procedures initiated in 2018 were concluded within two weeks (2017: one third). Only in three percent of cases did the procedures last more than two months (2017: seven percent).

The average duration of the bus transport procedures concluded in 2018 was around 20 days (2017: 28 days).

Waterborne transport

Complaints, enquiries and arbitration procedures

In 2018, the apf received a total of 14 complaints relating to waterborne transport (2017: twelve). No procedures were initiated in 2018 (2017: one procedure). In 2018, as in the previous year, all the claims repudiated were rejected on the grounds of non-competence.

Air transport

Complaints and enquiries

In all, 5,462 complaints and enquiries relating to air transport were handled in 2018 (2017: 2,977).

In 2018, 63 percent of the complaints repudiated were rejected on the grounds of non-competence (2017: 50 percent), and 19 percent because the passenger had not yet lodged a claim with the airline concerned (2017: 35 percent). 18 percent of cases had to be rejected on “other grounds”, e.g. insufficient documentation (2017: 15 percent).

At 73 percent, most complaints in 2018 were received from persons residing in Austria (2017: 60 percent). 20 percent of complaints came from other EU countries, Iceland, Norway, and Switzerland (2017: 31 percent), while four percent came from non-member countries (same as 2017). Three percent of complainants provided no information.

Arbitration procedures

A total of 2,770 procedures were concluded in the air transport sector in 2018 (2017: 1,719).

The companies and passengers concerned were able to reach a mutual agreement in 79 percent of cases, thus bringing the procedures to a positive conclusion (2017: 83 percent). Despite intensive effort, no mutual agreement was reached in four percent of the procedures (2017: two percent), while 17 percent were substantively suspended (2017: 15 percent). At 51 percent, the main reason for the substantive suspension of procedures was the existence of extraordinary circumstances such as adverse weather conditions (same percentage as 2017).

The airlines were held liable for costs in 2,138 of the procedures concluded (2017: 1,493).

Company obligation to cooperate and complaints filed with district administrative authorities

As the apf is not only an arbitration board but also one of the bodies responsible for enforcing European passenger rights regulations, non-compliance with regulations has to be sanctioned with appropriate consequences. When the apf’s attention is drawn to a violation of this kind, it brings administrative charges against the airline’s authorised representatives (e.g. the managing director or board).

During the business year 2018, complaints of this type were filed against airlines in 14 cases (2017: three). In 13 of the 14 cases, the airline had also failed to participate accordingly in the apf’s arbitration procedure (2017: in one of the three cases).

Grounds for procedures and distribution among companies

In 2018, almost half of the air transport procedures were initiated following flight cancellations (2017: 45 percent). More than 45 percent of the procedures related to delayed flights (2017: 48 percent) and four-and-a-half percent to denied boarding (2017: six percent).

At 45 percent, the airline most frequently involved in procedures was myAustrian (Austrian Airlines), the largest Austrian airline (2017: 33 percent). 16 percent of the procedures involved Eurowings. Lufthansa, TAP Portugal and Vueling accounted for four percent each, while easyJet and Laudamotion were involved in three percent each.

Compensation and reimbursements

In 2018, a total amount of 1,124,016 Euro was obtained for flight passengers (2017: 984,420 Euro).

Duration of procedures

43 percent of the cases in 2018 were resolved to the satisfaction of the complainant and the company concerned within two weeks (2017: 44 percent). In 22 percent of cases, a solution was found within a month (2017: 30 percent), and in 14 percent of cases within two months (2017: 16 percent). 21 percent of cases took longer than two months to resolve (2017: ten percent). Due to the large number of complaints received, the average duration of air transport procedures in 2018 was approximately 39 days, compared to 28 days in 2017.

7. Focal points of arbitration activity

Based on the large number of complaints received, the apf is able to determine on a year-by-year basis where systematic, significant problems exist and where there is room for improvement. These issues are dealt with in depth while mediating between the complainants and companies, and also afterwards if necessary. Moreover, personal meetings are held with certain companies several times a year to discuss topics that are particularly relevant for a larger group of people.

Significant issues have arisen particularly in the rail, bus and air transport sectors. Due to the low number of complaints during the period under review, it is not possible to draw any general conclusions about any structural problems that may exist in the waterborne transport sector.

In the rail transport sector, the apf's activities focused largely on issues such as "recognition of PDF and mobile tickets on foreign railways", "requests for compensation/reimbursements", "requests for additional fare payments due to cancellations after ticket inspections" and "issues relating to passenger night trains".

Important topics addressed during arbitration procedures in the air transport sector were "minimum connecting times at Vienna Airport" and "compensation claims in the case of an irregularity on an alternative flight".

8. Arbitration activities for disabled persons and persons with reduced mobility

The apf is also responsible for handling complaints from disabled passengers and passengers with reduced mobility (PRM). In the rail, bus and waterborne transport sectors, provisions relating to PRM are incorporated into the respective passenger rights regulations. The air transport sector is subject not only to the Air Passenger Rights Regulation¹⁶ but also to the PRM Air Passenger Rights Regulation. Until now, the apf has received only a few PRM complaints relating to the four transport sectors.

¹⁶ Regulation (EC) 261/2004 OJ L 2004/45, 1.

9. International cooperation

The passenger rights regulations applicable to all EU member states require regular intensive dialogue between the National Enforcement Bodies (NEB) in order to guarantee a uniform supranational approach. Along with regular meetings, which usually take place at the European Commission in Brussels, other measures include participation in working groups, ongoing discussions at informal meetings, events jointly organised with stakeholders, and written communications relating to general questions on dealing with specific problems.

10. Passenger rights

Rail transport

Violations of the Rail Passenger Rights Regulation and the Railway Carriage and Passenger Rights Act

When handling complaints, the apf occasionally finds that applicable provisions in the Rail Passenger Rights Regulation and/or the Railway Carriage and Passenger Rights Act (EisbBFG) have been violated. These are generally resolved by arbitration; however, the Schienen-Control Kommission had to be notified in a few cases.

The main issues in 2018 included violations of deadlines, refusals to compensate or reimburse passengers following delays, failure to render assistance, and requests for additional fare payments due to cancellations following ticket inspections.

Review of conditions of carriage

As part of its mandate to scrutinise conditions of carriage and during the course of arbitration procedures initiated in response to passenger complaints, the apf addresses possible violations of the law on the companies' part every reporting year. In several procedures initiated by the Schienen-Control Kommission, certain sections of conditions of carriage were ultimately declared invalid, while other procedures impelled the companies in question to amend their conditions of carriage.

Schienen-Control Kommission procedures

In 2018, the Schienen-Control Kommission again handled several regulatory procedures in the area of passenger rights. Brief descriptions of some of these are given below.

Procedures relating to ticket refunds

These procedures addressed various restrictions and exclusions relating to ticket refunds. A number of points were clarified between the passenger transport company and the Schienen-Control Kommission (e.g. summer tickets, reservations, group tickets, comfort tickets), while compromises were reached on other issues (e.g. two-month payment deadline for refunds, reimbursement of monthly passes within the first seven days of validity against payment of a fee, cancellation of specific trains on certain grounds; partial cancellations: several trips booked online and placed in a shopping basket can now be cancelled separately; name changes: names can be corrected on certain tickets booked online provided the ticket has not yet been purchased). Some points still have to be clarified with the railway undertakings, e.g. refunds of individual tickets comprising part of a group booking, and refunds for tickets on special offer.

Procedures relating to the general terms and conditions of the Österreichcard

Procedures initiated by the Schienen-Control Kommission and still pending relate to a number of provisions in the fare conditions and the general terms and conditions of the Österreichcard, an annual network ticket offered by a railway undertaking. The Schienen-Control Kommission is of the opinion that the general terms and conditions of the Österreichcard may violate provisions in federal law. These relate firstly to the description of all the services provided by the Österreichcard in the general terms and conditions (e.g. free seat reservations, discounted 1st class upgrades, special car-sharing conditions at the railway station, discounts with Vienna Airport Lines and the City Airport Train (CAT)), and secondly to the railway undertaking being able to amend the general terms and conditions of contracts that are already in force. During the procedure, the Schienen-Kontrol Kommission welcomed the railway undertaking's agreement to provide consistent, complete information regarding all its services in its fare conditions and information media (e.g. its website and folders). In its General Terms and Conditions, the railway undertaking clearly states that no changes to its main service obligations will be made during the year. These service obligations include fees and passenger carriage obligations. Some issues (e.g. ancillary services and voluntary additional services) are still being clarified. The procedure was still pending as of the editorial deadline for this publication.

New version of CPC on cooperation between consumer authorities

On 27 December 2017, the new Regulation (EU) 2017/2394 on cooperation between national authorities responsible for the enforcement of consumer protection laws (new CPC regulation, CPC means Consumer Protection Cooperation)¹⁷ was published in the Official Journal of the European Union. From 17 January 2020, it will wholly repeal and replace the current Regulation (EG) 2006/2004 on this form of cooperation (old CPC regulation)¹⁸, which is currently implemented in Austria by the VBKG¹⁹.

The old CPC regulation already includes harmonised regulations and procedures intended to facilitate cooperation between the national authorities responsible for enforcing consumer protection legislation. The new CPC regulation will now make this cooperation more effective and efficient when dealing with cross-border violations relating to the enforcement of consumer rights.

In an amendment to the VBKG²⁰, the apf was named as the authority responsible for cooperation in the field of consumer protection in the air, bus and waterborne transport sectors. The new CPC regulation not only extends the powers of the consumer authorities but also the scope of application: seven new EU directives and EU regulations have been added, bringing the total number up to 26. The new CPC regulation now also encompasses rail transport. For the apf, the most relevant regulations newly included in the scope of application are the PRM Air Passenger Rights Regulation and the Rail Passenger Rights Regulation.

¹⁷ Regulation (EU) 2017/2394 OJ L 2017/345, 1.

¹⁸ Regulation (EC) 2006/2004 OJ L 2004/364, 1.

¹⁹ Consumer Authorities Cooperation Act – VBKG, BGBl I 2006/148 (current version).

²⁰ Consumer Authorities Cooperation Act – VBKG, BGBl I 2006/148 version published in BGBl I 2015/61.

Air transport

Relevant rulings during 2018

As the Air Passenger Rights Regulation has still not been revised, the European Court of Justice (ECJ) again had to deal with several issues relating to the interpretation of passenger rights legislation in 2018. Rulings relevant to the apf's activities include those on reimbursing agency commission when flights are cancelled, compensation entitlements in the case of connecting flights outside the EU, and the question of whether a "wildcat strike" should be seen as an extraordinary circumstance. Another important ruling was that made by the Austrian Supreme Court (OGH) on obligations to pay compensation to passengers who have organised their own alternative transport.

11. Railway punctuality

In 2018, the punctuality of all local passenger trains operated by the ÖBB was again very high at 96.3 percent. According to an analysis performed by ÖBB-Personenverkehr AG, local rail transport in four of the nine provinces was punctual more than 95 percent of the time every month²¹. The highest average level of punctuality at 98.5 percent was achieved by Vorarlberg, followed by Carinthia and Tyrol with more than 97 percent. According to the data provided by ÖBB-Infrastruktur AG, the winter months from January to March saw the highest number of punctual trains in Austria with more than 96 percent, followed by May and June 2018 with just under 96 percent.

The punctuality levels of competing providers were also very high in almost all cases. With figures consistently well over 95 percent, the Linzer Lokalbahn (a Stern & Hafferl line), Lokalbahn Lambach-Vorchdorf-Eggenberg, the Montafonerbahn, the Graz-Köflacher Bahn, the Salzburger Lokalbahn, the Neusiedler Seebahn and the CAT (City Airport Train) between central Vienna and Vienna Airport were also exceptionally punctual.

The WESTbahn provides long-distance transport; the statutory minimum punctuality figure of 95 percent governing compensation for delays on local railways does not apply. The level of punctuality set by the WESTbahn undertaking itself is currently 90.01 percent. All other railway undertakings are subject to the same minimum punctuality figure of 95 percent as the local passenger trains operated by ÖBB-Personenverkehr.

Holders of annual passes (issued by integrated ticket organisations) are entitled to compensation for delays if punctuality drops below the statutory figure of 95 percent for regional transport in at least one month. According to ÖBB-Infrastruktur, a train is said to be punctual if it arrives no more than 5 minutes 29 seconds late. All of the approximately 17 million regional train arrivals at every station were included in the figures calculated by ÖBB-Personenverkehr for 2018; unscheduled train cancellations with no replacement services were also taken into account. In 2018, the ÖBB-Infrastruktur network was divided into 112 sections carrying passenger transport for the railway undertaking ÖBB-Personenverkehr.

²¹ Source: www.oebb.at; retrieved January 2019.