



## Air Passenger Rights in Austria – facts and figures

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## About the Agency for Passenger Rights

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### Central Service-Agency for Passenger Rights

- Established in 2015
- Covers rail, bus, waterborne and air travel
- Acts as arbitration Body
- Serves as National Enforcement Body
- Operates as a service of the Federal Ministry for Innovation, Mobility and Infrastructure (BMIMI)
- An organisational unit of Schienen-Control GmbH (Austrias national Railway Regulator)
- Independent: structurally, financially and operationally independent from airlines, railways and other stakeholders
- Free of charge for travellers
- EUR 78 per procedure charged to the company concerned
- Funding: 40% company fees, 60% federal budget



## About the Agency for Passenger Rights

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- **Free & impartial arbitration** between passengers and transport companies
- **Case-by-case handling** aimed at reaching settlements without court proceedings
- Supports **reimbursement of additional expenses** (beyond standard compensation payments)
- **Enforces EU passenger rights**, referring cases to the competent authority where necessary



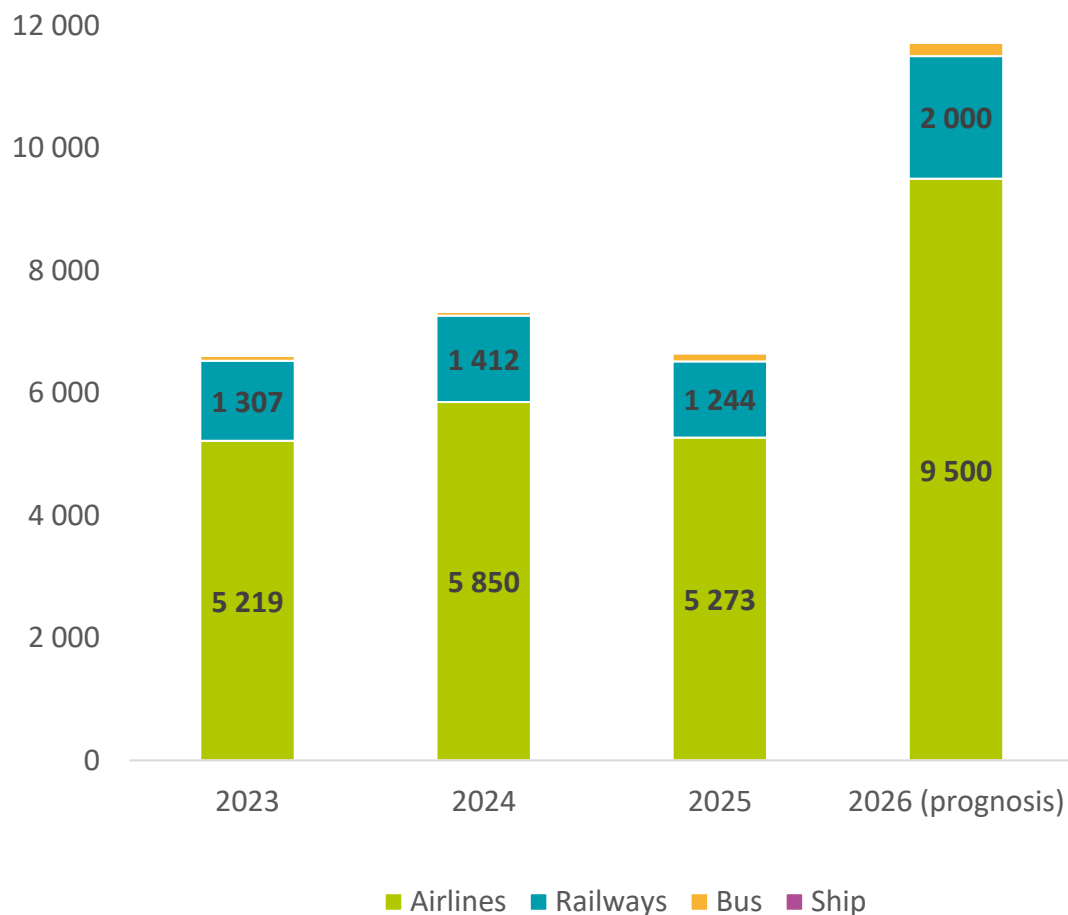
## New responsibilities of the apf (since 2024)

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- **Unified ADR body** for the entire transport sector, including airlines, railways, tour operators, travel agencies and booking platforms
- **Handles contractual disputes and passenger claims** related to rail, road, air and sea transport to/from Austria
- **Covers claims beyond Regulation (EC) No 261/2004, including:**
  - Ticket refunds and additional costs
  - Unjustified fees
  - Other EU passenger rights claims
  - Delayed, lost or damaged baggage
- **Provides one central point of contact for passenger disputes across all transport modes**



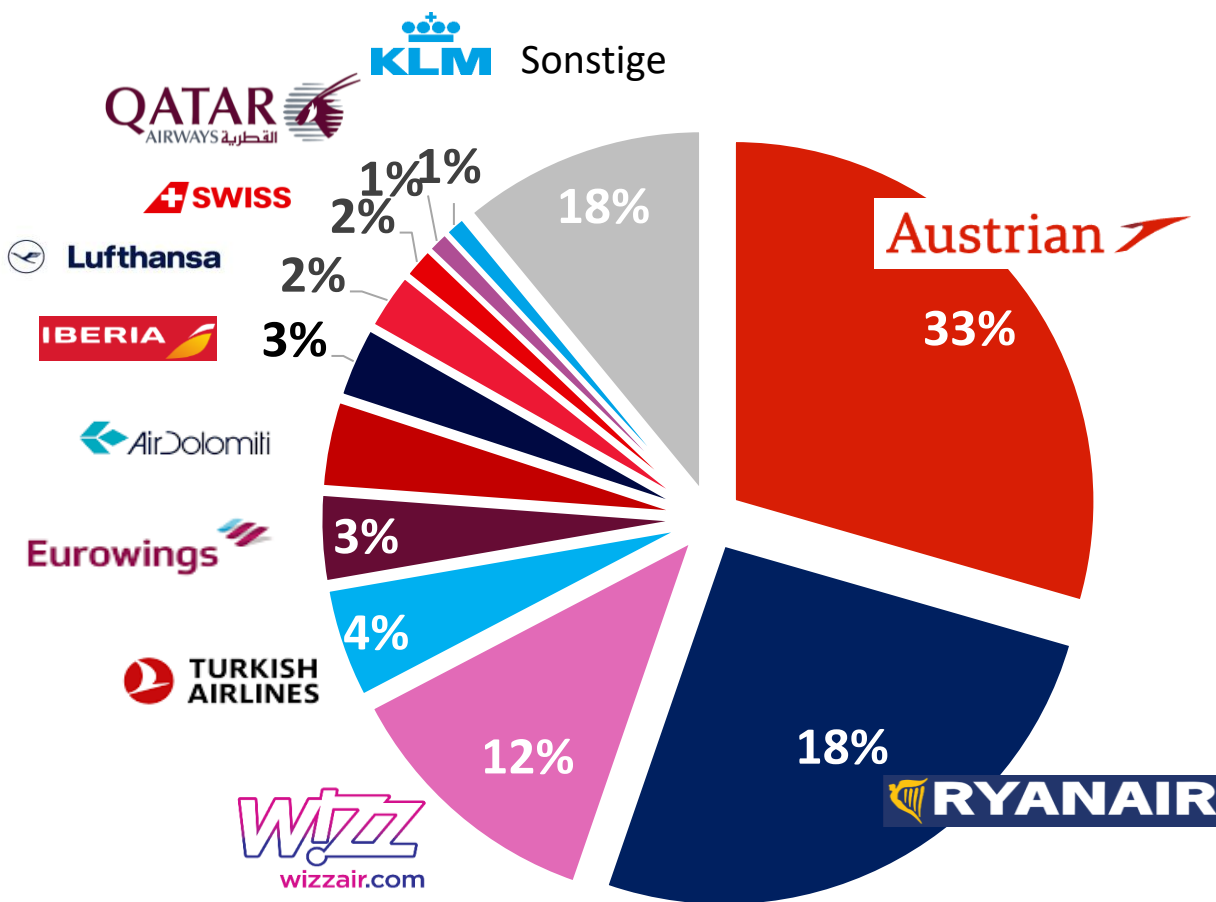
## Arbitration Requests by travel-mode



- **6,663 written requests and enquiries in total in 2025**
- **2026 is set to be a record year**, based on the requests received up to September 30:
  - **9,138 requests received** by September 30
  - **6,994 arbitration proceedings** already initiated
- We count claims or proceedings per application, not per passenger. (Accordingly, a single application may be submitted on behalf of multiple passengers)



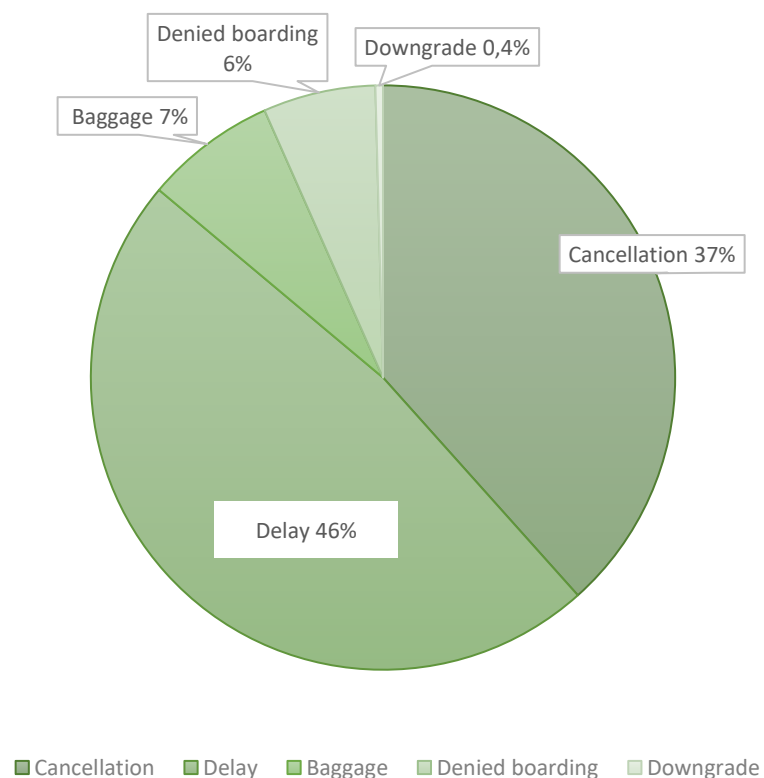
## Closed proceedings by Airline 2025



- 4,032 closed proceedings
- High Success-Rate: only 6% of proceedings 2025 ended without agreement
- 1,9 Million Euro in refunds/compensation



## Reasons for arbitration proceedings 2025



- **Delays:** 46% (52% in 2024)
- **Cancellations:** 37% (42% in 2024)
- **Baggage Claims:** 7% (n.a. in 2024)
- **Denied boarding:** 6% (4% in 2024)
- **Downgrade:** 0,4% (under 1% in 2024)
- **PRM:** 0,4% (under 1% in 2024)



## Other current issues

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- Forged invoices/documents
- Right to care – insufficient or not provided (refreshment, meals, hotel, transfer)
- frequent arbitration request generated by AI
- very short turnaround times of aircrafts
- extraordinary circumstances – most frequent:
  - adversed weather
  - ATC Restrictions due to weather
  - political situation (f.e. middle east)



## PRM: passengers with disabilities or reduced mobility

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- **2025:** 16 proceedings
- **2026:** 13 proceedings

### Reasons for contacting the apf:

- no / insufficient care services in cases of missed connecting flights and long delays
- damaged mobility aids
- missing safety instructions for visually impaired passengers



## National Enforcement Body

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- Regulations (EC) No 261/2004 and 1107/2006
- In the event of:
  - non-cooperation or non-participation in the arbitration proceedings
  - failure to rectify the identified infringements
- Report to the competent penal administrative authority, as the apf is not empowered to impose fines
- Fine up to EUR 22,000
  - minimum fine of EUR 1,000 (since September)
  - per passenger and infringement
  - personal liability of directors/CEO
  - solidary liability of airlines
- All penalties imposed are entered in a national register of penalties
- Party status in administrative penalty proceedings
  - access all procedural records
  - request information
  - file complaints and appeals with the Federal Administrative Court of Austria



## Enforcement proceedings

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### 2024:

- 230 reports
- 199 penalty judgments
- EUR 268,000 fines

### 2025:

- 210 reports
- 128 penalty judgements
- EUR 258,000 fines

### 2026 (Jan – Sep):

- 168 reports
- 107 penalty judgments
- EUR 281,000 fines

### Main topics:

- Non-cooperation in proceedings
- Refusal of compensation without sufficient proof of the grounds for exculpation
- Failure to provide adequate care services (meals and refreshments)
- Failure to provide adequate re-routing



## Monitoring Activities Regulations (EC) 261/2004 and 1107/2006

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### On-Site-Audits

2025

- Vienna Airport
- Salzburg Airport

2026

- Linz Airport
- Klagenfurt Airport (planned in November)

### Audit approach

- Stakeholder questionnaire completed prior to the audit
- Assessment of the complete PRM passenger journey
- On-site observation of PRM assistance in practice
- Verification of Article 14 information requirements under APR Regulation

### Overall Impression

- Airports demonstrate efforts to meet the specific needs of PRMs
- PRM rights are generally respected
- Some airports require further improvements in areas such as staff training and accessibility
- Improvement required in the provision of information by airlines



## Further Activities

www.passagier.at

**Public arbitration and enforcement body for passengers** 

Gesetzliche Schlichtungs- und Durchsetzungsstelle für den Flugverkehr

**Having trouble with your flight?  
Do you know your rights?**

**Probleme beim Flug?  
Kennen Sie Ihre Rechte?**

**apf provides free and independent information and assistance.**

Die apf informiert und hilft kostenlos & provisionsfrei.

**apf**  
Agentur für Passagier- und Fahrgastrechte



Europäisches Gericht für Verbraucherschlichtungsstelle



- Raise awareness at airports
- Cooperation with organisations of persons with disabilities
  - Verein „BIZEPS Förderverein für Gleichstellung und Selbstbestimmung“ (*BIZEPS Support Association for Equality and Self-Determination*)
  - Verein „Freunde der Assistenzhunde Europas“ (*Association of Friends of Assistance Dogs Europe*)
- Joint development of training material for travel agencies / tour operators with FOCA and LBA





**Thank you for your attention !**

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