



Maritime Passenger Rights: Role of the National Enforcement Body

**Notice to all Ship Owners and Agents, Ship Operators, Managers and Masters,
Seafarers, Surveyors, Port and Terminal Operators!**

This notice should be read with Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24.11.2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 that came into force on 18 December 2012 together with the Department for Transport Guidance Notes relating to Regulation (EU) No. 1177/2010 and replaces MGN 467 (M)

Summary

This MGN identifies the role of the MCA as the Maritime Passenger Rights National Enforcement Body and also the role of the various voluntary UK Complaint Handling Bodies under the EU Regulation 1177/2010 on Maritime Passenger Rights. It also details the changes to the voluntary complaint handling body for England and Wales and amends the contact details.

1. Introduction/ Background

- 1.1 The EU Regulation No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterways and amending Regulation (EC) No 2006/2004 came into force on 18 December 2012.
- 1.2 Article 2 sets out the scope of the EU Regulation. It applies to passenger services and cruises where the port of embarkation is situated within the EU. The Regulation also applies to passenger services where the port of embarkation is outside the EU but the port of disembarkation is situated within the EU, provided that the vessel is operated by an EU carrier. This notice is concerned with those operations embarking and / or disembarking at a point within the UK.
- 1.3 The Regulation establishes the right of all passengers to assistance in cases of cancelled or delayed departures and lays down the right, in certain circumstances, to compensation in case of delay in arrival. Additionally the Regulation also provides disabled persons, or those with reduced mobility, with rights to accessibility assistance when traveling by water comparable with those in other transport sectors.



1.4 If an individual has a complaint, they should first raise it with the operator. Within the UK, if it cannot be resolved in this way, the complaint may then be referred to the appropriate voluntary Complaint Handling Body (CHB). It is anticipated most complaints will be resolved at one of these two stages.

1.5 However, if this is not possible, the complaint may then be investigated by the National Enforcement Body (NEB), who will consider whether there has been a breach of the EU Regulation. The Maritime and Coastguard Agency (MCA) will operate as the National Enforcement Body for the whole of the UK. All complaints that are upheld by the CHB involving a breach of the Regulation are to be reported to the NEB.

2. Voluntary Complaint Handling Bodies

2.1 Passengers' complaints are to be dealt with by the operator concerned in the first instance. If it cannot be resolved in this way and the operator's internal complaints procedure has been exhausted, the complaint may then be referred to the appropriate complaint handling body. The operator is to make the complainant aware of this option where it has not been possible to resolve the complaint.

2.2 Voluntary Complaint Handling Bodies have so far been set up as follows:

England & Wales (excluding Transport for London)

CLIA UK & Ireland

E-mail: passengerrights@cruising.org
Web site: www.cruiseexperts.org/clia

Address: CLIA UK & Ireland
First Floor
41/42 Eastcastle Street
London W1W 8DU

Telephone: 020 7323 7466
Fax: 020 7636 9206

Transport for London

London TravelWatch (marine services operated by, contracted to and / or licensed by Transport for London))

E-mail: enquiries@londontravelwatch.org.uk
Web site: www.londontravelwatch.org.uk

Address: London TravelWatch
Dexter House
2, Royal Mint Court
London, EC3N 4QN



Northern Ireland

Consumer Council for Northern Ireland

E-mail: complaints@consumercouncil.org.uk
Web site: www.consumercouncil.org.uk
Address: The Consumer Council
Elizabeth House
116, Holywood Road
Belfast BT4 1NY
Telephone: 0800 121 6022
Textphone: 028 9067 2488
Fax: 028 9065 7701

Scotland

Transport for Scotland (Scottish Government)

E-mail: MPRAppeals@transportscotland.gov.uk
Web site: www.transportscotland.gov.uk

3. National Enforcement Body

3.1 The MCA is responsible for investigating whether there has been a breach of the EU Regulation in individual cases, and is required to take the measures necessary to ensure compliance with the EU Regulation. The MCA will not act on individual claims for compensation or act as an appeals body.

3.2 The contact details for the MCA National Enforcement Body are:

Telephone: **02380 329 315** (voicemail)

E-mail: neb@mcqa.gov.uk

3.3 Any passenger complaints received directly from a passenger or passenger group under this Regulation must be referred to the operator involved in the first instance through their internal complaint procedure, unless a serious breach of the regulation is identified.

4. Department for Transport Guidance Notes

4.1 The Department for Transport Guidance Notes are currently accessible at the following web link: www.gov.uk/government/publications/draft-guidance-notes-relating-to-regulation-eu-no-1177-2010



More Information

National Enforcement Body Officer
Technical Performance Section
Directorate of Maritime Safety and Standards
Maritime and Coastguard Agency
Bay 2/23
Spring Place
105 Commercial Road
Southampton
SO15 1EG

Tel : +44 (0) 23 8032 9315
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General Inquiries: infoline@mcga.gov.uk

MCA Website Address: www.dft.gov.uk/mca

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