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## RE: URGENT: Notice of Violation and Cover Letter

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secretariat <Secretariat.Secretariat@otc-cta.gc.ca>  
To: Gabor Lukacs <lukacs@airpassengerrights.ca>

Thu, Dec 21, 2017 at 10:38 AM

Dr. Lukacs,

In reply to your questions, the Agency confirms that:

1. In addition to the Notice of Violation and accompanying cover letter, as posted on the Agency website, the Designated Enforcement Officer produced an Investigation Report which serves as the basis for the action taken. It will be made available to Air Transat should it seek review of the Designated Enforcement Officer's Notice of Violation at the Transportation Appeal Tribunal of Canada. It will also be posted on the Agency's public website once the period for Air Transat to seek review at TATC has expired and therefore will be available to you at that time; and,

2. There has been no correspondence between Air Transat and Agency staff in relation to the penalty at any time.

Kind regards,

Office des transports du Canada / Gouvernement du Canada  
[secretariat@otc-cta.gc.ca](mailto:secretariat@otc-cta.gc.ca) / Site Web [www.otc-cta.gc.ca](http://www.otc-cta.gc.ca)  
Tél. : 819-997-0099 / Télécopieur 819-953-5253 / ATS : 1-800-669-5575

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-----Original Message-----

From: Gabor Lukacs [mailto:[lukacs@AirPassengerRights.ca](mailto:lukacs@AirPassengerRights.ca)]  
Sent: December-11-17 8:16 PM  
To: secretariat  
Subject: URGENT: Notice of Violation and Cover Letter

Dear Madam Secretary,

Thank you for your email of December 11, 2017.

1. Kindly please advise whether there are reasons for the Notice of Violation and Cover Letter (i.e., setting out the rationale for the actions of the Designated Enforcement officer). If there are reasons, kindly please provide me with copy of same.

2. Kindly please advise whether any correspondence has taken place between Air Transat and Agency staff in relation to the penalty (before, on, or after November 30, 2017), and if so, kindly please provide me with copy of same.

I look forward to hearing from you.

Best wishes,  
Dr. Gabor Lukacs

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Dr. Gabor Lukacs  
Air Passenger Rights  
Tel : (647) 724 1727

Web : <http://AirPassengerRights.ca>  
Twitter : @AirPassRightsCA  
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On Mon, 11 Dec 2017, secretariat wrote:

> Dr. Lukacs,  
>  
> Sections 180.4 and 180.7 provide the mechanism to be used by the  
> Agency to collect the amount of a penalty imposed in a Notice of  
> Violation (or the penalty revised by the Transportation Appeal  
> Tribunal). The use of any such mechanism is discretionary. By  
> indicating its intent to reduce the amount of the penalty by the  
> amount paid to the passenger themselves, the Agency indicated its  
> intention to exercise its discretion not to use these mechanism in  
> proportion to the amounts paid to passengers themselves.  
>  
> Kind regards,  
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>  
> Office des transports du Canada / Gouvernement du Canada  
> [secretariat@otc-cta.gc.ca](mailto:secretariat@otc-cta.gc.ca) / Site Web [www.otc-cta.gc.ca](http://www.otc-cta.gc.ca) Tél. :  
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