

From lukacs@AirPassengerRights.ca Thu Dec 21 14:29:06 2017
Date: Thu, 21 Dec 2017 14:29:00 -0400 (AST)
From: Gabor Lukacs <lukacs@AirPassengerRights.ca>
To: secretariat <Secretariat.Secretariat@otc-cta.gc.ca>
Subject: URGENT: Request for a copy of the Investigation Report

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Dear Madam Secretary,

I am requesting that the Agency provide me with the Investigation Report relating to Notice of Violation No. 17-05835 (Air Transat tarmac delay) immediately and without delay.

I am studying the Notice of Violation and the Cover Letter relating to Air Transat to determine whether to make an application an judicial review. Should I decide to do so, I must file the application within 30 days from the date of the Notice of Violation (November 30, 2017).

I thus need immediate access to the Investigation Report in order to make an informed decision on the appropriate action.

I therefore request that the Agency provide me with the Investigation Report forthwith, in accordance with s. 22 of the Canada Transportation Act. Should the Agency maintain its refusal to do so, I request that the Agency state the source of its authority.

Sincerely yours,
Dr. Gabor Lukacs

--
Dr. Gabor Lukacs
Air Passenger Rights
Tel : (647) 724 1727
Web : <http://AirPassengerRights.ca>
Twitter : @AirPassRightsCA
Facebook: <https://www.facebook.com/AirPassengerRights/>

On Thu, 21 Dec 2017, secretariat wrote:

> 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 / Site Web www.otc-cta.gc.ca
> Tél. : 819-997-0099 / Télécopieur 819-953-5253 / ATS : 1-800-669-5575
>
> Canadian Transportation Agency / Government of Canada
> secretariat@otc-cta.gc.ca / Web site www.otc-cta.gc.ca
> Tel: 819-997-0099 / Facsimile 819-953-5253 / TTY: 1-800-669-5575
>
> -----Original Message-----
> From: Gabor Lukacs [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
>
> --
> Dr. Gabor Lukacs
> Air Passenger Rights
> Tel : (647) 724 1727
> Web : <http://AirPassengerRights.ca>
> Twitter : @AirPassRightsCA
> Facebook: <https://www.facebook.com/AirPassengerRights/>