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April 3, 2013

VIA FACSIMILE (819.953.7910)
& EMAIL (Judy.OHeare@otc-cta.gc.ca)

**CANADIAN TRANSPORTATION AGENCY
RAIL, AIR AND MARINE DISPUTES DIRECTORATE
DISPUTE RESOLUTION BRANCH**
15, rue Eddy/15 Eddy Street
Gatineau, QC K1A 0N9

Attention: Ms. Judy O'Heare

WITH A COPY VIA EMAIL (lukacs@AirPassengerRights.ca)

Gabor Lukács


Dear Ms. O'Heare:

Re: Complaint by Gabor Lukács against Sunwing Airlines Inc.
Your File: M 4120-3/13-01289; Complaint dated February 28, 2013
Our File: 100-006

This is in response to the complaint (the "Complaint") dated February 28, 2013 filed by Mr. Lukács with the Canadian Transportation Agency (the "Agency") against Sunwing Airlines Inc. ("Sunwing Airlines") regarding Rules 10(a) and 10(iv) of Sunwing Airlines' Local Domestic Tariff.

Sunwing Airlines has reviewed the Complaint, and proposes to address the concerns raised therein by amending Rules 10(a) and 10(iv) of its Local Domestic Tariff as set out in the attached Exhibit "A".

We anticipate that the proposed amendments will meet the approval of the Agency.

As an administrative matter, please note that all future facsimile correspondence from the Agency to Sunwing



Airlines should be sent to the following number: (416) 907-3404. We ask that the Agency update its records accordingly.

Yours truly,

Sunwing Airlines Inc.

Stephen White

- c. Mark Williams, President, Sunwing Airlines
- c. Sabah Mirza, Vice President Legal and General Counsel, Sunwing Travel Group

**Exhibit “A” to Sunwing Airlines Inc.’s Response
to the Complaint of Gabor Lukács dated February 28, 2013**

1. Rule 10(a) of Sunwing Airlines’ Local Domestic Tariff shall be revised and replaced in its entirety as follows:
 - a) Subject to paragraph b) of this Rule, the liability of the Carrier in respect of loss, or damage to, or delay of, baggage, whether caused directly or indirectly by the act, neglect, or default of the Carrier or not, is limited to 1,131 Special Drawing Rights (which is the approximate Canadian Dollar equivalent of CAD \$1,750) per passenger for all baggage.

2. Rule 10(iv) of Sunwing Airlines’ Local Domestic Tariff shall be revised and replaced in its entirety as follows:
 - iv) In the case of delayed baggage upon the passenger’s arrival at a point in the itinerary other than his or her place of residence, the Carrier shall only reimburse expenses incurred for the purchase of necessary items, having regard to the intended activities of the passenger in the 24-hour time period following the purchase of the replacement items. The passenger must minimize the costs incurred by making only necessary purchases, in accordance with the above. Only expenses incurred before the baggage is returned will be reimbursed by the carrier. Any claims for reimbursement must be supported by original receipts and any amounts payable under this paragraph shall not be payable to a passenger whose baggage is delayed upon arrival at his or her place of residence. Any amounts paid or payable to a passenger to compensate for expenses incurred as a result of delayed baggage are subject to the limits set out in paragraphs a) or b) of this Rule, and shall be deducted from any compensation provided for under paragraphs a) or b) of this Rule in the event the baggage is deemed lost.