

# Briefing on Korean Passenger Protection Rules

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# Overview

- Korean Aviation Market
- Aviation Business Act (2016)
- Air Passenger Protection Guideline (2017 April)
  - by the Ministry of Land, Infrastructure and Transport(MOLIT)
- Consumer Dispute Settlement Guideline (2019 April)
  - by the Fair Trade Commission



# Aviation Business Act (2016)

→ Article 61

Airlines must have “passenger damage relief plan”

→ Article 62

Easy access to the carriage of contracts

→ Article 63 - 64

Assessment of service quality of aviation industry

Publish air consumer report of aviation industry

# Air Passenger Protection Guideline 1/6

- Measures Taken in the Case of Denial of Boarding Due to Overbooking
- Find passengers who are willing to voluntarily give up their seats
- Inform the Consumer Dispute Resolution Standard
- Provide the maximum compensation amount of the Standard

# Consumer Dispute Resolution Standard

## Overbooking

Domestic	
1 – 3 hours	20% of the fare
After 3 hours	30% of the fare
No alternative	Refund + new ticket

International	
Total flight hours < 4 hours	
2 - 4 hours	USD 200
More than 4 hours	USD 400
Total flight hours > 4 hours	
2 – 4 hours	USD 300
4 hours	USD 600
No alternative	Refund + USD 600

# Air Passenger Protection Guideline 2/6

- Measures Taken in the Case of Luggage Damage
- Essentially, Montreal Convention (1999) based.
  - \* No difference between domestic and International routes
  - \*\* There is a difference between domestic and international routes for cargo.

<b>Montreal Convention 1999</b>	<b>Original Limit (SDR)</b>	<b>Revised limit @ 30 December 2009 (SDR) (current limits)</b>	<b>Revised limit @ 28 December 2019 (SDR)</b>
<b>Injury / death</b>	100,000	113,100	128,821
<b>Delay</b>	4,150	4,694	5,346
<b>Baggage</b>	1,000	1,131	1,288
<b>Cargo</b>	17	19	22

The revised liability limits will take effect from 28 December 2019 unless a majority of the States party to the Convention notify their disapproval to ICAO prior to 30 September 2019.



- 1.Kuala Lumpur – Singapore: 30,187 flights
- 2.Hong Kong – Taipei: 28,447 flights
- 3.Jakarta – Singapore: 27,046 flights
- 4.Hong Kong – Shanghai: 20,678 flights
- 5.Jakarta – Kuala Lumpur: 19,741 flights
- 6.Seoul Incheon – Osaka: 19,711 flights
- 7.New York LaGuardia – Toronto: 17,038 flights
- 8.Hong Kong – Seoul Incheon: 15,770 flights
- 9.Bangkok – Singapore: 14,698 flights
- 10.Dubai – Kuwait: 14,581 flights
- 11.Bangkok – Hong Kong: 14,556 flights
- 12.Hong Kong – Beijing: 14,537 flights
- 13.New York JFK – London Heathrow: 14,195 flights
- 14.Tokyo Narita – Taipei: 13,902 flights
- 15.Dublin – London Heathrow: 13,855 flights
- 16.Osaka – Shanghai: 13,708 flights
- 17.Hong Kong – Singapore: 13,654 flights
- 18.Chicago O'Hare – Toronto: 13,503 flights
- 19.Seoul Incheon – Tokyo Narita: 13,517 flights
- 20.Osaka – Taipei: 13,325 flights

## The busiest international routes

- 1.Seoul Gimpo – Jeju: 79,640 flights
- 2.Melbourne – Sydney: 54,102 flights
- 3.Mumbai – Delhi: 45,188 flights
- 4.Sao Paulo – Rio de Janeiro: 39,747 flights
- 5.Fukuoka – Tokyo Haneda: 39,406 flights
- 6.Hanoi – Ho Chi Minh City: 39,291 flights
- 7.Sapporo – Tokyo Haneda: 39,271 flights
- 8.Jakarta – Surabaya: 37,762 flights
- 9.Los Angeles – San Francisco: 35,365 flights
- 10.Jeddah – Riyadh: 35,149 flights
- 11.Cape Town – Johannesburg: 33,708 flights
- 12.Brisbane – Sydney: 33,443 flights
- 13.Cusco – Lima: 32,095 flights
- 14.Jakarta – Denpasar: 31,958 flights
- 15.Bogota – Medellin: 31,279 flights
- 16.Shanghai – Shenzhen: 29,401 flights
- 17.Beijing – Shanghai: 29,233 flights
- 18.Jakarta – Makassar: 28,903 flights
- 19.Bengaluru – Delhi: 28,716 flights
- 20.New York JFK – Los Angeles: 26,286 flights

## The busiest domestic routes

## Air Passenger Protection Guideline 3/6

- Flight cancellations, refunds, and changes
- Prior to the signing of a contract, air carriers, general agents of air transportation and travel agents selling airline tickets in Korea must provide the air transportation users information regarding flight cancellation, changes and refunds as well as any cost exemption conditions and the period allowed for flight cancellation, changes and refunds.

**NO TRICKS  
allowed**

# Air Passenger Protection Guideline 4/6

- Tarmac Delay
- Air carriers must not delay within the tarmac area no more than 3 hours for domestic flights and no more than 4 hours for international flights.
- For 2 hours or more within the tarmac area, air carriers must provide proper food to the air transportation users.
- Air carriers shall inform the air transportation users of the reason for the delay and the status of the progress every 30 minutes.
- Air carriers shall be able to deploy the necessary personnel and resources needed in cases of emergency during the delay.

## Air Passenger Protection Guideline 5/6

- Measures taken when a change occurs after ticket sales
- In the case the original scheduled flight at the time of ticket sales cannot be carried out due to a change in business/operation plan, disapproval of a business/operation plan by the government, delay (30 minutes or more), cancellation or etc., air carriers, general agents of air transportation and travel agents must notify the air transportation users via text message, email, phone call, postal mail or in any proper way regarding any changes to the flight.

# Air Passenger Protection Guideline 6/6

- Providing Information
- (1) Air carriers, general agents of air transportation and travel agents selling tickets must notify and provide information to the air transportation users regarding the baggage fees and the weight and number of baggage allowed for free checked baggage.
- (2) Code-share partner must inform the users regarding the actual aircraft, the fact that there may be a fare difference between the seller and the carrier, the airline handling the boarding procedures and the actual baggage policy in effect.

## Air Passenger Protection Guideline 6/6

- (3) Air carriers must provide and post the seating arrangements (including the spacing between the front and back seats and the width of the seats) of the aircraft and the location of the emergency exits on their websites.
- (4) In the case there is a change in the policy regarding the baggage fees or baggage allowance, air carriers must post the information of such change for at least three months on its website.

# How about aircraft change?





# Consumer Dispute Resolution Standard - Delay

Domestic	
1 – 2 hours	10% of the fare
2 - 3 hours	20% of the fare
3 hours more	30 of the fare

International	
2 - 4 hours	10 % of the fare
4 – 12 hours	20% of the fare
12 hours -	30% of the fare

→ But, maintenance, aircraft connection, weather, unexpected measures for safe flights are available defenses for airlines.

# Summary

- Fast developing (several pending bills)
- Aligned with general consumer protection rules
- Service Quality Report -> traffic rights & slot allocation

Thank you!

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