

Rights of passengers travelling by sea and inland waterway
(Regulation (EU) N° 1177/2010)

Greek National Enforcement Body activity report

1) Please specify when was the enforcement body(ies) fully operational in your country.

- Since 2008 Greece has established, by Law 3709/2008 (Gazette A' 213/14-10-2008), an integrated national legislative framework on rights of passengers travelling by sea defining simultaneously as National Enforcement Body (NEB) of the relevant legislation the former Ministry of Shipping, Maritime Affairs and the Aegean (renamed as Ministry of Economy, Infrastructure, Maritime Affairs and Tourism). With the introduction and implementation of the Regulation (EU) 1177/2010, the Greek NEB was fully operational.

2) Distribution of tasks between different NEBs (if applicable).

- In Greece, there are not different NEBs for the implementation of the Regulation (EU) 1177/2010.

3) Could you please indicate what are the powers of the NEB(s) in your country following a complaint? If applicable in your country, can the NEB enforce claims and offer redress?

- Greek NEB investigates and handles every complaint submitted by the passengers. There is an integrated system of penalty rules which are imposed for violations of the legislative framework for rights of passengers travelling by sea. These penalty rules can range from recommendations, in cases of low significance, to fines the amount of which varies from thirty (30,00) euros up to fifty thousand (50.000,00) euros. These fines are without prejudice to any other criminal or disciplinary sanctions that may be imposed for violations of other related legislation.

4) Statistics on complaint handling at carrier/terminal operator level and at NEB level:

Statistics at carrier/terminal operator level are not mandatory under Article 26 of the Regulation. However, it seems that, in general, very few complaints reach the NEBs in the waterborne sector. Statistics at carrier/terminal operator level would provide a better picture of the way the Regulation is implemented.

Carriers (optional)

Year	Number of complaints received by terminal operators	Reason for complaint (e.g. cancellation, delay, discrimination, lack of assistance, please indicate whether it is a disability related complaint):	Number of complaints rejected by the terminal operators and appealed by the passenger	Comments (if any):
From 18 December 2012 – 31 December 2013	---	---	---	---

From 1 January 2014 – 31 December 2014	---	---	---	---
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- The optional questionnaire was sent to all the carriers operating in maritime transportation. However, only two carriers completed and sent the questionnaire back. Their answers are attached.

Terminal operators (optional)

Year	Number of complaints received by terminal operators	Reason for complaint (e.g. cancellation, delay, discrimination, lack of assistance, please indicate whether it is a disability related complaint):	Number of complaints rejected by the terminal operators and appealed by the passenger	Comments (if any):
From 18 December 2012 – 31 December 2013	0	0	0	0
From 1 January 2014 – 31 December 2014	0	0	0	0

- There were no complaints received by terminal operators during the examined period.

NEB(s) (mandatory)

Year	Number of complaints received by NEB(s)	Reason for complaint (e.g. cancellation, delay, discrimination, lack of assistance, please indicate whether it is a disability related complaint):	Comments (if any). Please specify how many of the cases received were solved. If applicable, please indicate what happened to the unsolved cases (referral to Court, ADR alternative dispute resolution)?
From 18 December 2012 – 31 December 2013	64 (19 complaints were sent to the carrier as first level handling - 45 were submitted at appeal level)	26 (delay), 07 (lack of information for delay), 30 (lack of information for cancellation), 06 (lack of assistance), 05 (loss of connecting transport service), 03 (carrier did not reply to the complaint within 2 months), 01 (disability related complaint)	From the 64 complaints, the 47 complaint cases were solved, while 17 confirmed as unfounded.
From 1 January 2014 – 31 December 2014	45 (14 complaints were sent to the carrier as first level handling - 31 were submitted at appeal level)	16 (lack of information for delay), 15 (delay), 08 (cancellation), 07 (lack of assistance), 06 (lack of information for cancellation), 06 (carrier did not reply to the complaint within 2 months), 05 (loss of connecting transport service), 04 (non accessible complaint-handling mechanism), 02 (disability related complaint)	From the 45 complaints, the 24 complaint cases were solved, while the 21 confirmed as unfounded.

- At above statistic table it should be pointed out that a complaint case may include more than one reasons of submission.

In your Member State (please underline the correct answer):

- Passengers can always submit their complaint directly to the NEB, or
- Passengers are obliged to submit their complaints to the carrier/terminal operator first, and they can only submit a complaint to a NEB if they are not satisfied with the solution offered by the carrier/terminal operator

- A passenger may submit his complaint directly to the NEB. In this case, the NEB sends the complaint to the carrier/terminal operator monitoring and evaluating the carrier's response.

Do you use a complaint form at national level? (please underline the correct answer):

- No
- Yes (if yes, please provide a copy of this form to the Commission if different from the Commission template)

- A copy of the template Complaint Report Form used at national level is attached.

Did you transfer any complaints to NEBs of other Member State? If yes, how many complaints?

- There was no case of complaint that had to be transferred to NEB(s) of other Member States.

5) Information and statistics on penalties (Article 28 of the Regulation):

Year	Number of penalties imposed:	Types of penalty (in case of fines, what were the amounts imposed):	Reason for imposing the penalty (which provision of the Regulation was breached):
From 18 December 2012 – 31 December 2013	11 fines	Fines (total amount of 1.780,00 euros)	2 fines (500,00 euros) for lack of information for cancellation - article 16(1), 2 fines (400,00 euros) for delay - article 19(1), 7 fines (880,00 euros) for no carrier's reply within 2 months - article 24
From 1 January 2014 – 31 December 2014	06 fines and 01 recommendation	Fines (total amount of 900,00 euros) and recommendation	2 fines (400,00 euros) for lack of information for cancellation - article 16(1), 3 fines (350,00 euros) for no carrier's reply within 2 months - article 24(2), 1 fine (150,00 euros) for loss of connecting transport service - article 16(2), 1 recommendation to a port terminal operator for non adequate port infrastructure providing assistance to disabled passengers - article 9(1)

Among the penalties listed in the above table, how many were imposed following a complaint and how many were imposed at the NEB(s) own initiative?

- All penalties were imposed after the submission of relevant complaints.

Which body(ies) imposed the penalties?

- The NEB.

6) Other actions taken in order to ensure the correct application of the Regulation:

How do you monitor that carriers, terminal operators, ticket vendors etc. respect the Regulation (e.g. do you organise inspections)?

- In a daily basis, Greek NEB supervises and monitors the timetables of the ships departures and arrivals and is ready to impose the legislation.

Regarding the facilities of of disabled person on ships, the application of the Regulation is checked via annual surveys prior to the issuance of Passenger Ship Safety Certificate and additional extra inspections.

Regarding the facilities of accessibility of disabled persons in ports, there is a regular supervision of port terminals infrastructure to ensure the application of Regulation.

Do you cooperate with organizations representing carriers, passengers, disabled people or consumers, consumer authorities or other national authorities? (if yes, please specify.)

- Greek NEB has an excellent working cooperation with all the associations and organisations representing carriers, shipowners, consumers and persons with disabilities. In particular, representatives of the above stakeholders participate in the Coastal Shipping Transportation Council, a consultative body (under auspices of the NEB) for matters concerning maritime transport services.

Do you cooperate with NEBs in other Member States? (if yes, please specify how.)

- Till now, there was not any case of complaint that required cooperation between the Greek NEB and NEB(s) of other Member States.

Have you taken any action to disseminate information about sea and inland waterway passenger rights? (if yes, please specify.)

- The NEB, in cooperation with the Consumers' Union of Greece, has designed and printed an informative brochure on the rights of passengers travelling by sea, which is distributed to the public through regular basis campaigns.

How has Article 9 of the Regulation on access conditions for disabled person or persons with reduced mobility been implemented in your country?

- The NEB has issued a series of legal provisions (Presidential Decrees 66/2005 and 44/2011, Circular 4338.35/01/06/16-05-2006) which ensure non-discriminatory access conditions on ships for disabled persons or persons with reduced mobility.

The port terminal operators have been obliged to take all necessary actions within the existing legislation for the improvement of disabled persons accessibility in areas of their competence. In particular, the NEB has sent to port terminal operators related text port infrastructure specifications and instructions in cooperation with the National Confederation of Persons with Disabilities.

Finally, several common staff training programs have been organised, in cooperation with local port terminals and associations of disabled persons, in order to improve the provided level of assistance in ports.

7) General information on the environment in which the Regulation is applied in your Member State:

Could you briefly describe the sea and inland waterway market in your Member State? (If you have any data on the number of operators falling under the Regulation, the volume of passengers transported, please specify.)

- The Ministry of Economy, Infrastructure, Maritime Affairs and Tourism is the supreme administrative supervisor of maritime sector. All services in Greek maritime transport sector have been liberalized and are open to the beneficiaries of Regulation (EC) 3577/1992.

The following table provides information regarding the volume of maritime traffic and the number of operators falling under the Regulation (EU) 1177/2010, for the years 2013 and 2014 respectively.

Year	Volume of passengers transported	Number of operators in maritime transportation
2013	Approximately 30,4 millions	125
2014	Approximately 30,8 millions	129

Articles 2(3) and 2(4) of the Regulation allow Member State to give exemptions from the application of the Regulation to domestic seagoing ships of less than 300 GT and to services covered by public service obligations/contracts. Please indicate whether your Member State has applied (one of) those exemptions and if so, please provide details.

- There are no exemptions of articles 2(3) and 2(4).

8) Any other comments/information to be reported.

- Considering the high volume of maritime transport traffic in Greece, the Greek complaint-handling system works effectively, supervising and imposing the right enforcement of Regulation (EU) 1177/2010. Moreover, it should be pointed out that, generally, the carriers fully comply with the requirements of Regulation 1177/2010.