

## Consumer Protection Cooperation (CPC) network action on airlines' COVID-19 related cancellation practices

### Implementation table submitted by Norwegian

Date: 29/03/2022

**[NB: The Commission and CPC authorities may decide to publish this implementation table]**

In the context of the CPC network's coordinated investigation into airlines' COVID-19 related cancellation practices, 16 major airlines operating on the EU market have made wide-ranging commitments to clear their reimbursement backlogs, offer cash reimbursement for unused vouchers that had been pushed on consumers in the early stages of the pandemic and better inform consumers about their cancellation-related passenger rights.<sup>1</sup>

This implementation table outlines the commitments made by Norwegian, the measures taken by Norwegian to implement its commitments, the state of play of implementation as well as any issues encountered by Norwegian that still need to be resolved in order to achieve full implementation.

Commitment	Measures taken by the airline	State of play of implementation / currently remaining issues
<p><b>1. Clear remaining reimbursement backlog by 1 September 2021</b></p> <p><i>Which measures did the airline take to clear the backlog of pending reimbursement requests by 1</i></p>	<p>By the time we entered into Examinership and then a Reconstruction process, we had completed 95% of all received ticket refund claims, so Norwegian has never had a massive back-log of unpaid ticket refund claims. On the 18 November 2020, we entered into Examinership and according to the rules of the scheme, we were prohibited</p>	<p>New ticket refunds are handled without any delay and within the 7-day timeframe.</p> <p>We have approximately 300 claims within the Examinership/reconstruction process that has been submitted with incorrect bank details by the</p>

<sup>1</sup> [Airlines: reimbursement after flight cancellations \(europa.eu\)](https://europa.eu)

<p><i>September 2021? And what was achieved concretely?</i></p> <p><i>In case of remaining problems: Which measures did the airline take to address those problems and clear the remaining backlog of pending reimbursement requests? What is the expected timeline for full implementation?</i></p>	<p>from making full payment to creditors, including customers. All pending customer claims were included in the creditor list and invitations to an online portal was sent out in order to pay out the eligible dividend of the claims.</p>	<p>customer, these are manually handled in order to pay the dividend of the claim.</p>
<p><b>2. Refund passengers within 7 days</b> as required under EU law (at the latest from 1 September 2021 onwards, since there should be no more reimbursement backlog from that date on [see point 1 above])</p> <p><i>Which measure has the airline put in place to allow all passengers to be refunded within 7 days as required under EU law? When was this achieved concretely?</i></p> <p><i>What is the current average time of reimbursement (in case it is above 7 days)? In case of remaining problems: Which measures has the airline put in place to tackle those problems and achieve the target of refunding passengers within 7 days</i></p>	<p>We have a constant focus on the 7-day rule. During the pandemic and due to the massive volume of ticket refunds claims we received, we developed the automated ticket refund further. This allowed more bookings to be refunded through an automated process, ensuring compliance. This also allowed bookings made through a travel agency where a payment card was registered, to go through the automated process.</p>	<p>We constantly have new claims come in and depending on whether the claim falls within the scope of the examinership and Reconstruction or not, we will either pay the claim in full within 7 days or send an invitation to the online dividend portal to the customer. Once the bank details have been registered in the portal, payment of the dividend is sent.</p>

<p><i>and what is the expected timeline for achieving that target?</i></p>		
<p><b>3.</b> Provide clear <b>information</b> to consumers about their <b>passenger rights</b> in the event of a flight cancellation by the airline</p> <p><i>How does the airline ensure such clear information in its communication to consumers about their cancellation-related passenger rights? (You may wish to detail by channel of communication, e.g. website, emails sent to passengers notifying them about a cancellation, flyers given at the airport, call centre routines, chatbot, ..)</i></p>	<p>If Norwegian cancel the flight, affected passengers will receive information about their passenger rights in line with the requirements of Article 14, Regulation (EC) 261/2004. We inform passengers about their rights in the SMS where we inform about the flight being cancelled. This information is also available on the website and as a hand-out at the airport.</p>	<p>Information flow to passengers is unchanged and still compliant with EU regulation 261/2004.</p>
<p><b>4. Present</b> the different options the passenger has in the event of a flight cancellation by the airline (<b>rerouting, refund in money</b> and – if offered by the airline – refund in a voucher), <b>with equal prominence</b> on the websites, e-mails and other communication to passengers</p>	<p>During the pandemic, Norwegian has offered rebooking, a full refund or a voucher in case of cancellation. Vouchers on cancelled flight was offered with an extra 20% value of the ticket price. These three options were presented to the passenger when informing them about the cancellation, when contacting us on phone, chat or social media and was also described on</p>	<p>Norwegian has returned to business as usual and is offering refund and rebooking as regulated by EU regulation 261/2004. Voucher is no longer an option.</p>

<p><i>How does the airline ensure that options that a passenger has when their flight is cancelled are presented with equal prominence?</i></p>	<p>our webpage and the dedicated Covid information page.</p> <p>During periods of high uncertainty, we even offered a voucher to passengers that wanted to cancel their travel plans, although the flight itself was not cancelled. The voucher offered was equivalent to the ticket price.</p>	
<p><b>5. Clearly distinguish</b> in the in the communication to passengers <b>flight cancellations by the airline</b> (and the passenger’s ensuing statutory rights) <b>from flight cancellations by the passenger</b> (and possible contractual rights that the passenger may have in those cases under the airline’s terms and conditions of carriage)</p> <p><i>How does the airline ensure that in its communication to passengers there is a clear distinction between flight cancellations by the airline (and the passenger’s resulting statutory rights) from cancellations by the passenger (and possible contractual rights that the passenger may have in those cases</i></p>	<p>The information provided to passengers affected by a flight disruption has always informed them that the right for refund is guaranteed by EU Regulation 261/2004. We make reference to the Regulation when listing the passenger’s rights in case of a cancellation.</p> <p>.</p>	<p>Information about passenger rights have remained unchanged and is still compliant with EU Regulation Article 14.</p>

<p><i>under the airline's terms and conditions of carriage)?</i></p>		
<p><b>6. Offering reimbursement in money to passengers holding unused vouchers that had been pushed on them</b> (i.e. issued without the passenger having an effective choice to opt for reimbursement in money instead).</p> <p><i>How did the airline inform the holders of unused vouchers issued during the specified period?</i></p> <p><i>Has this information campaign been completed and which results had been achieved by the end of 2021?</i></p> <p><i>In case the airline encountered any problems: Which measures has the airline put in place to tackle those problems?</i></p>	<p>Norwegian has never excluded the right to a cash refund from the options provided to the passenger, during the pandemic, the offer to receive a voucher was a third option, in addition to a cash refund or a rebooking.</p>	<p>Norwegian has never excluded the right to a cash refund from the options provided to the passenger. Vouchers are no longer offered, we offer a cash refund or a rebooking.</p>
<p><b>7. Inform passengers about the possibility of requesting a refund directly from the</b></p>	<p>We have been made aware that some travel agencies are either rejecting to make a full refund or is charging a fee for</p>	<p>Online claim form for bookings made and paid to a travel agency is available on our webpage.</p>

<p><b>airline</b> and any conditions for requesting a direct refund on their websites, for passengers <b>who booked their flights through an intermediary</b> and are experiencing difficulties</p> <p><i>How does the airline assist passengers having difficulties obtaining a refund from the intermediary they bought their ticket from? How this is reflected in the relevant communication to passengers? (Please break down by channel of communication, e.g. website, routines for call centre, instructions in self-management tools, chatbot, ...)</i></p>	<p>doing this, so although the contract is between the customer and the travel agency, and the payment is made to the agency, Norwegian has created an online form for direct refund requests specifically to our customers that booked through a third-party.</p> <p>If trying to use the online claim form for direct bookings, the customer will be re-directed to the appropriate form. If the passenger contacts us by phone, chat, social media etc, we will inform about the form.</p>	
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