

Translation for Reference Only

**Measures for the Management of Reporting on Public Air Transport Passenger Services**

**Chapter 1 General Principles**

**Article 1** For the purpose of regulating reporting on public air transport passenger services and protecting lawful rights and interests of consumers, the Measures is developed according to the *Civil Aviation Law of People's Republic of China, Administrative Regulations on Passenger Service in Public Air Transport, Provisions on the Administration of Flight Regularity* and other laws, regulations and rules.

**Article 2** “Reporting” refers to the act where the informant reflects to a civil aviation administrative authority about suspected violations by the respondent(s) of relevant provisions of civil aviation laws, regulations and rules on the management of public air transport passenger services, and demands that such violations be held accountable for administrative liabilities.

Matters of violation related to personnel, discipline inspection, civil aviation operation safety, security and customs does not constitute reporting referred to in this Measures.

**Article 3** The informant includes natural persons, legal persons or other organizations.

The respondent(s) include carriers that engaged in public air transport passenger services, airport management authorities, ground handling agents, ticket sales agents, online travel platform operators, air traffic management entities established in accordance with the laws of the People's Republic of China, and aviation fuel enterprises, aviation equipment enterprises, aviation information enterprises, among others.

**Article 4** The Civil Aviation Administration of China (CAAC) established the Consumer Affairs Center to receive reporting from the informant to civil aviation administrative authorities through the civil aviation service quality supervision platform (including the web page [www.12326.cn](http://www.12326.cn) and its APP).

The civil aviation service quality supervision platform is a comprehensive management system for receiving reporting and providing feedback on the results of investigation and handling.

**Article 5** CAAC shall be responsible for the overall supervision and management of reporting on public air transport passenger services.

The consumer affairs center is responsible for the acceptance, transfer and information notification of reporting, as well as the operation and maintenance of the civil aviation service quality supervision platform.

The regional administrations of CAAC (CAAC regional administrations) are responsible for the investigation and handling of reporting.

**Chapter 2 Acceptance of Reporting**

**Article 6** A report shall meet the following conditions:

- (1) it shall be the ones as provided for in Article 2 herein;
- (2) it shall provide name or title, and valid contact information;
- (3) it shall clearly indicate the respondent(s) being accused;
- (4) it shall provide details, facts, and evidence in writing. ;
- (5) Within 2 years after the reported matters happened..

**Article 7** The Consumer Affairs Center shall not accept the report if:

- (1) the report fails to meet the conditions stipulated in Article 6 herein;
- (2) where the case has been closed according to the provisions herein;
- (3) the reported matter is suspected of violating the laws, regulations and rules beyond the civil aviation;
- (4) other circumstances in which the reporting shall not be accepted.

**Article 8** Where the report contains civil claims, the Consumer Affairs Center shall inform the informant to report the situation in accordance with the relevant provisions of the complaints measures, whereas claims of administrative violation liabilities shall be handled in accordance the provisions herein.

**Article 9** The Consumer Affairs Center shall, within 10 working days from the date of receiving the report, determine whether the report meets the conditions for acceptance, and transfer qualified reporting to the CAAC regional administration through the civil aviation service quality supervision platform.

Where multiple respondent(s) are accused in one report, the Consumer Affairs Center shall separately transfer the case to the relevant CAAC regional administrations.

**Article 10** The investigation and handling shall be determined in accordance with the following principles:

- (1) if the reported matter has a clear place of occurrence, it shall be investigated and handled by the jurisdictional CAAC regional administration of such place of occurrence;
- (2) if the reported matter does not have a clear place of occurrence or it is difficult to determine such place of occurrence, it shall be investigated and handled by the jurisdictional CAAC regional administration of the place that the accused respondent(s) are located;
- (3) if the reported matter is complicated or subject to special circumstances, the investigating and handling authority(ies) cannot be determined according to the above principles, the Consumer Affairs Center shall report to the CAAC, and CAAC shall designate the regional administration for investigating and handling the matter.

**Article 11** The Consumer Affairs Center shall respond the acceptance of the reporting to the informant through the civil aviation service quality supervision platform:

- (1) for qualified reporting, inform the decision on being accepted of the report and the

CAAC regional administration responsible for investigating and handling;

(2) for unqualified reporting, inform the decision on being not accepted the report and the basis for such a decision.

### **Chapter 3 Investigation and Handling of Reporting**

**Article 12** CAAC regional administration of civil aviation shall, within 60 days from the date of receiving the report transferred by the Consumer Affairs Center, feedback the results of the investigation and handling of the report on the civil aviation service quality supervision platform.

If the report is complicated, with the approval of the person in charge of the CAAC regional administration, the time for investigation and processing of the report may be extended, and the informant shall be informed of the extension of the investigation through the civil aviation service quality supervision platform

**Article 13** the results of investigation and handling of reporting shall include the following:

(1) the basic facts of the investigation and relevant evidence;

(2) whether it violates the relevant provisions and basis relating to the management of passenger services in civil aviation laws, regulations and rules.

**Article 14** After feedback on the results of the investigation and handling of the report, the CAAC regional administration shall close the case.

### **Chapter 4 Supervision and Administration**

**Article 15** The respondent(s) shall give full cooperation into the investigation of the report conducted by the CAAC regional administration, provide relevant materials and information in a timely manner, and be responsible for the authenticity of the materials and information provided.

**Article 16** The Consumer Affairs Center and the CAAC regional administration shall keep the information of the informant confidential, and shall not divulge the information of the informant and the handling of the report to the respondent(s) or any person who has nothing to do with the handling of the report.

If it is necessary to provide the above-mentioned information in carrying out the investigation, the consent of the informant shall be obtained; if the informant does not agree, it shall be informed of the adverse impact on the investigation of the reporting.

**Article 17** The informant shall be responsible for the authenticity of the materials provided. If an informant fabricates, distorts the facts, or falsely accuses or frames another person, he shall bear legal liability according to law.

**Article 18** The Consumer Affairs Center and the regional administration of civil aviation shall ensure the preservation of information in relation to the report, and the relevant information shall be kept for at least three years.

### **Chapter 5 Supplementary Provisions**

**Article 19** The time limit calculated by using days in the Measures does not include the current day, it shall be counted from the next day.

**Article 20** The Measures shall apply to foreign carriers and carriers from Hong Kong, Macao and Taiwan which engage in public passenger air transportation and whose flights originate or stop over within the territory of the People's Republic of China (excluding Hong Kong, Macao and Taiwan).

**Article 21** CAAC shall be responsible for the interpretation of the Measures.

**Article 22** The measures shall come into force as of September 1, 2021. *The Notice on the Measures for the Administration of Reporting of Violations of the Provisions on the Management of Flight Regularity* issued by CAAC (MHF (2017) No. 139) shall be abolished on the same day.