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Section LEWI / passenger rights, march 2018

Information concerning the treatment of reports submitted to FOCA by Claim Agencies

The Federal Office of Civil Aviation (FOCA) received several Power of Attorneys from Claim Agencies with obviously forged signatures. Such documents were rejected by FOCA.

On a European level it was noted that certain Claim Agencies committed infringements on consumer protection, marketing and data protection law. The EU Commission reacted and published an information notice to air passengers on this issue. The link to this notice is published on [FOCA's homepage under Passenger Rights](#).

In order to prevent misuse and for reasons of passenger protection, FOCA requests the following requirements to be met:

In addition to the duly filled in report form, we request the Claim Agency to send to FOCA the following documents:

- A **declaration** signed by the passenger that he is duly informed about the tasks and competences of FOCA, about the procedure he initializes with his report, that he is aware of the fact that he is a witness in this procedure and is prepared to be contacted (and therefore has to give his contact details) and that he has the possibility to address FOCA directly (no representation needed). This declaration has to be sent with original signature (no facsimile) by postal service to FOCA.
- A **power of attorney** signed by the passenger and the Claim Agency, which refers to the enforcement procedure of FOCA. This power of attorney has to be sent with original signature (no facsimile) by postal service to FOCA.
- A **copy of the identity card or passport** of the passenger which displays and therefore allows to verify the signature.
- In case of reasonable suspicion of misuse (missing or forged signatures) FOCA will request the Claim Agency to have the signatures certified by a notary public. This will also be the case for all subsequently submitted reports.

Please be advised that the passenger can submit a report to FOCA directly and without needing a representation. This can be done without significant effort using the [onlineform](#) on the homepage of FOCA.

Federal Office of Civil Aviation FOCA

Passenger Rights, 3003 Bern

Phone: 058 465 95 95 (mon-fri)

passengerrights@bazl.admin.ch

www.foca.admin.ch/passengerrights

