



**DECISION OF THE BOARD OF DIRECTORS
ON THE CONSUMER COMPLAINT**

BETWEEN

DENNIS MWESIGA COMPLAINANT

AND

RWANDAIR..... RESPONDENT

DECISION NO. 1 OF 2021

On 21 May 2019 the Authority received a complaint from one Advocate Dennis Mwesiga who was the complainant against Rwandair, who was the respondent. The complaint was about denied boarding whereby the passenger, Advocate Dennis Mwesiga was denied travelling with his family because he did not have a birth certificate of one of his children.

As required by the Civil Aviation Act, Cap. 80 R.E. 2020, the Consumer Complaints Handling Unit (CCU), which is established under S. 59(7) of the Act, investigated the matter as per S. 59(8) of the Act. The CCU's attempt to resolve this matter amicably pursuant to S. 59(8) of the Act was not successful; and so the CCU subsequently presented a report to the Committee of the Board on 10th March 2021.

The Committee received and considered the complaint and conducted a hearing before the final position was realised for the Board to make Decision.

The following observations emerged during the hearing:-

1. The requirement of birth certificate was State requirement; hence the airline (Rwandair) were obligated to comply;
2. Rwandair was not directly obligated to give information regarding such requirements; the passenger ought to have known the requirements prior to travel date;
3. The complainant could not prove his business relationship with IML; thus, he did not prove the loss occasioned by his failure to travel on 23 December 2018; and
4. The complainant could not prove that his family suffered trauma by Rwandair refusing them to travel.

The Committee, having heard all the parties and taking into consideration the observations that emerged, found that the complainant has failed to prove any liability to Rwandair and is hence not entitled to any compensation.

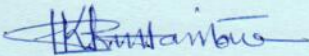
Since the offer by Rwandair of free business tickets to Mr. Mwesiga and his family to any Rwandair destination still stands, Mr Mwesiga be advised to accept the offer. The offer is intended to maintain good relationship with the clients and is not acceptance of liability. The Committee so recommended.

The Complainant requested for compensation as stated in his demand notice i.e., general damages amounting to USD 100,000, a refund of the cost incurred in rescheduling the tickets amounting to USD 412, damages amounting to USD 50,000 for the termination of the said contract and an apology to the complainant and his family.

The TCAA Board of Directors having met on 3rd June 2021 and read the report and recommendations by the Committee, decided that:

The complainant has failed to prove any liability to Rwandair and is, hence, not entitled to compensation; and since the offer of free business tickets to Mr. Mwesiga and his family to any Rwandair destination still stand; Mr Mwesiga be advised to accept the offer.

If not satisfied by the Decision, either party may appeal to the Fair Competition Tribunal.

A handwritten signature in blue ink, appearing to read 'Longinus Rutasitara', is written over a horizontal line.

Prof. Longinus Rutasitara
Chairman of the Board of Directors
TCAA

Encl: Proceedings of the Complaint