

Air transport services: Code of Conduct for computerised reservation systems

2007/0243(COD) - 04/09/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 496 votes to 103, with 23 abstentions, a legislative resolution amending the proposal for a regulation of the European Parliament and of the Council on a Code of Conduct for computerised reservation systems. The report had been tabled for consideration in plenary by Timothy **KIRKHOPE** (EPP-ED, UK) on behalf of the Committee on Transport and Tourism.

The main amendments - adopted under the 1st reading of codecision procedure - were the result of a compromise agreement between Parliament and Council:

Definitions of parent carrier, control and participation in the capital: carriers who are the parent of a CRS must provide all the same information to other CRSs as they do to their own CRS. The text adopted by Parliament revises the key definitions of 'parent carrier' and 'control' to limit the influence of airlines over CRSs, but also to make an exception for accidental investments not conferring ownership rights in the CRS. The definition of "parent carrier" is extended to ensure the influence of carriers as a consequence of capital holdings in system vendors is duly taken into account.

Parliament further stated that there must be an exception for accidental investments not conferring 'decisive influence' in the running of the CRS. Accordingly, parent carriers who participate in the capital with rights or representation on the board of directors, supervisory board or any other governing body of a system vendor are carriers with an investment to which are attached rights or representation on the board of directors, supervisory board or any other governing body of a system vendor, and conferring the possibility of exercising, alone or jointly with others, decisive influence on the running of the business of the system vendor.

A system vendor shall publicly disclose, unless this is otherwise made public, the existence and extent of a direct or indirect capital holding of an air carrier or rail-transport operator in a system vendor, or of a system vendor in an air carrier or rail-transport operator.

Displays: flights operated by air carriers subject to an operating ban pursuant to Regulation (EC) No°2111 /2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community must be clearly and specifically identified in the display.

Equivalent treatment in third countries: the Commission shall monitor the application of the discriminatory or non-equivalent treatment of Community air carriers by system vendors in third countries. At the request of a Member State or on its own initiative, the Commission shall investigate potential cases of discrimination against Community carriers in CRSs of third countries. The Commission shall, when appropriate, report to the Parliament and to the Council with regards to equivalent treatment in third countries and shall propose any appropriate measure in order to alleviate discriminatory conditions, including the conclusion or modification of bilateral air transport agreements between the Community and third countries.

Data Tapes and Data protection: MEPs say that where a system vendor operates databases in different capacities such as a CRS or as a host for airlines, technical and organisational measures must be taken to prevent the circumvention of data protection rules through the interconnection between the databases, and to ensure that personal data are only accessible for the specific purpose for which they were collected.

Independent report: every system vendor shall, every four years and, in addition, upon request from the Commission, submit an independently audited report detailing the ownership structure and governance model. Costs related to the audited report shall be borne by the system vendor.

Price is inclusive price: where prices are shown in the principal display, and/or where a ranking based on prices is chosen, prices shall be inclusive of the fares and of all applicable taxes, charges, surcharges and fees to be paid to the air carrier or rail-transport operator, and which are unavoidable and foreseeable at the time when shown on the display.

Train options: where travel options are ranked and where train services for the same city-pair are offered on the CRS, at least the best ranked train service or air-rail service shall be featured on the first screen of the principle display.

CO2 emissions: a new recital states that CRS should be encouraged to provide in the future easily understandable information about CO₂ emissions and fuel consumption of the flight. This could be shown via average fuel consumption data per person in litre/100km and average CO₂ emissions per person in g/km, and could be compared with data of the best alternative train/bus connection for journeys of less than five hours.