Groundhandling services at Union airports

2011/0397(COD) - 16/04/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 455 votes to 239 with 18 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on ground handling services at Union airports and repealing Council Directive 96/67/EC. The matter had been referred back to the competent committee for re-consideration during the plenary session of 12 December 2012.

Parliament adopted its position in first reading following the ordinary legislative procedure. It amended the Commission proposal as follows:

Airport Users' Committee: at the airport's users' request, every airport with annual traffic of **not less than two million passenger movements or 50 000 tonnes of freight for at least the previous three years shall establish a committee of representatives** of airport users or of organisations representing airport users as well as representatives of the airports and the staff. Involvement of the social partners in this user network shall be compulsory.

Parliament underlines that as free market access is the norm in Union transport policy, the **complete liberalisation of the ground handling market should be the ultimate goal**.

Limit on suppliers: it should be possible to limit the number of authorised suppliers of ground handling services and for the extent of such limitations to **differ between individual terminals within the same airport provided that they are applied in a non-discriminatory manner**, do not distort competition and comply with this Regulation and that the minimum number of suppliers at each terminal remains the same.

Member States shall not limit this number to **fewer than three suppliers** for each category of ground handling services in the case of airports whose annual traffic has been **more than 15 million passengers or 200 000 tonnes of freight** for at least the previous three years.

Quality of service: Parliament considers that enhancing the quality of ground handling services should be the ultimate aim:

- In order to avoid increasing the administrative burden for ground handling companies, these companies should be allowed to **decide on their own general business practices** and their human resources policy.

- Airports should be required to keep **strictly separate accounts** for their ground handling services on the one hand and their infrastructure management on the other.

- Where the managing body of an airport supplies ground handling services itself, or where it directly or indirectly controls a ground handling services undertaking, **due coordination of the ground handling services should be monitored by the independent supervisory authority in order to guarantee equal treatment.**

Minimum standards: in order to guarantee an adequate level of safety at all airports, **requirements on minimum safety standards** for ground handling services should be set out in terms of reliability, resilience, safety and security.

A competent Union institution, acting in cooperation with the competent authorities of the Member States, airport operators and social partners, should set ambitious minimum standards to **ensure the highest quality for education and training of employees** in the ground handling sector.

As long as the required standards are not met at the airport concerned, the accreditation of the service providers concerned should be suspended, withdrawn or withheld until the appropriate standard has been attained again.

Social protection and rights of staff: Parliament requires that all suppliers of ground handling services, self-handling airport users and subcontractors operating at an airport should apply the relevant representative **collective agreements** and national laws of the Member State concerned so as to allow fair competition between suppliers of ground handling services based on quality and efficiency.

In order to prevent **wage dumping** the staff of undertakings providing ground handling services should enjoy an **adequate level of social protection, as well as decent working conditions**, including **in the case of subcontracting and in the context of service contracts**. If it is found that gaps in protection exist or that rules are being infringed, the accreditation of the service providers concerned may be suspended, withdrawn or withheld, until the appropriate standard has been attained again.

Persons with reduced mobility: Parliament wants the Regulation to be applied in conformity with Regulation (EC) No 1107/2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air. In this respect, the Regulation encourages increased convergence between, on the one hand, the providers of assistance to disabled persons or persons with reduced mobility and, on the other hand, the handlers of aid equipment of the travellers, including medical devices. The insurance policies taken out by suppliers of ground handling services should guarantee full compensation for losses incurred as a result of damage to or loss of such equipment.

Passenger information: the documentation supplied by airlines to passengers **should clearly indicate** the supplier of ground handling services for the air route concerned. Furthermore, Suppliers of ground handling services have a duty to provide **information points for passengers** whose baggage is lost or missing.

Penalties: Member States should provide for the imposition of penalties for infringement of this Regulation. The penalties thus provided for should be effective, proportionate and dissuasive.