Transport: enforcement of passenger rights in the Union

2023/0437(COD) - 04/07/2025 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Matteo RICCI (S&D, IT) on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782 as regards enforcement of passenger rights in the Union.

The competent committee recommended that the European Parliament adopt its position at first reading by amending the Commission's proposal as follows.

As a reminder, the proposal seeks to revise regulations on passenger rights to address shortcomings in implementation and enforcement which are preventing passengers from fully benefiting from these rights.

The proposed amendments concern the following:

Extraordinary circumstances

To reduce the margin for interpretation as to what constitutes extraordinary circumstances that would allow airlines to deny compensation, a defined list of exceptions is laid down in Annex IIa, such as natural disasters, war, weather conditions or unforeseen labour disputes (excluding strikes by airline staff).

Transfer of tickets

The report suggested that passengers who, for exceptional reasons (such as death or serious medical problems), are no longer able to make a journey they have booked, should be entitled to request a change in the name of the ticket holder. Notification provided at least 72 hours prior to the flight should in all cases be considered reasonable and shall not be subject to any additional charge according to the new amendments.

Reduced mobility or special needs

Members considered that the rights of persons with disabilities and persons with reduced mobility should be prioritised. Families with young children are also recognised within this framework, ensuring equitable treatment and the availability of reasonable assistance.

According to the report, in cases of denied boarding, cancellation, delays of any length and missed flight due to a lack of airport assistance services, persons with disabilities and persons with reduced mobility and any persons accompanying them, as well as unaccompanied children, should all have the right to compensation, reimbursement or re-routing and the right to care as soon as possible.

Infants of less than 24 months and children under 12 years old should be considered special category of passengers (SCP) in accordance with the EU air safety legislation under Regulation 965/2012. **Allocation of seats for infants** with the accompanying passenger and for children under 12 years old next to the accompanying passenger, made under the same booking, should be provided free of charge by the air carrier.

Right to personal item and hand luggage

Passengers should always have the right to a carry-on board one personal item, such as a small bag, handbag, backpack or laptop bag under the condition that it can be safely stowed under the seat in front of the passenger. Air carriers should not charge the passenger any supplement or additional fees on top of the price of the flight ticket for this personal item. It is mandatory that carriers provide clear, transparent, and easily accessible information on the weight and dimension requirements for the personal item at the time of booking and after the booking is completed, ensuring passengers are fully informed before their journey.

Moreover, passengers should always have the right to carry on board, one piece of hand luggage. The hand luggage should not be subject to price supplement on the price of the flight ticket within the maximum dimensions of **100 cm** (sum of length, width, and height) and maximum weight of **7 kilos**. Air Carriers may apply different provisions regarding additional or larger hand luggage.

Obligation to inform passengers of their rights

The airport managing body and operating air carrier should ensure that at check-in, online and at the boarding gate, a **clearly legible notice** containing the following text is displayed in a manner clearly visible to passengers: "If you are denied boarding or if your flight is cancelled or delayed for at least two hours at departure, or of more than 3 hours at arrival at your final destination, ask at the check-in counter or boarding gate for the text stating your rights, particularly with regard to compensation and assistance".

Contact points

It is proposed that air carriers should set up, at each airport where they operate, **contact points** at which they should ensure the **presence of contact personnel** or a third parties commissioned by the air carrier concerned, to provide passengers with the necessary information regarding their rights, including complaint procedures, to assist them and to take immediate action in the event of cancelled or delayed flights, denied boarding and lost or delayed baggage. During the air carriers operating hours and until the last passengers disembark from the last plane, those contact points should be available for the purpose of assisting passengers inter alia concerning reimbursement, re-routing, rebooking and of accepting the lodging of their complaints.

Intermediaries

The proposed amendments clarify the role of intermediaries (ticket vendors or retailers) in reimbursing air passengers for cancelations, long delays or denied boarding. Members called for these companies to inform passenger at the time of booking about the full cost of an air ticket, intermediation or service fees, and the reimbursement process, which should not take longer than 14 days. Should an intermediary fail to respect this deadline, it would be up to the air carrier to process the reimbursement within seven days.

Common form for compensation and reimbursement requests

When a passenger has a right to compensation from the air carrier, the air carrier should send to the passenger in a written form, within 48 hours, the information about the presence or absence of extraordinary circumstances and provide access to a **pre-filled common form**.

Complaint-handling

Members considered that each carrier and terminal operator should set up an **accessible complaint-handling mechanism** for the rights and obligations covered by this Regulation in their respective fields of responsibility. At the time of booking, they should provide information to passengers on the complaint handling processes and the relevant time limits.