

# Air carriage: liability in the event of accidents

2000/0145(COD) - 20/03/2001

The committee adopted the report by Marieke SANDERS-TEN HOLTE (ELDR, NL) broadly approving the Commission proposal under the codecision procedure (1st reading). It adopted a number of amendments designed to tidy up the text and improve passenger information. In particular, it wanted to ensure that adequate liability information was made available to passengers before tickets were purchased. A summary of the main provisions of the Montreal Convention - applicable to Community air carriers as required by the Regulation - governing liability of passengers and their baggage should be made available at all points of sale, including sale by telephone and via the Internet. The committee proposed a model notice to be displayed by all Community airlines at points of sale, giving full and detailed information on passenger compensation, advance payments, delays, baggage, complaints and time limits for action. It also wanted each carrier to include the local currency equivalent as well as the Special Drawing Rights (SDRs). The rapporteur also wished to highlight the fact that, for some non-EU carriers, the Warsaw Convention would continue to exist alongside the Montreal Convention for an indefinite period. Passengers should be aware of the difference in the two regimes. The committee also felt that there should be a definition of the term 'baggage', given that liability for damage to baggage was being introduced into the EC regulation for the first time, to make it clear that this covered both checked and unchecked baggage. Lastly, it felt that the application of the regulation should be assessed after three years, rather than six years as proposed by the Commission, and that the regulation should be continually aligned with ICAO updates.