

Compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights

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The committee adopted the report by Giorgio LISI (EPP-ED, I) tableing a large number of amendments to the proposal under the codecision procedure (1st reading). The main amendments were as follows: - the committee added definitions of 'force majeure', 'denied boarding', 'cancelled flights', and 'a person with reduced mobility'; it also wanted to retain the definitions of 'final destination' and 'volunteer' given in the regulation currently in force; - for the purposes of clarity, the committee specified that the responsibilities and obligations set out in the regulation applied not only to the air carrier and the tour operator but also to the operating air carrier, both in the case of code sharing and where it is logistically impossible for the tour operator to meet the obligations laid down; furthermore, the tour operator and the marketing carrier should have full rights of recourse against the operating carrier whenever the latter bears responsibility for denied boarding, cancellation or flight delays; - the committee changed the figures governing compensation for denied boarding, proposing that passengers should receive compensation of EUR 200 for flights of less than 1000 kilometres, EUR 400 for flights between 1000 and 3500 km and EUR 600 for flights of 3500 km or more; - the committee added a clause stipulating that the Commission may adjust the amount of compensation every three years in line with any rise in the cost of living; - in the case of overbooking, available places should be allocated under a transparent procedure according to uniform criteria; - boarding should not be denied to a passenger travelling with a certified service dog or to passengers travelling with small children; - the choice of reimbursement or re-routing to be offered to passengers who are denied boarding should be allowed only within the validity of the ticket and subject to scheduling; - in the case of re-routing, the committee adjusted the criteria for reducing compensation to ensure that they were more in keeping with the time/distance ratio; - package tourists should not be covered by this regulation as they were covered by a separate directive; - the scope of the regulation should be extended to cover all carriers which fly to the Community; the committee therefore deleted a clause which would have limited the scope of the regulation to packages sold within EU territory; - from 1 January 2004, a ranking of user-friendliness should be published on a monthly basis; - lastly, the Commission was urged to enact similar rules for rail, ferry bus and coach transport so as to prevent distortions of competition between different modes of transport.