

Air transport: insurance for air carriers and aircraft operators

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The committee adopted the report by Jim NICHOLSON (EPP-ED, UK) broadly approving the proposal subject to a number of amendments (codecision procedure, 1st reading). The key amendment dealt with the minimum insurance requirements to cover liability vis-à-vis third parties in the event of accidents as well as acts of terrorism and war. The committee argued that the proposed minimum requirements were not sufficiently differentiated and were also too high overall. In particular, it felt that the minimum figure proposed by the Commission (80 million SDRs for aircraft with a maximum take-off weight (MTOW) of less than 25 000 kg) would impose an intolerable burden for the smaller aircraft sector. Instead of the four broad categories of aircraft and corresponding minimum insurance figures proposed by the Commission, the commission therefore suggested eight categories, ranging from 1.5 million SDRs for aircraft with a MTOW of less than 2 000 kg to 250 million SDRs for aircraft with a MTOW of more than 200 000 kg. All the committee's proposed categories entailed considerably lower figures than had been proposed by the Commission, including for heavier aircraft (for example, the proposal had provided for a minimum insurance of 600 million SDRs for the heaviest category). The other amendments were as follows: - aircraft taking off and landing at the same airport should also be included in the Regulation; - the possibility of third country air carriers being insured on the market should be left open; - Member States shall (as opposed to "may") require overfliers to meet the requirements of the Regulation; - operators not required to hold an operating licence should also be covered by this legislation; - the definition of short-term lease should be clarified; - depositing evidence of insurance in one Member State should suffice for all Member States, in line with the principles of the internal market; - Member States should be able to conduct unannounced inspections where appropriate to verify compliance with the Regulation; - refusal of access to routes into or within the Community or refusal of the right to overfly a Member State's territory should be a sanction applicable only to air carriers or aircraft operators from a third country and not to domestic companies.