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

2001/0305(COD) - 03/07/2003 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution based on the report by Giorgio LISI (EPP-ED, Italy) and made several amendments to the common position. The key amendments were as follows: - a new recital states that passengers travelling on all modes of transport should be treated equally and distortions of competition between different modes of transport should be avoided; the text should give a definition of "cancelled flight"; - the definition of "final destination" given in the regulation currently in force should be retained; - the check-in time should not have to be indicated in writing; - if no time is indicated by the air carrier, tour operator or an authorised travel agent, passengers should check in no later than 60 minutes before the published departure time, rather than 30 minutes as proposed; - passengers should be offered assistance when an air carrier reasonably expects a flight to be delayed beyond its scheduled time of departure: (a) for two hours in the case of flights of 1500 km or less, or (b) for three hours in the case of all intra-Community flights of more than 1500 km and of all other flights between 1 500 and 3 500 km, or (c) for four hours or more in the case of all flights not falling under (a) or (b); - an amendment was adopted with a view to harmonising the distance criteria as above with regard to compensation in the event of re-routing; - the obligation to re-route passengers to their final destination should be limited; re-routing should take place "within the validity of the ticket". Re-routing should also be "subject to scheduling"; - Parliament amended the provisions on compensation in cases where a passenger is placed in a class lower than that for which his ticket was purchased; - it should be stipulated that tour operators should also be guaranteed a right of redress against the operating air carrier, whereas the proposal established a right of redress only for the operating air carrier against the tour operator; - Member States should ensure that any claim for compensation under the principle that the agency responsible should pay can be made against any third party, i.e. even state or other authorities with sovereign powers by the undertakings designated in the Regulation; - the Regulation will enter into force within 12 months of its publication rather than 3 months.