

Air transport: list of air carriers subject to an operating ban within the Community and informing passengers of the identity of the operating air carrier

2005/0008(COD) - 16/02/2005 - Legislative proposal

PURPOSE: to grant each air passenger the right to be informed of the identity of the operating carrier.

LEGISLATIVE ACT: Regulation of the European Parliament and of the Council.

CONTENT: This proposed Regulation establishes rules to ensure that air passengers are informed about the identity of the air carrier operating the flights on which they travel and establishes an obligation of exchange of safety information between Member States.

It would apply to the provision of air transport services when the departure of the flight is from an airport in the territory of a Member State to which the Treaty applies or from an airport located in a third country, if the flight is part of a journey which started in the Community, provided the contracting carrier has an establishment in the Community.

It would apply regardless of whether the flight is scheduled or nonscheduled, and regardless of whether the flight is part of a package or not. It shall not affect the rights of passengers under Directive 90/314/EEC and Regulation 2299/89/EEC on a code of conduct for computer reservation systems. Member States shall publish a list of all air carriers which are banned from its airspace or which are subjected to traffic rights restrictions for safety reasons. This list shall be made available to all the Member States and to the Commission. The Commission shall publish a consolidated list of these air carriers and take the appropriate measures to facilitate this exchange of information.

The contracting carrier shall inform the passenger of the identity of the operating air carrier or carriers upon reservation and immediately notify the passenger if the operating carrier or carriers is changed after reservation irrespective of the reason of the change.

In due course, the Commission intends to make proposals to reinforce the current system of the safety inspections based on the Safety Assessment of Foreign Aircraft (SAFA) Directive 2004/36/EC. The Commission is currently examining how best to introduce changes in the most efficient way by making use of the possibilities offered by implementing measures affecting the content of the procedures annexed to the "SAFA" Directive.

Other, more far reaching measures, possibly through a modification of the Directive, could be to introduce and alert system ensuring that important safety issues are drawn to the attention of all the Member States inspectors and to issue a set of detailed procedures to be followed. Such a move would help improving the quality and standardisation of the data, enable a better analysis of the available information and allow an easier detection of problem areas. Also, modification proposals would take into account of international initiatives such as the IATA Operational Safety Audit (IOSA), which consists in providing a standardised audit programme based on internationally recognised standards and a structured system for the sharing of audit related information.