

Air transport: rights of persons with reduced mobility

2005/0007(COD) - 06/10/2005

In public debate, the Council unanimously agreed a general approach on the proposal for a Regulation concerning the rights of disabled persons and persons with reduced mobility when travelling by air, pending the European Parliament's opinion in first reading.

The proposal, which was adopted by the Commission in February 2005, forms part of the overall policy aimed at strengthening passenger rights in the European Union. It prohibits air carriers, their agents and tour operators from refusing, on the grounds of disability or of reduced mobility to accept a reservation for a flight, or to embark a disabled person or a person with reduced mobility at an airport. In addition, it grants disabled persons and persons with reduced mobility the right to specified assistance at airports and on board aircraft without additional charge.

The key features of the draft Regulation as amended by the Council are:

- Disabled persons and persons with reduced mobility shall not be refused air transport on grounds of their disability or reduced mobility, except for justified safety reasons or because it is physically impossible to embark such persons, for instance due to the size of the aircraft doors.

In case of refusal to embark, the persons concerned will be offered the opportunity to rebook on another flight at no additional cost, or, if this is not possible, will be offered reimbursement of the costs of the ticket.

- Disabled persons and persons with reduced mobility will be given assistance at airports and on board aircraft if they inform the airline of their specific needs a reasonable time in advance. If insufficient notice is given, the airport will still be required to make its best efforts to provide the assistance.

- The most difficult issue to reach agreement on was the question of who should be responsible for providing the assistance to disabled persons and persons with reduced mobility at airports. The Council finally agreed that the managing bodies of airports should have the overall responsibility for providing such assistance; the managing bodies may provide the assistance themselves or, in keeping with this responsibility, may contract with one or more parties, such as air carriers, for supplying the assistance. The managing bodies may recover the costs for the assistance from the airlines. Assistance on board will remain the airlines' responsibility.

- At airports whose annual traffic is 150 000 commercial passenger movements or more, the managing body of an airport will set quality standards for the assistance specified in the Regulation and determine resource requirements for meeting them, in cooperation with airlines and organisations representing disabled persons and persons with reduced mobility. Such standards will take into account internationally recognised policies and codes of conduct concerning the facilitation of transport of disabled persons and persons with reduced mobility.

- A disabled person or person with reduced mobility who considers that this Regulation has been infringed should bring the matter to the attention of the managing body of the airport or to the attention of the air carrier concerned, as the case may be. If the disabled person or person with reduced mobility cannot obtain satisfaction in such way, he/she may make a complaint to the body or bodies designated by the relevant Member State to that effect.

