

Liability of carriers of passengers by sea in the event of accidents

2005/0241(COD) - 27/02/2007

The committee adopted the report by Paolo COSTA amending - under the 1st reading of the codecision procedure - the proposed regulation on the liability of carriers of passengers by sea and inland waterways in the event of accidents:

- the advance payment of EUR 21 000 provided for in the event of death should also be payable in the event of "the absolute and permanent invalidity of a passenger, or injuries to 75% or more of the passenger's body considered clinically very serious";
- an advance payment "shall not constitute recognition of liability" and may be offset against any subsequent sums paid on the basis of the regulation. Carriers should be able to recover the advance payment if they are deemed not at fault;
- different implementation deadlines should be applied for domestic ferry lines (2 years) and inland waterway transport (4 years). However, an implementation deadline of 4 years should be applied for domestic ferry lines in the French overseas departments, the Azores, Madeira and the Canary Islands;
- lastly, the committee stipulated that Article 19 of the Athens Convention 2002 should not apply to the carriage of passengers coming under the regulation, given that this article as it stands would authorise carriers to limit their liability by referring to global liability ceilings imposed by other international Conventions.