



## Airtight passenger rights

Committees Committee on Transport and Tourism [17-12-2013 - 16:21]

Press release

**Loopholes that airlines use to deny compensation to passengers delayed for over three hours should be closed by Transport Committee amendments, voted on Tuesday, to the European Commission's proposal on revised air passenger rights. These amendments further restrict grounds for denying information, compensation and assistance, and make it easier for national authorities to penalise airlines that do not fulfil their obligations.**

"Today, we see massive abuse of passenger rights by certain airlines which simply ignore passengers' complaints or requests, or systematically cite 'extraordinary circumstances' as grounds for denying them compensation", said Georges Bach (EPP, LU), who is steering the legislative proposal through Parliament. "Due to lack of information and enforcement by authorities, only 2% of passengers entitled to compensation actually get it under current rules", he added. MEPs tabled some 600 amendments to tighten up the Commission proposal and "put the passenger back at the centre of this legislation", said Mr Bach.

### **Clear definition of unforeseeable "extraordinary circumstances"**

The "extraordinary circumstances" in which compensation may be denied should be limited to events (listed in the annexes) beyond the actual control of the air carrier and which "could not be avoided even if reasonable measures had been correctly taken by the airline". Any airline wishing to deny passengers compensation for flight disruption, should have to prove the existence of such circumstances, in writing, to the passenger, MEPs added.

### **Compensation due after three hours' delay on short flights**

In the absence of such extraordinary circumstances, airlines should offer passengers compensation, reimbursement and/or re-routing in the event of denial of boarding or delays upon arrival exceeding:

- three hours for flights of up to 2,500 km (€300 compensation),
- five hours for flights of up to 6,000 km (€400), or
- seven hours for flights of over 6,000 km (€600).

The Commission's proposal of 5-9-12 hour thresholds was rejected.

Passengers should be given the right to disembark after three' hours maximum delay on the tarmac (down from five according to the Commission proposal).

### **Competent staff to inform and help stranded passengers in airports**

Whereas the Commission proposal would require airlines only to inform delayed passengers on-the-spot, no later than 30 minutes after the scheduled departure time, MEPs say air carriers should have to set up contact points at airports where staff can inform passengers faced with flight disruptions or luggage delays, damage or loss, of their rights and choices, including complaint procedures and forms, and help them by taking immediate action. If an airline fails to respond in full to complaints within two months, it must be deemed to accept the passenger's claim, according to the amended new rules.

### **Further improvements for passengers**

# Press release

- Detailed information on hand-luggage allowances (including possible extra charges) and complaint procedures with regard to air passenger rights and luggage handling should be provided at reservation and contact addresses for complaints clearly indicated on the ticket, MEPs say.
- Coats, handbags and at least one bag of airport shopping should be accepted on all flights, in addition to the prescribed maximum cabin baggage allowance, MEPs added.
- Passengers who have not used their outward flight must not be denied boarding or face any extra cost on the return flight.
- Free-of-charge assistance (food, drinks, accommodation when necessary) must be provided already after two hours' delay, even in "extraordinary circumstances".

## Final vote possible before EU elections

The legislative resolution was approved by 37 against 3 votes, no abstentions. The plenary vote is scheduled for 4 February, to allow time to negotiate a first-reading agreement with Council before the May 2014 European elections.

## Contact

### Michaela FINDEIS

BXL: (+32) 2 28 31141

STR: (+33) 3 881 73603

PORT: (+32) 498 98 33 32

EMAIL: [tran-press@europarl.europa.eu](mailto:tran-press@europarl.europa.eu)

TWITTER: EP\_Transport