

AIR PASSENGER RIGHTS

ERA policy position for discussions in European Parliament Transport & Tourism Committee June 2005

1. Passengers with Reduced Mobility (PRMs) - European Commission proposal for Regulation

The European Commission Directorate for Transport and Energy (DGTREN) proposal was published on 16 February 2005. The proposal has minor improvements over the previous "Commission Staff Working Paper", some as a result of input from the ERA Directorate and members. However, the major proposed policies remain unchanged from the Commission's earlier position.

EC policies	ERA Board position
Airlines shall not discriminate against PRMs	Support – but should apply to all modes of transport
PRMs shall not be required to pay additional charges	Support – but should apply to all modes of transport
Service for departing PRMs arriving at airports by ground transportation of any form shall be provided from nominated points outside the terminal building to the aircraft seat, and shall be similarly available from aircraft seat to outside the terminal building	Requires a full impact assessment by the EC (not provided by the EC in its proposal), then support if appropriate. Other transport modes should share the cost of transfers between modes, eg rail should pay [at least part of cost] for transfer from station to terminal. Similar requirements should be placed on all operators of public transport.
This service for PRMs shall be the responsibility of the airport	Disagree – whilst this may already work well at some airports, other solutions work equally well at other airports - airlines should be free to determine the appropriate service provider
Airports shall set the standards for PRMs – at airports with over 2 million passengers pa this shall be done after consultation with airlines	Disagree – there should be an absolute minimum standard which allows the PRM to undertake the journey - any additional service should be determined by the airline
Airports shall recharge airlines for the full cost of the PRM service proportionate to the airlines' total number of passengers at that airport	Support the principle that where a common service is provided the cost should be apportioned in this way, irrespective of who is providing the service
Airlines may contract with an airport to provide additional services for PRMs and shall be recharged for any such services	Support this, but it should not be the only way in which airlines can set and deliver their own service standards



This proposal goes into unnecessary and contentious detail which will regrettably slow down the implementation of its two primary objectives: fair treatment of, and free assistance for, PRMs. The proposal lacks the required regulatory impact assessment. ERA recommends that Parliament and Council delete the contentious clauses from the proposal to ensure that the key objectives can be rapidly achieved.

2. European Commission proposal on passengers' right to know the identity of the air carrier

In February 2005 the European Commission proposed another measure for air transport: the right for passengers to know the identity of the carrier. The proposal also contains requirements for EU member states to share safety information for carriers based outside the EU.

Unlike the PRM proposal, this new proposal was constructed without any consultation with the industry. Despite that, the proposal is generally acceptable, recognising as it does the practical difficulties caused by late changes of aircraft.

This is of particular importance to ERA members who, in the event of a technical problem with an aircraft, may substitute another operator's aircraft even after passengers have checked in. While this is an extreme example, it can and does occur solely to reduce disruption to passengers. ERA would have no difficulty with the legislation containing an appropriate remedy in this situation (eg the passenger being allowed to rebook on an alternative flight if the substituted air carrier is on the "blacklist").

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