

Press Release

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European regional airlines ask again to reshape the existing outmoded EU passenger rights regulation

- The European Commission has adopted the Passenger Mobility Package which includes a set of proposals aimed at assisting passengers in their travel.
- The package includes revisions on passenger rights, the rights of persons with reduced mobility (PRMs), a new regulation on passenger rights in the content of multimodal journeys and a revision of the Package Travel Directive (PTD).

The adoption of the Passenger Mobility Package is a step forwards in updating the pertinent regulations but much more is needed to provide clarity for both airlines and consumers alike.

As a positive point, ERA welcomes improvements related to the transfer of information between airlines and intermediaries for passengers whose tickets were booked through intermediary ticket vendors, that will now need to provide passengers' contact information to the airline; this will avoid previous issues with passengers not being informed by travel agents of cancellations or delays. A 'single point of contact' is required when assisting PRMs transferring between transport modes and the rules relating to a PRM accompanying person have been modified.

In addition, airlines will be required to publish reports on their handling of passenger rights (and we will need to see what this means in practice for the airlines) creating further administrative burdens for airlines in addition to those already arising from the standard implementation of the air passenger rights regulation and the Court of Justice of the European Union (CJEU) rulings. For multimodal journeys, the transport operator will have to assist passengers in the event of missed connections, if booked via a single contract of carriage, that covers the entire journey.

The Passenger Mobility Package also introduces significant changes to the PTD, in particular limiting downpayments for package organisers to 25 per cent, which risks weakening the different players in the tourism ecosystem, including airlines, to the ultimate detriment of consumers. ERA encourages greater consideration given to the airlines' input to the recent developments at the European Parliament about this file to ensure a smooth and efficient economic circle in package travel services for the benefit of the consumer.

ERA member airlines strongly support the rights of passengers, the lifeblood of the industry, however greater clarity is needed for airlines to implement the regulations. Measures to ensure a fairer level playing field across all modes of transport are crucial, as well as granting the right of redress when delays are not within the control of the airline. This is the time to address some of the key issues with Regulation EU261 which have made it one of the least clear and most litigated regulations in the canon of European law. Consumer protection extends to encouraging connectivity, the safe operation of airlines, and that airlines are significant employers in the regions whose existence is imperilled by increasing cost burdens placed on them by a completely not fit for purpose regulation.

* Founded in 1980, European Regions Airline Association (ERA) is a non-profit trade association representing over 55 airlines plus around 170 other companies involved in European air transport, and is the only association that bring together the entire spectrum of companies involved in European aviation. The association supports and defends the airline industry in providing safe, efficient and sustainable air connectivity to all regions of Europe. By lobbying European regulatory bodies on policy matters, ERA promotes and protects social responsibility, environmental sustainability and the development of regional economies and local communities.

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The air passenger rights framework needs an urgent revision having not been updated since 2013. These new proposals should facilitate the reopening of negotiations to clarify the basic rules governing air passenger rights, including the definition of extraordinary circumstances, and better clarity on the situations in which the right to compensation can be exercised.

Montserrat Barriga, Director General, ERA, said: “We can’t say this enough. The existing outmoded passenger rights legislation in Europe urgently needs to be revised. The current legislation, in particular in relation to the definition of extraordinary circumstances, is open to misinterpretation and desperately needs legislative clarity rather than haphazard judicial clarification. Our industry works hard to ensure the rights of its passengers are protected and upheld, however greater input from airlines should be taken into consideration to ensure this regulation is relevant and appropriate for today’s modern air transport industry.”

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