



BEUC The European
Consumer
Organisation

The Consumer Voice in Europe

BEUC unpacks the Passenger Mobility Package

*Let's really empower consumers to exercise their
rights*

Steven Berger

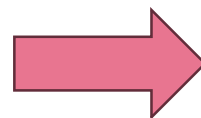
19 November 2024



BACKGROUND OF THE UPCOMING MOBILITY PACKAGE

Main objectives

1. Learn lessons from the pandemic
2. Update the Passenger Rights Framework to adapt current markets
3. Correct the blatant legal gaps between Passenger Rights & Package Travel.



Ambitious announcements

- DG MOVE announced 5 main topics to be tackled in the upcoming initiative :
 1. Introduction of mandatory insolvency protection for airlines
 2. Refund rules for online booking intermediaries
 3. Multimodal Passenger Rights
 4. Cancellation rights for passengers in crisis time
 5. A focus on Enforcement

→ Package = welcome BUT too narrow in scope.

PROPOSAL ON ENFORCEMENT OF PASSENGER RIGHTS (ENFORCEMENT, INTERMEDIARIES & INFORMATION)

A game changer or a sword in the water?



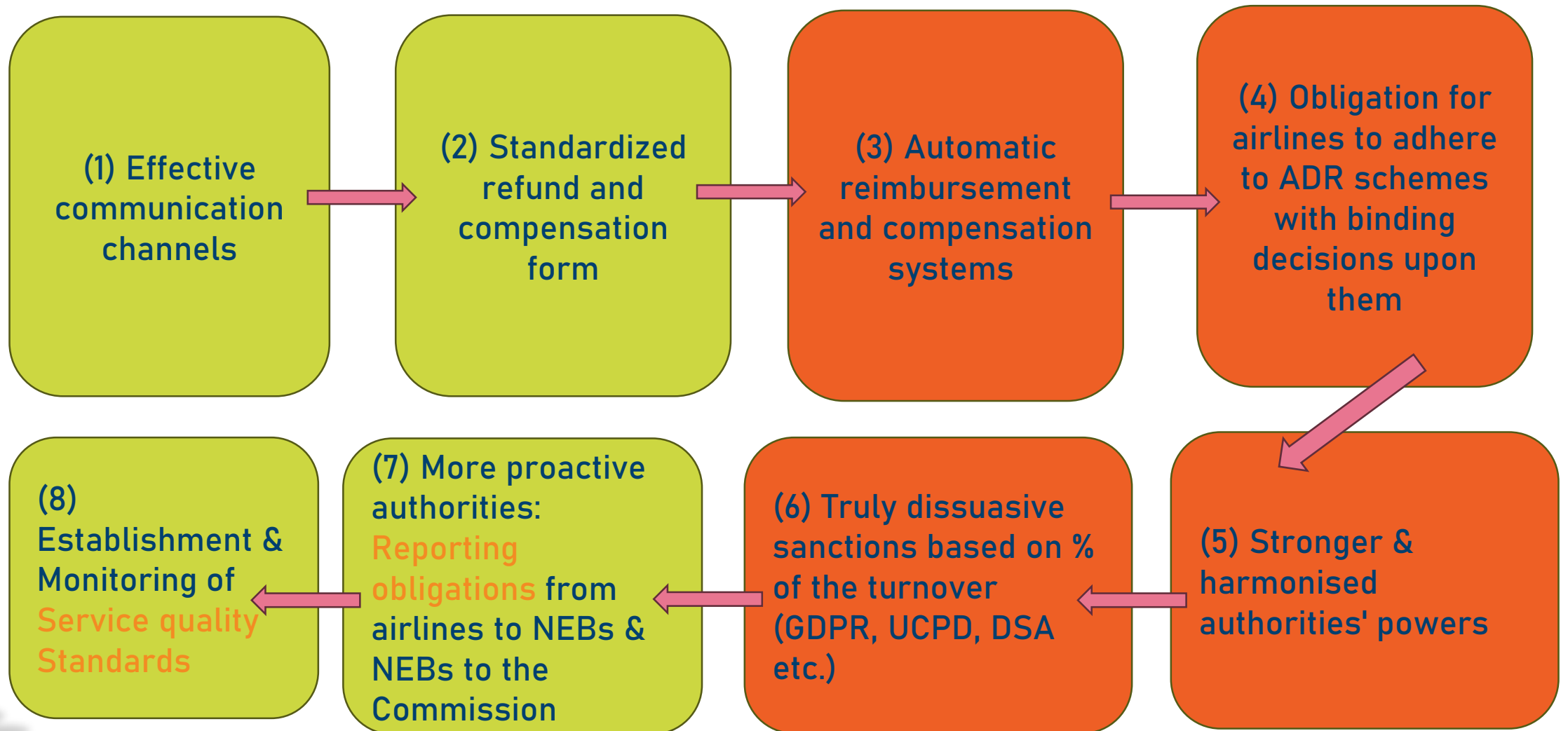
(LAX) ENFORCEMENT : A SYSTEMIC ISSUE

- **Court of Auditors** report (2018) *“EU passenger rights are comprehensive, but passengers still need to fight for them”*
- **DG MOVE study** on the protection of EU air passenger rights (2020) – *issues with compliance of the 10 core passenger rights...*
- Emergence of **claim agencies**
- **COVID-19 exacerbated** these long-standing problems !

Explanatory [Memorandum](#) of the Passenger Rights proposals

This revision addresses two problematic areas, which were confirmed by an impact assessment. First and foremost, **shortcomings in the implementation and enforcement of** passenger rights prevent passengers of all modes of transport from enjoying their rights fully. **This problem has been recurring** since the adoption of the various passenger rights Regulations. It was already identified in reports and studies of the Commission.³

THE NEEDS VS THE PROPOSED..



STATE OF PLAY FOR CONSUMERS WITH INTERMEDIARIES

No EU rules for
online booking
intermediaries



Consequences for consumers (and beyond!)

Consumers face a jungle of practices :

- Refund : *Ping pong* effect between intermediaries & operators
- Difficulties to get info and reach out to intermediaries
- High costs applied
- Difficult to exercise re-routing, compensation rights, etc.

WHAT IS PROPOSED?

The proposals to regulate “the jungle”

(1) (+) Carriers and intermediaries to inform consumers of the refund process at booking time + booking confirmation

Article 8a(2)

2. (+) Refund via intermediaries are free of charge (all costs should be refunded)

Article 8a(3)

3. (+) Clear deadline for refunds (7 days or 14 days) with B2B refund rules.

Article 8a(4)

WHAT IS MISSING ON INTERMEDIARIES ?

Other intermediaries' problematic practices are not tackled

(1) No liability for intermediaries in case of failure to provide pre-contractual information.

(2) no deadline to answer consumer claims

(3) All refund claims should be covered.

(4) Complaint handling system. (email / phone)?

(5) Only Air Sector is covered .. Why ?

THE BOTTOM LINE – BASIC RIGHTS ARE ESSENTIAL

What do consumers need to “go multimodal”

1. Information

- Precontractual about the type of tickets.
- Live information in case of travel disruption

2. Care and assistance if something goes wrong

3. Insurance they will reach out their final destination (**re-routing**)

(e.g. 75% consumers prefer re-routing case of travel disruption).

+
Compensation
for delays /
lack of info.

RELEVANT DOCUMENTS



Topics

← All Our News

BEUC unpacks EU Passenger Rights proposals: all aboard or left stranded?

BEUC NEWS - 18.04.2024

The European Commission has proposed three texts¹ to improve passenger rights frameworks in Europe in its November 2023 Passenger Mobility Package. BEUC has released three position papers and three two-pagers (called 'Key Points for Consumers') summarising the achievements and shortcomings of the different proposals.

BEUC POSITION PAPERS & KEY POINTS FOR CONSUMERS AVAILABLE → [HERE](#)



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