



**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**

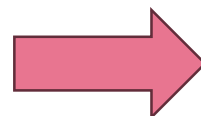
19 November 2024



# 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?**



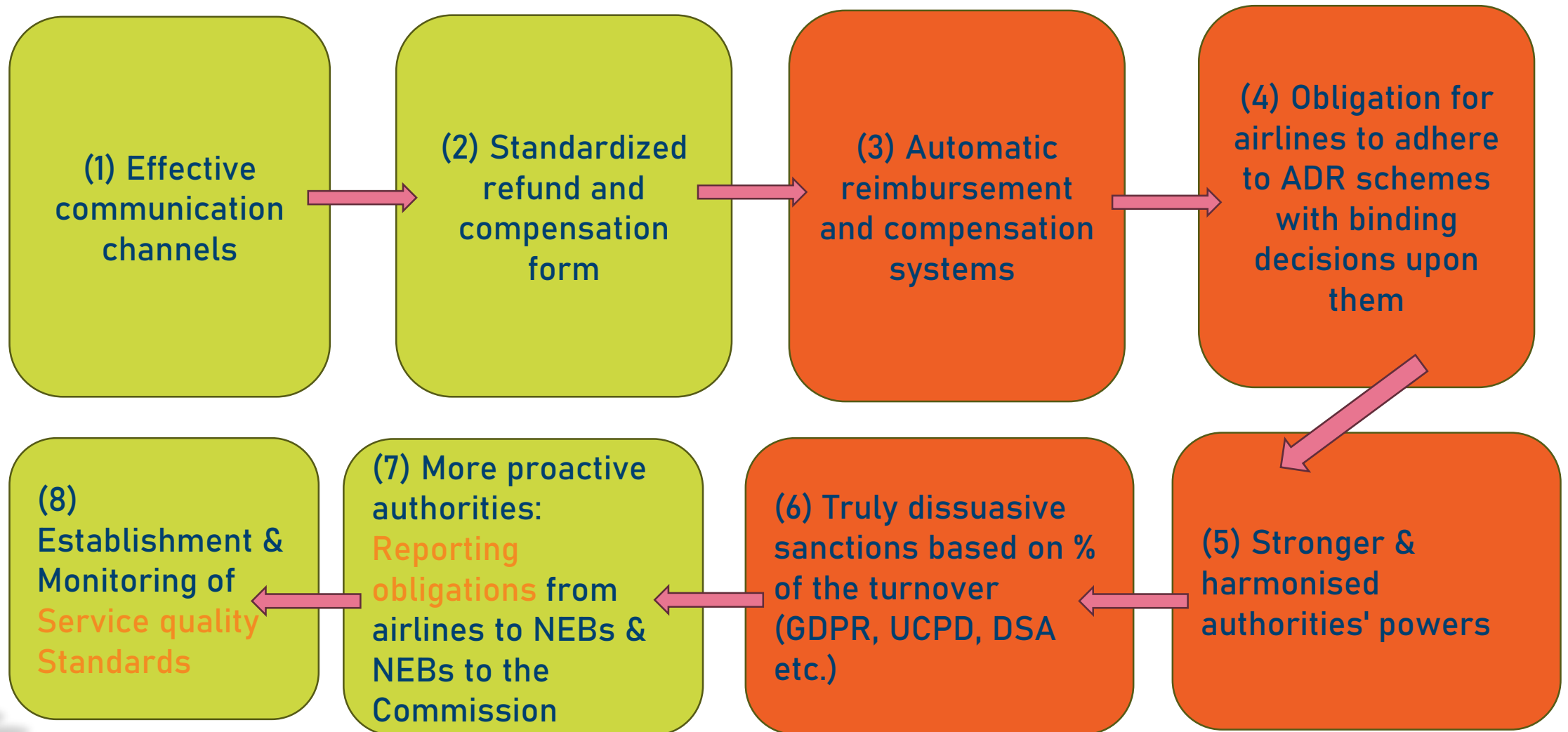
# (LAX) ENFORCEMENT : A SYSTEMIC ISSUE

- **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.<sup>3</sup>

# 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 texts<sup>1</sup> 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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