



2023/0437(COD)

8.1.2025

DRAFT OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on Transport and Tourism

on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782 as regards enforcement of passenger rights in the Union
(COM(2023)0753 – C9-0434/2023 – 2023/0437(COD))

Rapporteur for opinion: Cynthia Ní Mhurchú

PA_Legam

SHORT JUSTIFICATION

The objective of this initiative is to enhance the enforcement of passenger rights across the European Union, ensuring a consistent and effective application of existing regulations. While EU passenger rights legislation provides robust protections in principle, its enforcement often varies significantly between Member States, leaving passengers vulnerable to inconsistent treatment and limited recourse during disruptions. This proposal seeks to harmonise the role of National Enforcement Bodies (NEBs), empower them to act effectively, and strengthen mechanisms to address cross-border complaints.

Your rapporteur welcomes the Commission's proposal, which recognises the need to close the enforcement gap and ensure that passenger rights are upheld uniformly across the Union. This initiative introduces vital measures to improve transparency, accountability, and accessibility for passengers. The creation of a centralised EU platform for complaints will facilitate the handling of cross-border cases, while ensuring that NEBs have the resources, training, and authority necessary to enforce regulations consistently.

Particular emphasis is placed on empowering NEBs to act more decisively. This includes the introduction of minimum standards for resources, the adoption of modern technologies to monitor compliance, and the ability to impose harmonised penalties for infringements. These measures will ensure that NEBs can effectively fulfil their mandate while maintaining transparency and impartiality.

This proposal also prioritises the rights of persons with disabilities and persons with reduced mobility (PRMs). By requiring NEBs to collaborate on a cross-border basis and mandating clear, accessible communication standards, the initiative guarantees that PRMs receive the support they need, regardless of the complexity of their journey. Families with young children are also recognised within this framework, ensuring equitable treatment and the availability of reasonable assistance.

Your rapporteur believes that this initiative can be further strengthened by ensuring consistent information-sharing protocols between carriers, intermediaries, and NEBs. Harmonised procedures for passenger complaints, including the adoption of a standardised form available in all official EU languages, will provide clarity and reduce administrative barriers. Ensuring that NEBs are equipped with sufficient resources and that they cooperate effectively will be crucial to delivering on the promise of this proposal.

Furthermore, the proposal recognises the importance of supporting small and medium-sized enterprises (SMEs) to meet their obligations under passenger rights legislation. By providing financial and technical assistance, the initiative ensures that SMEs can adapt to new requirements without undue burdens, while maintaining service quality.

While this proposal represents a significant step forward, certain areas merit additional attention. The regular assessment of NEB performance and the establishment of clear benchmarks for enforcement will help identify and address gaps in implementation. Additionally, penalties for non-compliance should be calibrated to act as effective deterrents while remaining proportionate.

By harmonising enforcement standards and empowering NEBs, this initiative will build trust

among passengers, enhance accessibility, and ensure that passenger rights are protected consistently across the EU. Your rapporteur strongly supports this proposal and urges its swift adoption.

AMENDMENTS

The Committee on the Internal Market and Consumer Protection submits the following to the Committee on Transport and Tourism, as the committee responsible:

Amendment 1

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The Commission concluded in the comprehensive evaluations of Regulation (EC) No 1107/2006, Regulation (EU) No 1177/2010 and Regulation (EU) No 181/2011 which it carried out between 2019 and 2020 that the effectiveness of Union passenger rights legislation is compromised by a lack of awareness among passengers of their rights and the existing provisions about exercising them. In addition, these evaluations also concluded that passengers including persons with disabilities and persons with reduced mobility do not fully benefit from their rights due to shortcomings in their application by carriers, airport managing bodies, station managers, port terminal operators, bus terminal managing bodies and intermediaries, on the one hand, and shortcomings in their enforcement by the national enforcement authorities, on the other hand.⁸

Amendment

(3) The Commission concluded in the comprehensive evaluations of Regulation (EC) No 1107/2006, Regulation (EU) No 1177/2010 and Regulation (EU) No 181/2011 which it carried out between 2019 and 2020 that the effectiveness of Union passenger rights legislation is compromised by a lack of awareness among passengers of their rights and the existing provisions about exercising them. In addition, these evaluations also concluded that passengers including persons with disabilities and persons with reduced mobility do not fully benefit from their rights due to shortcomings in their application by carriers, airport managing bodies, station managers, port terminal operators, bus terminal managing bodies and intermediaries, on the one hand, and shortcomings in their enforcement by the national enforcement authorities, on the other hand.⁸ ***Persons with disabilities and persons with reduced mobility should have equal access to transport services without the need for advance notification. Provisions should include clear standards for assistance, accessible digital tools, and fair treatment during delays, cancellations and boarding, to avoid discrimination and promote inclusion. Adequate infrastructure for persons with disabilities and persons with reduced mobility should***

be provided.

⁸ SWD(2021)417, SWD(2021)413 and SWD(2021)415.

⁸ SWD(2021)417, SWD(2021)413 and SWD(2021)415.

Or. en

Justification

Further expand the reference and protection of people with disability and reduce mobility.

Amendment 2

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) Simplification, consistency and harmonisation of the rules of Regulation (EC) No 261/2004, Regulation (EC) No 1107/2006, Regulation (EU) No 1177/2010, and Regulation (EU) No 181/2011 is required especially as regards rules dealing with the information to passengers on their rights before and during the journey, enforcement of passenger rights and complaint handling for passengers. The existing rules in those Regulations should be amended to complement those of the recently adopted Regulation (EU) 2021/782 of the European Parliament and of the Council⁹ as regards forms to request reimbursements and compensation, service quality standards, obligations for carriers to share information with national enforcement bodies, and information of passengers by national enforcement bodies on alternative dispute resolution.

Amendment

(4) Simplification, consistency and harmonisation of the rules of Regulation (EC) No 261/2004, Regulation (EC) No 1107/2006, Regulation (EU) No 1177/2010, and Regulation (EU) No 181/2011 is required especially as regards rules dealing with the information to passengers on their rights before and during the journey, enforcement of passenger rights and complaint handling for passengers. The existing rules in those Regulations should be amended to complement those of the recently adopted Regulation (EU) 2021/782 of the European Parliament and of the Council⁹ as regards forms to request reimbursements and compensation, service quality standards, obligations for carriers to share information with national enforcement bodies, and information of passengers by national enforcement bodies on alternative dispute resolution. ***Effective enforcement of passenger rights across the Union is crucial. Member States should encourage transport operators and intermediaries to adopt user-friendly digital tools compatible with assistive technologies.***

⁹ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

⁹ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

Or. en

Amendment 3

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) Regulation (EU) 2016/679 of the European Parliament and the Council¹⁰ applies to the processing of personal data by air carriers and intermediaries. Any processing of personal data must in particular take place in accordance with the requirements set out in Article 5(1) and Article 6(1) of Regulation (EU) 2016/679. It should be noted that the obligations to provide information to passengers concerning their rights are without prejudice to the obligation of the controller to provide information to the data subject pursuant to Articles 12, 13 and 14 of Regulation (EU) 2016/679.

Amendment

(8) Regulation (EU) 2016/679 of the European Parliament and the Council¹⁰ applies to the processing of personal data by air carriers and intermediaries. Any processing of personal data must in particular take place in accordance with the requirements set out in Article 5(1) and Article 6(1) of Regulation (EU) 2016/679. ***Air carriers and intermediaries should be allowed to retain passengers' contact details and details of assistance requirements collected for the purpose of fulfilling their obligations in respect of passengers' travel information for no longer than 72 hours after the completion of the contract of carriage.*** It should be noted that the obligations to provide information to passengers concerning their rights are without prejudice to the obligation of the controller to provide information to the data subject pursuant to Articles 12, 13 and 14 of Regulation (EU) 2016/679.

¹⁰ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of

¹⁰ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of

such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance) (OJ L 119, 4.5.2016, p. 1).

such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance) (OJ L 119, 4.5.2016, p. 1).

Or. en

Justification

Expand to ensure assistance & accommodation requirements for PRM are shared.

Amendment 4

Proposal for a regulation Recital 11

Text proposed by the Commission

(11) Information ***provided to passengers on*** their rights before and during their journeys should lead to enhanced awareness. Such information should be concise and made easily, prominently, and directly available. It should be provided in a clear and comprehensible manner, and by electronic means as far as possible.

Amendment

(11) ***All passengers, particularly persons with disabilities and persons with reduced mobility, should be provided with information concerning*** their rights before and during their journeys. ***The provision of such informations*** should lead to enhanced awareness. Such information should be concise and made easily, prominently, and directly available. It should be provided in a clear, ***accessible*** and comprehensible manner, and by electronic means as far as possible.

Or. en

Amendment 5

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) National enforcement bodies should cooperate with each other in order to ensure a harmonised interpretation and application of the Regulations concerned. A regular flow of information from

Amendment

(12) National enforcement bodies should cooperate with each other in order to ensure a harmonised interpretation and application of the Regulations concerned. A regular flow of information from

carriers, terminal managers and intermediaries to national enforcement bodies on all aspects related to the application of the Regulations concerned should enable national enforcement bodies to better fulfil their monitoring role.

carriers, terminal managers and intermediaries to national enforcement bodies on all aspects related to the application of the Regulations concerned should enable national enforcement bodies to better fulfil their monitoring role. ***Good cooperation between the Commission, Member States and national enforcement bodies is important. Streamlined complaint mechanisms and comparable enforcement penalties can support harmonised enforcement standards across the Union.***

Or. en

Justification

To better promote harmonised standards with NEBs across the EU.

Amendment 6

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) To make it easier for passengers to request reimbursement or compensation in accordance with the Regulations concerned, forms that are valid throughout the Union should be established for such requests. Passengers should have the possibility to submit their requests by using such a form.

Amendment

(15) To make it easier for passengers to request reimbursement or compensation in accordance with the Regulations concerned, forms that are valid throughout the Union should be established for such requests. ***Such forms should be user-friendly and easily accessible both in a digital and paper format.*** Passengers should have the possibility to submit their requests by using such a form. ***Reimbursement and compensation procedures should be non-discriminatory, easily accessible to and inclusive of all persons. While submitting requests for reimbursement and compensation through electronic means has become a common practice, a passenger should also have other means of submitting requests.***

Or. en

Justification

Expand the scope to ensure this process is more accessible.

Amendment 7

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) In the light of Article 9 of the United Nations Convention on the Rights of Persons with Disabilities and in order to give persons with disabilities and persons with reduced mobility opportunities for air travel comparable to those of other citizens, if an air carrier, its agents or a tour operator requires a person with disabilities or person with reduced mobility to be accompanied by another person who is capable of providing the assistance required by applicable safety requirements established by international, Union or national law or by the competent authorities, the accompanying person should travel free of charge. In addition, it should be aligned with the existing rights in rail, bus and coach and waterborne transport modes in the Union. In addition, if information to persons with disabilities and reduced mobility is provided in accessible formats, it should be provided in accordance with the applicable legislation such as the accessibility requirements set out in Annex I to Directive (EU) 2019/882¹².

¹² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ

Amendment

(17) ***Transport services should be accessible to all passengers, including persons with disabilities and persons with reduced mobility, without the need for advance notification.*** In the light of Article 9 of the United Nations Convention on the Rights of Persons with Disabilities and in order to give persons with disabilities and persons with reduced mobility opportunities for air travel comparable to those of other citizens, if an air carrier, its agents or a tour operator requires a person with disabilities or person with reduced mobility to be accompanied by another person who is capable of providing the assistance required by applicable safety requirements established by international, Union or national law or by the competent authorities, the accompanying person should travel free of charge. In addition, it should be aligned with the existing rights in rail, bus and coach and waterborne transport modes in the Union. In addition, if information to persons with disabilities and reduced mobility is provided in accessible formats, it should be provided in accordance with the applicable legislation such as the accessibility requirements set out in Annex I to Directive (EU) 2019/882¹².

¹² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ

L 151, 7.6.2019, p. 70), ELI:
<http://data.europa.eu/eli/dir/2019/882/oj>.

L 151, 7.6.2019, p. 70), ELI:
<http://data.europa.eu/eli/dir/2019/882/oj>.

Or. en

Justification

To promote a turn-up and go model for PRM without advance notification.

Amendment 8

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Since the objectives of this Regulation, namely ensuring the effective enforcement of air, rail, bus and coach, and waterborne passengers' rights, cannot be sufficiently achieved by the Member States, but can rather, by reason of the need to have the same rules within the single market, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

Amendment

(18) ***Transport services providers should, where needed, provide additional support to persons with disabilities, persons with reduced mobility and vulnerable groups.*** Since the objectives of this Regulation, namely ensuring the effective enforcement of air, rail, bus and coach, and waterborne passengers' rights, cannot be sufficiently achieved by the Member States, but can rather, by reason of the need to have the same rules within the single market, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

Or. en

Amendment 9

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EC) No 261/2004

Article 2 – point z a (new)

Text proposed by the Commission

Amendment

(za) ‘recognised assistance dog’ means a dog specifically trained to increase the independence and the capacity for self-determination of persons with disabilities, and officially recognised in accordance with applicable national rules, where such rules exist.

Or. en

Amendment 10

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EC) No 261/2004

Article 8a – paragraph 2

Text proposed by the Commission

Amendment

2. The intermediary and the air carrier shall inform the passenger of the reimbursement process as provided for in this Article in a clear, comprehensible **and** easily accessible manner at the time of booking and on the booking confirmation.

2. The intermediary and the air carrier shall inform the passenger of the reimbursement process as provided for in this Article in a clear, **user-friendly, comprehensible, easily accessible and inclusive** manner at the time of booking and on the booking confirmation.

Or. en

Amendment 11

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EC) No 261/2004

Article 8a – paragraph 3

Text proposed by the Commission

Amendment

3. Reimbursement through the intermediary shall be free of charge for passengers and all other parties concerned.

3. Reimbursement through the intermediary shall be free of charge for passengers and all other parties concerned.
The reimbursement shall not be reduced

by financial transaction costs linked to the reimbursement such as fees, telephone costs or stamps.

Or. en

Amendment 12

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EC) No 261/2004

Article 8a – paragraph 4

Text proposed by the Commission

4. The air carrier shall state publicly, in a clear, comprehensible and easily accessible manner, whether it agrees to process reimbursements through intermediaries, and with which intermediaries it accepts to do so.

Amendment

4. The air carrier shall state publicly, in a clear, ***user-friendly***, comprehensible and easily accessible manner, whether it agrees to process reimbursements through intermediaries, and with which intermediaries it accepts to do so.

Or. en

Amendment 13

Proposal for a regulation

Article 1 – paragraph 1 – point 2 a (new)

Regulation (EC) No 261/2004

Article 11 – paragraph 1

Present text

1. Operating air carriers shall give priority to carrying persons with reduced mobility and any persons or ***certified service*** dogs accompanying them, as well as unaccompanied children.

Amendment

(2a) Article 11, paragraph 1 is replaced by the following:

‘1. Operating air carriers shall give priority to carrying persons with reduced mobility and any persons or ***assistance*** dogs accompanying them, as well as unaccompanied children ***and passengers travelling with young children.***’

Or. en

Amendment 14

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 261/2004

Article 14a – paragraph 2

Text proposed by the Commission

2. Where the passenger does not acquire a ticket directly from the air carrier, but through an intermediary, this intermediary shall provide the contact details of the passenger **and** the booking details to the air carrier. The air carrier may only use these contact details to the extent necessary to comply with its information, provision of care, reimbursement, re-routing and compensation obligations under this Regulation and to fulfil the air carrier's obligations under applicable Union law on aviation safety and security and to provide information to passengers on the operating carrier in accordance with its obligations under Chapter III of Regulation (EC) No 2111/2005.

Amendment

2. Where the passenger does not acquire a ticket directly from the air carrier, but through an intermediary, this intermediary shall provide the contact details of the passenger, the booking details **and notification of assistance or accommodation for reduced mobility, if provided by the passenger**, to the air carrier. The air carrier may only use these contact details to the extent necessary to comply with its information, provision of care, reimbursement, re-routing and compensation obligations under this Regulation and to fulfil the air carrier's obligations under applicable Union law on aviation safety and security and to provide information to passengers on the operating carrier in accordance with its obligations under Chapter III of Regulation (EC) No 2111/2005.

Or. en

Amendment 15

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 261/2004

Article 14a – paragraph 3

Text proposed by the Commission

3. The carrier shall delete the **contact** details within 72 hours after the completion of the contract of carriage unless further retention of the contact details is justified to fulfil obligations in respect of the passenger's right to re-routing,

Amendment

3. The carrier shall delete, within 72 hours after the completion of the contract of carriage, the details **received pursuant to paragraph 2** unless further retention of the contact details is justified to fulfil obligations in respect of the passenger's

reimbursement or compensation.

right to re-routing, reimbursement or compensation.

Or. en

Amendment 16

Proposal for a regulation

Article 1 – paragraph 1 – point 5

Regulation (EC) No 261/2004

Article 16aa – paragraph 1

Text proposed by the Commission

1. The Commission shall adopt an implementing act establishing a common form for compensation and reimbursement requests under Articles 7 and 8. That common form shall be established in ***a*** format which is accessible to persons with disabilities and persons with reduced mobility. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 38 (2) of Regulation (EU) 2021/782 of the European Parliament and the Council¹⁵.

¹⁵ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

Amendment

1. ***Air carriers and intermediaries shall clearly inform passengers of the procedures for requesting compensation or reimbursement.*** The Commission shall adopt an implementing act establishing a common form for compensation and reimbursement requests under Articles 7 and 8. That common form shall be established in ***an inclusive and user-friendly*** format which is accessible to persons with disabilities and persons with reduced mobility. ***Passengers shall have the right to submit their request in at least the language of the booking.*** That implementing act shall be adopted in accordance with the examination procedure referred to in Article 38 (2) of Regulation (EU) 2021/782 of the European Parliament and the Council¹⁵.

¹⁵ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

Or. en

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point 5

Regulation (EC) No 261/2004

Article 16aa – paragraph 3

Text proposed by the Commission

3. Air carriers and intermediaries shall provide details on their website such as an e-mail address, to which requests under paragraph 1 may be sent by electronic means. This requirement shall not apply where other electronic means of communication allowing passengers to request reimbursement or compensation exist, such as a form on a website or mobile applications, provided that such means offer the choice and information set out in the common form and are also available in an official language of the Union and in the language internationally accepted in this field. When using such means, passengers shall not be prevented from providing information in any of the languages of the Union.

Amendment

3. Air carriers and intermediaries shall provide details on their website such as an e-mail address, to which requests under paragraph 1 may be sent by electronic means. This requirement shall not apply where other electronic means of communication allowing passengers to request reimbursement or compensation exist, such as a form on a website or mobile applications, provided that such means offer, ***in an accessible and inclusive format***, the choice and information set out in the common form and are also available in an official language of the Union and in the language internationally accepted in this field. When using such means, passengers shall not be prevented from providing information in any of the languages of the Union.

Or. en

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EC) No 261/2004

Article 16bb – paragraph 1

Text proposed by the Commission

1. Carriers shall provide the national enforcement bodies with relevant documents and information at their request without undue delay and, in any event, within one month from the receipt of the request.

Amendment

1. Carriers ***and intermediaries*** shall provide the national enforcement bodies with relevant documents and information at their request without undue delay and, in any event, within one month from the receipt of the request.

Amendment 19

Proposal for a regulation

Article 2 – paragraph 1 – point -1 (new)

Regulation (EC) No 1107/2006

Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(-1) In Article 2, the following definition is added:

(1a) ‘recognised assistance dog’ means a dog specifically trained to increase the independence and the capacity for self-determination of persons with disabilities, and officially recognised in accordance with applicable national rules, where such rules exist.

Or. en

Amendment 20

Proposal for a regulation

Article 2 – paragraph 1 – point 3

Regulation (EC) No 1107/2006

Article 14b – paragraph 1

Text proposed by the Commission

Amendment

1. Air carriers, airport managing bodies **and** tour operators shall provide the national enforcement bodies with relevant documents and information at their request without undue delay and, in any event, within one month from the receipt of the request.

1. Air carriers, airport managing bodies, tour operators **and intermediaries** shall provide the national enforcement bodies with relevant documents and information at their request without undue delay and, in any event, within one month from the receipt of the request.

Or. en

Amendment 21

Proposal for a regulation

Article 2 – paragraph 1 – point 3

Regulation (EC) No 1107/2006

Article 14d – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall support Member States and their national enforcement bodies by establishing a coordination mechanism at Union level to handle relevant cross-border cases to harmonise enforcement standards across the Union. Member States shall ensure that national enforcement bodies are equipped with sufficient resources to fulfil their functions based on comparable standards, as set out by the Commission.

Or. en

Justification

To ensure that NEBs have adequate enforcement standards across the EU.

Amendment 22

Proposal for a regulation

Article 3 – paragraph 1 – point -1 (new)

Regulation (EU) No 1177/2010

Article 3 – paragraph 1 – point u a (new)

Text proposed by the Commission

Amendment

(-1) In Article 3, the following definition is added:

(ua) ‘recognised assistance dog’ means a dog specifically trained to increase the independence and the capacity for self-determination of persons with disabilities, and officially recognised in accordance with applicable national rules, where such rules exist;

Or. en

Amendment 23

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Regulation (EU) No 1177/2010

Article 19a – paragraph 1

Text proposed by the Commission

1. The Commission shall adopt an implementing act establishing a common form for reimbursement and compensation requests under Articles 18 and 19. That common form shall be established in **a** format which is accessible to persons with disabilities and persons with reduced mobility. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 38 (2) of Regulation (EU) 2021/782.¹⁷

¹⁷ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

Amendment

1. **Carriers shall clearly inform passengers of the procedure for requesting reimbursement or compensation.** The Commission shall adopt an implementing act establishing a common form for reimbursement and compensation requests under Articles 18 and 19. That common form shall be established in **an inclusive and user-friendly** format which is accessible to persons with disabilities and persons with reduced mobility. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 38 (2) of Regulation (EU) 2021/782.¹⁷

¹⁷ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

Or. en

Amendment 24

Proposal for a regulation

Article 3 – paragraph 1 – point 7

Regulation (EU) No 1177/2010

Article 27a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall support Member States and their national enforcement bodies by establishing a coordination mechanism at Union level to handle relevant cross-border cases to harmonise enforcement standards across the Union. Member States shall ensure that national enforcement bodies are equipped with sufficient resources to fulfil their functions based on minimum comparable standards, as set out by the Commission.

Or. en

Justification

Ensure there is adequate enforcement penalties by NEBs across the EU.

Amendment 25

Proposal for a regulation

Article 4 – paragraph 1 – point -1 (new)

Regulation (EU) No 181/2011

Article 3 – paragraph 1 – point q a (new)

Text proposed by the Commission

Amendment

(-1) In Article 3, the following definition is added:

(qa) ‘recognised assistance dog’ means a dog specifically trained to increase the independence and the capacity for self-determination of persons with disabilities, and officially recognised in accordance with applicable national rules, where such rules exist;

Or. en

Amendment 26

Proposal for a regulation

Article 4 – paragraph 1 – point 1

Regulation (EU) No 181/2011

Article 19a – paragraph 1

Text proposed by the Commission

1. The Commission shall adopt an implementing act establishing a common form for reimbursement and compensation requests under Article 19 of this Regulation. That common form shall be established in **a** format which is accessible to persons with disabilities and persons with reduced mobility. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 38 (2) of Regulation (EU) 2021/782¹⁹.

¹⁹ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

Amendment

1. **Carriers shall clearly inform passengers of the procedure for requesting reimbursement or compensation.** The Commission shall adopt an implementing act establishing a common form for reimbursement and compensation requests under Article 19 of this Regulation. That common form shall be established in **an inclusive and user-friendly** format which is accessible to persons with disabilities and persons with reduced mobility. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 38 (2) of Regulation (EU) 2021/782¹⁹.

¹⁹ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>).

Or. en

Amendment 27

Proposal for a regulation

Article 4 – paragraph 1 – point 9

Regulation (EU) No 181/2011

Article 30a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall support Member States and their national

enforcement bodies by establishing a coordination mechanism at Union level to handle relevant cross-border cases to harmonise enforcement standards across the Union. Member States shall ensure that national enforcement bodies are equipped with sufficient resources to fulfil their functions based on comparable standards, as set out by the Commission.

Or. en

Amendment 28

Proposal for a regulation

Article 5 – paragraph 1 – point -1 (new)

Regulation (EU) 2021/782

Article 3 – paragraph 1 – point 22 a (new)

Text proposed by the Commission

Amendment

(-1) In Article 3, the following definition is added:

(22a) ‘recognised assistance dog’ means a dog specifically trained to increase the independence and the capacity for self-determination of persons with disabilities, and officially recognised in accordance with applicable national rules, where such rules exist;

Or. en

Amendment 29

Proposal for a regulation

Article 5 – paragraph 1 – point -1 a (new)

Regulation (EU) 2021/782

Article 20 – paragraph 2 – point b

Present text

Amendment

(-1a) Article 20(2), point (b), is replaced by the following:

(b) hotel or other accommodation, and transport between the railway station and place of accommodation, in cases where a stay of one or more nights becomes necessary or an additional stay becomes necessary, where and when physically possible. In cases where such a stay becomes necessary due to the circumstances referred to in Article 19(10), the railway undertaking may limit the duration of accommodation to a maximum of three nights. The access requirements of persons with disabilities and persons with reduced mobility and the needs of assistance dogs shall be taken into account, whenever possible;

"(b) hotel or other accommodation, and transport between the railway station and place of accommodation, in cases where a stay of one or more nights becomes necessary or an additional stay becomes necessary, where and when physically possible. In cases where such a stay becomes necessary due to the circumstances referred to in Article 19(10), the railway undertaking may limit the duration of accommodation to a maximum of three nights. The access requirements of persons with disabilities and persons with reduced mobility and the needs of **recognised** assistance dogs **or service animals** shall be taken into account, whenever possible;"

Or. en

(Regulation (EU) 2021/782)

Amendment 30

Proposal for a regulation

Article 5 – paragraph 1 – point -1 b (new)

Regulation (EU) 2021/782

Article 20 – paragraph 5

Present text

5. In applying paragraphs 1 to 4, the operating railway undertaking shall pay particular attention to the needs of persons with disabilities and persons with reduced mobility, as well as to those of any accompanying persons and **assistance** dogs.

Amendment

(-1b) Article 20, paragraph 5, is replaced by the following:

"5. In applying paragraphs 1 to 4, the operating railway undertaking shall pay particular attention to the needs of persons with disabilities and persons with reduced mobility, as well as to those of any accompanying persons and **recognised service** dogs."

Or. en

(Regulation (EU) 2021/782)

Amendment 31

Proposal for a regulation

Article 5 – paragraph 1 – point -1 c (new)

Regulation (EU) 2021/782

Article 23 – paragraph 1 – point c

Present text

(c) *an* assistance dog shall be permitted to accompany them in accordance with any relevant national law;

Amendment

(-1c) Article 23(1), point (c), is replaced by the following:

***"(c) a recognised* assistance dog shall be permitted to accompany them in accordance with any relevant national law;"**

Or. en

(Regulation (EU) 2021/782)

Amendment 32

Proposal for a regulation

Article 5 – paragraph 1 – point -1 d (new)

Regulation (EU) 2021/782

Article 25 – title

Present text

Compensation in respect of mobility equipment, assistive devices and assistance dogs

Amendment

(-1d) in Article 25, the title is replaced by the following:

***"Compensation in respect of mobility equipment, assistive devices and recognised* assistance dogs"**

Or. en

(Regulation (EU) 2021/782)

Amendment 33

Proposal for a regulation

Article 5 – paragraph 1 – point -1 e (new)

Regulation (EU) 2021/782

Article 25 – paragraph 1 – introductory part

Present text

Amendment

1. Where railway undertakings and station managers cause the loss of, or damage to, mobility equipment, including wheelchairs, and assistive devices, or the loss of, or injury to, assistance dogs used by persons with disabilities and persons with reduced mobility, they shall be liable for that loss, damage or injury, and provide compensation without undue delay. That compensation shall comprise:

(-1e) In Article 25, paragraph 1 is replaced by the following:

"1. Where railway undertakings and station managers cause the loss of, or damage to, mobility equipment, including wheelchairs, and assistive devices, or the loss of, or injury to, ***recognised*** assistance dogs used by persons with disabilities and persons with reduced mobility, they shall be liable for that loss, damage or injury, and provide compensation without undue delay. That compensation shall comprise:"

Or. en

(Regulation (EU) 2021/782)

Amendment 34

Proposal for a regulation

Article 5 – paragraph 1 – point -1 e (new)

Regulation (EU) 2021/782

Article 25 – paragraph 1 – point a

Present text

Amendment

(a) the cost of replacement or repair of the mobility equipment or assistive devices lost or damaged;

"(a) the cost of replacement or repair of the mobility equipment or assistive devices lost or damaged ***within 14 days***;"

Or. en

(Regulation (EU) 2021/782)

Amendment 35

Proposal for a regulation

Article 5 – paragraph 1 – point -1 e (new)

Regulation (EU) 2021/782

Article 25 – paragraph 1 – point b

Present text

Amendment

(b) the cost of replacement or the

"(b) the cost of replacement or the

treatment of the injury of **an** assistance dog that was lost or injured; and

treatment of the injury of **a recognised** assistance dog that was lost or injured; and"

Or. en

(Regulation (EU) 2021/782)

Amendment 36

Proposal for a regulation

Article 5 – paragraph 1 – point -1 e (new)

Regulation (EU) 2021/782

Article 25 – paragraph 1 – point c

Present text

(c) reasonable costs of temporary replacement for mobility equipment, assistive devices or assistance **dogs** where such replacement is not provided by the railway undertaking or the station manager in accordance with paragraph 2.

Amendment

"(c) reasonable costs of temporary replacement for mobility equipment, assistive devices or **a recognised** assistance **dog** where such replacement is not provided by the railway undertaking or the station manager in accordance with paragraph 2."

Or. en

(Regulation (EU) 2021/782)

Amendment 37

Proposal for a regulation

Article 5 – paragraph 1 – point 3

Regulation (EU) 2021/782

Article 34a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall support Member States and their national enforcement bodies by establishing a coordination mechanism at Union level to handle relevant cross-border cases to harmonise enforcement standards across the Union. Member States shall ensure that national enforcement bodies are equipped with sufficient resources to fulfil

***their functions based on minimum
proportional standards, as set out by the
Commission.***

Or. en

Justification

Ensure there is adequate enforcement penalties by NEBs across the EU.