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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	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 - Outcome of the European Parliament's first reading (Strasbourg, 19 to 22 October 2026)

I. INTRODUCTION

In accordance with the provisions of Article 294 of the TFEU and the Joint declaration on practical arrangements for the codecision procedure[1], a number of informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this proposal at first reading.

In this context, the Chair of the Committee on Transport and Tourism (TRAN), Elissavet VOZEMBERG-VRIONIDI (EPP, EL), presented a compromise amendment (amendment number 172) to the abovementioned proposal for a Regulation, for which the rapporteur Matteo RICCI (S&D, IT) had prepared a draft report. This amendment had been agreed during the informal contacts referred to above.

[1] OJ C 145, 30.6.2007, p. 5.

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In addition, the Europe of Sovereign Nations (ESN) political group tabled four amendments (amendments number 173-176).

II. VOTE

When it voted on 20 October 2026, the plenary adopted the compromise amendment (amendment number 172) to the abovementioned proposal for a Regulation. No other amendments were adopted. The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto[2].

The Parliament's position reflects what had been previously agreed between the institutions. The Council should therefore be in a position to approve the Parliament's position.

The act would then be adopted in the wording which corresponds to the Parliament's position.

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[2] The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in ***bold and italics.*** The symbol " ▌ " indicates deleted text.

ANNEX

(20/10/2026)

P10_TA(2026)0347

Transport: enforcement of passenger rights in the Union

European Parliament legislative resolution of 20 October 2026 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))
(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2023)0753),

– having regard to Article 294(2) and Articles 91(1) and 100(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0434/2023),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to the opinion of the European Economic and Social Committee of 20 March 2024,

– after consulting the Committee of the Regions,

– having regard to the provisional agreement approved by the committee responsible under Rule 75(4) of its Rules of Procedure, and the undertaking given by the Council representative by letter of 15 July 2026 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,

– having regard to Rules 60 and 41 of its Rules of Procedure,

– having regard to the opinion of the Committee on the Internal Market and Consumer Protection,

– having regard to the report of the Committee on Transport and Tourism (A10-0136/2025),

1. Adopts its position at first reading hereinafter set out;

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2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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P10_TC1-COD(2023)0437

Position of the European Parliament adopted at first reading on 20 October 2026 with a view to the adoption of Regulation (EU) 2026/… 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

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) and Article 100(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

After consulting the Committee of the Regions▌,

Acting in accordance with the ordinary legislative procedure[2],

[1] OJ C ▌, *C/2024/3382, 31.5.2024, ELI: http://data.europa.eu/eli/C/2024/3382/oj*.

[2] Position of the European Parliament of 20 October 2026.

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Whereas:

(1) In order to ensure effective protection of passengers' rights in the Union when travelling by air, rail, sea and inland waterways, and by bus and coach transport, a number of amendments should be made to ***Regulations*** (EC) No 261/2004[3]**,** (EC) No 1107/2006[4], ▌(EU) No 1177/2010[5], ▌ (EU) No 181/2011[6] ***and*** (EU) 2021/782[7] ▌ of the European Parliament and of the Council.

(2) Effective passenger rights should encourage an increase in travel by public transport, which is an objective set out in the Commission***'s Communication of 9*** December 2020 entitled 'Sustainable and Smart Mobility Strategy **–** ***putting European transport on track for the future'***.

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3 Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 ***(***OJ L 46, 17.2.2004, p. 1, ELI: http://data.europa.***eu/eli/reg/2004/261/oj)***.

4 Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air ***(***OJ L 204, 26.7.2006, p. 1, ELI: http://data.europa.***eu/eli/reg/2006/1107/oj)***.

5 Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 ***(***OJ L 334, 17.12.2010, p. 1, ELI: http://data.europa.***eu/eli/reg/2010/1177/oj)***.

6 Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 ***(***OJ L 55, 28.2.2011, p. 1, ELI: http://data.europa.***eu/eli/reg/2011/181/oj)***.

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

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(3) ***Following its*** comprehensive evaluations of ***Regulations*** (EC) No 1107/2006, ▌ (EU) No 1177/2010 and ▌ (EU) No 181/2011 ▌ carried out between 2019 and 2020***, the Commission concluded*** that the effectiveness of Union passenger rights legislation is compromised by a lack of awareness among passengers of their rights and of the existing provisions about exercising those rights. In addition, those 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 the application of those rights by carriers, airport managing bodies, station managers, port terminal operators, bus terminal managing bodies and intermediaries, on the one hand, and shortcomings in the enforcement of passengers' rights by the national enforcement authorities, on the other. ▌

(4) ***There is a need for*** simplification, consistency and harmonisation ***across the various transport modes*** of the ▌ rules concerning: the ***designation and the tasks of national*** enforcement bodies; ***complaints;*** complaint handling ***by designated bodies; the obligation to share information on alternative dispute resolution; the procedure for requesting reimbursement or*** compensation; ***and the obligation of*** carriers to share information with national enforcement bodies***. Regulation (EU) 2021/782 on rail passengers' rights and obligations is a good starting point for revising the passenger rights acquis contained in Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010 and (EU) No 181/2011***.

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(5) ***The growing prevalence of claim agencies, which are private entities assisting passengers in claiming compensation under Regulation (EC) No 261/2004, clearly indicates that passengers continue to face difficulties in exercising their rights vis-à-vis air carriers. Strengthened enforcement of passenger rights could significantly reduce passengers' reliance on such entities, which often retain for themselves a significant portion of the compensation otherwise due to the passengers.***

(6) ***Passengers who book their flight through authorised intermediaries should be fully reimbursed for the price paid, including any intermediation fee, where applied, in the event of disruptions of their flight triggering the right to reimbursement. Full reimbursement of the intermediation fee serves the following objectives: ensuring a high level of protection for passengers ; preserving passengers' freedom to make an informed choice in favour of the most financially advantageous booking channel without being put at a disadvantage in the event of disruptions triggering a right to reimbursement; and providing legal certainty for air carriers and intermediaries as to the scope of the reimbursement obligation. In order to ensure legal clarity for the passengers, air carriers and intermediaries alike, it is necessary to set out the principles and procedures governing the reimbursement of the intermediation fee.***

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(7) ***In the context of the Union's transport policy, in addition to the objective of protecting passengers it is also important to ensure a wide choice of intermediaries in order to facilitate travel and strengthen the internal market. However, the full application of all provisions set out in Regulation (EC) No 261/2004 also to micro-enterprises is likely to jeopardise the achievement of that aim, since that would be likely to put at risk the financial viability of intermediaries that are autonomous micro-enterprises within the meaning of Commission Recommendation 2003/361/EC[8]. Therefore, such micro-enterprises should have the option not to reimburse passengers the entirety of the intermediation fee, provided that appropriate safeguards are in place, in particular that the passenger is informed at the start of the booking process that the intermediation fee would not be fully reimbursed. Since most bookings made through intermediaries do not involve micro-enterprises, it can reasonably be expected that such a derogation will not affect the smooth functioning of the internal market.***

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8 Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: http://data.europa.eu/eli/reco/2003/361/oj).

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(8) At present, as regards tickets booked through an intermediary, the reimbursement process is unclear and should therefore be clarified. The intermediaries are involved in the reimbursement process in two different ways. Either they transmitted the passenger's payment details directly to the carrier (a so-called 'pass-through' intermediary), and the air carrier reverses the original payment flow so that the reimbursement arrives directly on the passenger's account. Alternatively, the intermediary pays the air carrier from its own account (a so-called 'merchant of record' intermediary), and when the air carrier reverses the payment flow, the reimbursement payment arrives on the intermediary's account; the intermediary then transfers the final reimbursement payment to the passenger. Passengers are often not aware which reimbursement process is being chosen. Intermediaries ▌ should therefore inform passengers ***when offering tickets and before passengers finalise bookings whether the air carrier agrees to process reimbursement through the intermediary and*** about the reimbursement process ***as such***.

(9) Processing reimbursement payments through the intermediary that made the payment to the air carrier from its own account is a widespread air transport industry practice, and should therefore remain an option for air carriers.

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(10) ***Regulation (EC) No 261/2004 provides that, in the case of a disruption, a passenger has a right to reimbursement within seven calendar days of the full price of the tickets and the intermediation fee, where applied. In accordance with this Regulation, i***f the air carrier elects to process reimbursements through the intermediary, the period for reimbursing the passenger should be extended to a maximum of 14 calendar days, in order to take into account the fact that there are two steps in the reimbursement process. The air carrier should therefore transfer the reimbursement payment to the intermediary within a maximum of seven calendar days, and the intermediary should transfer it to the passenger within no more than a further seven calendar days. If the passenger is not reimbursed at the latest within 14 calendar days, the passenger should, however, be entitled to receive the reimbursement directly from the air carrier.

(11) If an intermediation fee is to be reimbursed, the question of whether it is the air carrier or the intermediary who bears the financial burden for that reimbursement should be a matter for the business-to-business relationship between that air carrier and that intermediary, independently of which one of them is to make the payment to the passenger.

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(12) ***The intermediation fee constitutes an unavoidable component of booking a flight through an intermediary and should, if the ticket is not issued by the air carrier itself, be considered to have been authorised by it. Where an air carrier accepts that the intermediary issues airline tickets in its name and on its behalf, it should be assumed that the air carrier is necessarily aware of the intermediary's commercial practice of charging the passenger an intermediation fee. Air carriers should be able to authorise the issuing or sale of their tickets through intermediaries in various ways, such as through direct commercial agreements, or indirectly through agreements with third parties issuing and reselling their tickets, or through industry agreements. However, the practice of 'screen-scraping', whereby an intermediary does not disclose to the airline that it is booking tickets as an intermediary, should not be permitted.***

(13) ***A passenger's invoice from the intermediary should be considered to be sufficient evidence of the full price of the ticket and any intermediation fee paid, and should be accepted as such by the air carrier. However, the passenger should also be able to decide to rely on any other document or record showing the full price and any fee paid, such as bank transfer statements.***

(14) ***No intermediation fee should be deemed to exist in relation to individual tickets in cases where the intermediary charges a legal person a lump-sum or volume-based service fee that covers all the tickets booked by the intermediary for that legal person over a certain period.***

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(15) ***The booking of tickets through intermediaries in accordance with Regulation (EC) No 261/2004 would entail the processing of personal data, including passengers' contact details. The processing of personal data pursuant to Regulation (EC) No 261/2004 should be carried out in accordance with Union law on the protection of personal data, in particular with*** Regulation (EU) 2016/679 of the European Parliament and the Council[9]***, for the purposes and the duration set out in that Regulation. Air carriers and intermediaries should be allowed to retain passengers' contact details collected for the purpose of fulfilling their obligations in respect of providing passengers with information relating to their journey for no longer than 96 hours after the completion of the air transport contract. In the case of disruption to the journey, a longer retention period might be necessary to allow air carriers and intermediaries to comply with their obligations under Regulation (EC) No 261/2004 regarding the provision of compensation, reimbursement or rerouting, and assistance, as well as regarding complaint-handling. Any*** processing of ***passengers'*** personal ***data, including retention of such*** data by air carriers and intermediaries ***for purposes other than the purpose for which the personal data was initially collected under Regulation (EC) No 261/2004, should be carried out in accordance with Regulation (EU) 2016/679. Air carriers and intermediaries should be able to use passengers' personal data or keep such data for a longer period than the retention period provided for in Regulation (EC) No 261/2004 and for other lawful purposes where such processing is based on another Union or national law, in accordance with Regulation (EU) 2016/679.***

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9 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) (OJ L 119, 4.5.2016, p. ***1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).***

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Such other lawful purposes can include processing for the purpose of dispute-resolution, including judicial proceedings, concerning the application of Regulation (EC) No 261/2004. Moreover, Regulation (EC) No 261/2004 is without prejudice to the processing of personal data ***based on Union or national law which constitutes a necessary and proportionate measure in a democratic society to safeguard the objectives referred to*** in Article ***23(1)*** of Regulation (EU) 2016/679. ***In particular, Regulation (EC) No 261/2004 is without prejudice to the processing of personal data pursuant to Directive (EU) 2016/681 of the European Parliament and of the Council[10] and Regulation (EC) No 2111/2005 of the European Parliament and of the Council[11], or pursuant to national law in accordance with Article 6(4) of Regulation (EU) 2016/679 or to applicable Union law on aviation safety and security. Passengers' contact details should not be used for commercial purposes unless the passengers have consented to such processing, including when processing is taking place for direct marketing as laid down in Directive 2002/58/EC of the European Parliament and of the Council[12].*** It should ***also*** 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.

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10 ***Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (OJ L 119, 4.5.2016, p. 132, ELI: http://data.europa.eu/eli/dir/2016/681/oj).***

11 ***Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC (OJ L 344, 27.12.2005, p. 15, ELI: http://data.europa.eu/eli/reg/2005/2111/oj).***

12 Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37, ELI: http://data.europa.eu/eli/dir/2002/58/oj).

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(16) Where the passenger ***has*** a ticket ***issued*** by an intermediary ***or by an air carrier which did not operate the disrupted flight, that air carrier should transmit the necessary personal data and related information concerning that passenger to the operating*** air carrier so that the operating air carrier is able to contact the passenger directly where necessary in order to ensure that the passenger receives the relevant information concerning his or her journey, and that the air carrier fulfils its obligations under this Regulation, under Regulation (EC) No 2111/2005 as regards the information about the identity of the operating air carrier, and under applicable Union law on aviation safety and security . ▌

(17) With a view to improving the enforcement of passengers' rights in the Union, the national enforcement bodies or other competent bodies should have powers allowing them to take sufficient enforcement actions to effectively deter infringements of Regulations ***(EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782. Such enforcement actions should take into account not only complaints made by passengers, but also other activities such as audits, inspections or interviews.***

(18) The monitoring activities of the national enforcement bodies should be effective and proportionate to the aim of ensuring general compliance with this Regulation, and should be performed with an appropriate regularity and follow-up, if possible, allowing reports of the national enforcement bodies to present the enforcement priorities consistently.

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(19) 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.

(20) National enforcement bodies should ***coordinate*** with each other in order to ensure a harmonised interpretation and ***cross-border*** application of Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782**.** ***Where relevant, national enforcement bodies and bodies designated for dealing with passenger complaints should exchange relevant information in order to facilitate cooperation and effective implementation of tasks***. 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.

(21) The Commission should support dialogue and promote cooperation between Member States concerning the application of this Regulation, including through adopting guidelines and promoting best practices.

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(22) ***Reimbursement and compensation procedures should be non-discriminatory and easily accessible.*** To make it easier for passengers to request reimbursement or compensation in accordance with Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782, 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. ***Although submitting requests for reimbursement and compensation through electronic means has become a widespread practice, passengers should have sufficient opportunities both to submit requests and to have their matters efficiently handled by other means, for example by telephone or post.***

(23) Passengers seeking individual redress should be informed of the possibilities to complain to alternative dispute resolution bodies about alleged infringements of Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782. The national enforcement bodies***, or any other bodies designated by Member States to handle passenger complaints,*** are best placed to do this.

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(24) In the light of Article 9 of the United Nations Convention on the Rights of Persons with Disabilities[13], and in order to give persons with disabilities and persons with reduced mobility opportunities for air travel comparable to those of other passengers, ***Union law guarantees the right to non-discrimination in access to transport and other rights. Such rights include the right of passengers with disabilities and persons with reduced mobility to receive assistance, free of charge, while travelling by air, rail, sea or inland waterways, or by bus and coach.*** A person with disabilities or person with reduced mobility ***should be able to travel*** accompanied by another person who is capable of providing the assistance required by applicable safety requirements ***under the*** international ***law***, Union ***law*** or national law or required by the competent authorities***. Where the air carrier introduces such a requirement, but cannot provide the assistance needed by the disabled*** person ***or person with reduced mobility, that person should be allowed to travel accompanied by another person of their choice, who*** should travel free of charge ***and be seated next to that disabled person or person with*** reduced mobility**.**

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13 OJ L 23, 27.1.2010, p. 35, ELI: http://data.europa.eu/eli/dec/2010/48(1)/oj.

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Air carriers should be able to request that those persons prove their recognised disability status in accordance with Union or national law, before granting such a service. In such cases, air carriers can accept a European Disability Card issued in accordance with Directive (EU) 2024/2841 of the European Parliament and of the Council[14] as proof of recognised disability status. The air carrier or its authorised agent should make publicly available, in accessible formats, ***the safety rules that it applies to the carriage*** of persons with disabilities and persons with reduced mobility***,*** in accordance with the applicable Union or national law, such as the accessibility requirements set out in Annex I to Directive (EU) 2019/882 ***of the European Parliament and of the Council[15].***

(25) The Commission, in cooperation with Member States and organisations representing persons with disabilities and recognised assistance dog handlers, should assess the situation in each Member State, while taking into account specific situations, and act, including through legal acts, to ensure that recognised assistance dogs are mutually recognised throughout the Union. Where a person with disability is permitted to travel with a recognised assistance dog on an outbound flight, the dog should be regarded as a recognised assistance dog for the entirety of both the outbound and the inbound journey, in order to ensure uniform access and non-discrimination throughout the Union.

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14 ***Directive (EU) 2024/2841 of the European Parliament and of the Council of 23 October 2024 establishing the European Disability Card and the European Parking Card for persons with disabilities (OJ L, 2024/2841, 14.11.2024, ELI: http://data.europa.eu/eli/dir/2024/2841/oj).***

15 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).

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(26) Regulations (EC) No 1107/2006, (EU) No 1177/2010 and (EU) 2021/782 already require airport managing bodies, port terminal operators, carriers and railway undertakings and station managers respectively to establish and make publicly available service quality standards relating to the implementation of the rights of persons with disabilities and persons with reduced mobility. Consistency across transport modes should be ensured while specificities of the various modes should duly be taken into account. Therefore, the obligation to establish service quality standards relating to the rights of persons with disabilities and persons with reduced mobility should be extended to air carriers, bus and coach carriers, and bus and coach terminal operators, and the service quality standards applicable across transport modes should be aligned. Service quality standards should provide a clear added value for passengers, in particular for persons with disabilities and persons with reduced mobility. At the same time, they should remain proportionate and should not impose unnecessary administrative burdens on market actors and authorities, in particular considering the ambition of promoting a modal shift towards more sustainable modes of transport. With this in mind, the Commission should, as part of the first report on the operation, enforcement and the results of Regulations (EC) No 1107/2006, (EU) No 1177/2010, (EU) 181/2011 and (EU) 2021/782, undertake a comprehensive evaluation of the implementation and effectiveness of all service quality standards across Union passenger rights legislation. The Commission should, where appropriate, make legislative proposals based on that evaluation.

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(27) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[16]. The ***advisory*** procedure should be used for the adoption of the common form for reimbursement and compensation requests.

(28) Since the objective of this Regulation, namely to ensure the effective enforcement of passengers‘ rights when travelling by air, rail, sea and inland waterway, and bus and coach, cannot be sufficiently achieved by the Member States, but can rather, by reason of the need for the same rules within the internal 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 that objective.

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16 Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers (OJ L 55, 28.2.2011, p. 13***, ELI: http://data.europa.eu/eli/reg/2011/182/oj*).**

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(29) This Regulation respects fundamental rights and observes the principles recognised in the Charter of Fundamental Rights of the European Union, in particular Articles 21, 26, 38 and 47 thereof concerning, respectively, the prohibition of any form of discrimination, the integration of persons with disabilities, ensuring a high level of consumer protection, and the right to an effective remedy and to a fair trial.

(30) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[17] and delivered an opinion on ***24 January 2024***,

HAVE ADOPTED THIS REGULATION:

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[17] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) ***No 45/2001*** and Decision ***No 1247/2002/EC*** (OJ L 295, 21.11.2018, p. 39***,***
ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

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Article 1

Amendments to Regulation (EC) No 261/2004

Regulation (EC) No 261/2004 is amended as follows:

(1) Article 2 is amended as follows:

(a) the following ***points are*** inserted:

'(fa) "full price of the ticket" means the final price to be paid at the end of the booking process that includes the air fare and all applicable taxes, charges, surcharges and fees paid for all optional and non-optional services included in the ticket, but excludes intermediation fees, regardless of whether those taxes, charges, surcharges and fees have been paid together with the fare for the transport service or separately at a later stage;

(fb) "intermediation fee" means the amount of any positive difference between the amount paid by the passenger and the amount received by the air carrier for the same service, and which is collected by the intermediary;';

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(b) the following points are added:

'(aj) ***"***intermediary***"*** means any ***natural or legal person,*** other than an air carrier***, acting, for purposes relating to their trade, business or profession, on behalf of an air carrier or a passenger for the conclusion of an air transport contract***;

(ak) "recognised assistance dog" means a dog specifically trained to increase the independence and self-determination of persons with disabilities, officially recognised in accordance with applicable national rules, where such rules exist.';

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(2) the following article is inserted:

‘Article 8b

Reimbursement where the ticket was booked through an intermediary

1. ***When offering tickets and before a passenger finalises a booking, the intermediary shall inform the passenger in a clear, comprehensible and easily accessible manner whether the air carrier agrees to process reimbursement through that intermediary, and of the reimbursement process provided for in this Article.***

2. Where reimbursement is processed through the intermediary, the reimbursement shall be free of charge for passengers.

3. Before a passenger finalises a booking, the intermediary shall inform the passenger of the applicable intermediation, administrative, service or cancellation fee, as well as of the passenger's right to obtain full reimbursement of the intermediation fee, subject to the exception set out in paragraph 5, point (c).

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4. In the case of reimbursement provided for in Article 8(1), first subparagraph, point (a), the following rules shall apply:

(a) where the passenger ***booked*** a ticket through an intermediary, the air carrier may make the reimbursement***,*** through that intermediary, ***in which case, the intermediary shall reimburse the passenger; the air carrier may, in agreement with the intermediary, deviate from the procedure set out in paragraph 5 of this Article, provided that it grants the passenger an equivalent level of protection, regarding in particular the reimbursement of the intermediation fee and regarding deadlines for payments;***

(b) where the intermediary is not involved in the reimbursement process, or has transmitted the passenger's payment details to the air carrier without paying the air carrier for tickets from its own account, the air carrier shall reimburse the passenger; the air carrier shall reimburse the passenger the full price of the ticket and the intermediation fee, where applied, within seven calendar days from the date of the passenger's transmission of the evidence of the full price of the ticket and any intermediation fee paid, where applied, and the passenger's payment details if the intermediary is not involved in the reimbursement process.

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5. The following rules shall apply in the case of reimbursement through intermediaries that have paid ***an*** air carrier for tickets from their own accounts ***in accordance with paragraph (4), point (a), of this Article***:

(a) the air carrier shall, within seven calendar days, reimburse the intermediary ***the price of the ticket which it received from the intermediary,*** in ***a single*** transaction ***by means of*** the same payment method which was used at the time of booking, and ***shall ensure that*** the payment ***is linked*** to the original booking reference, the seven-day period shall start on the date of the passenger's choice for a reimbursement in accordance with Article ***8(1), first subparagraph, point*** (a); the intermediary shall reimburse the passenger ***the full price of the ticket and the intermediation fee, where applied,*** by means of the same payment method which was used at the time of booking, at the latest within a further seven calendar days, and shall inform the passenger and the air carrier thereof; ***if that payment method is no longer available, the intermediary shall contact the passenger to obtain the necessary payment details and the reimbursement timeline is suspended from the moment the intermediary requests the payment details from the passenger until the intermediary receives them; the intermediary shall provide the passenger with the details of the reimbursement, including in particular the transaction number of an electronic bank transfer after it has been effected;***

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(b) if the ***air carrier has not received confirmation of payment fulfilment*** from the intermediary within 14 calendar days ***from*** the date of ***the passenger*** choosing a reimbursement in accordance with Article 8(1), ***first subparagraph,*** point (a), the ▌ air carrier shall contact the passenger at the latest on the day following the expiry of that 14-day period in order to ***obtain*** the payment details for the reimbursement, ***as well as evidence of the full price of the ticket and any intermediation fee paid by the passenger, where applied;*** upon receipt of ***this information, the*** air carrier shall reimburse the passenger ***the full price of the ticket and the intermediation fee, where applied,*** within seven calendar days ***of receiving that information, and it shall*** inform the passenger and ▌ intermediary thereof; ***the air carrier shall provide the passenger with the details of the reimbursement, including in particular the transaction number of an electronic bank transfer after it has been effected;***

(c) if the intermediary is an autonomous micro-enterprise within the meaning of Article 2(3) and Article 3(1) of the Annex to Commission Recommendation 2003/361/EC*, it may decide not to reimburse a specified amount of its intermediation fee provided that it has informed the passenger thereof at the start of the booking process in a clear, unambiguous and prominent manner.

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6. This Article ***does not apply to tickets booked as part of a package as defined in Article 3, point (2), of*** Directive (EU) 2015/2302.

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* ***Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: http://data.europa.eu/eli/reco/2003/361/oj).'***;

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(3) the following article is inserted:

‘Article 14a

Transfer of personal data and information

▌

1. Where the passenger has not been issued a ticket directly by the air carrier, but through an intermediary, the intermediary shall provide to the air carrier ***all*** contact details ***received from*** the passenger***,*** as well as the booking details. The air carrier may use those contact details only to the extent necessary to comply with its ***air transport contract with the passenger and with its*** obligations under this Regulation, and in order to fulfil the air carrier’s obligations under applicable Union law on aviation safety and security, as well as to provide information to passengers on the operating air carrier in accordance with its obligations under Chapter III of Regulation (EC) No 2111/2005 ***of the European Parliament and of the Council****.

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2. The air carrier involved in the conclusion or performance of an air transport contract with a passenger shall transmit to any operating air carrier all personal data and information necessary to enable it to fulfil its obligations under this Regulation, including its obligation to inform passengers of their rights.

3. For the purposes of fulfilling their obligations in respect of the passenger's right to information, the air carrier and the intermediary shall keep the personal data and information for no longer than 96 hours after the completion of the air transport contract.

4. ***In the case of a flight disruption where*** retention of the ***personal data and information*** is justified by the need to fulfil obligations in respect of the passenger's rights, ***such as the provision of compensation, reimbursement,*** re-routing, or assistance***, the air carrier and the intermediary may keep the personal data and information for more than 96 hours after the completion of the air transport contract to the extent strictly necessary to fulfil those obligations***.

5. Where an intermediary ***intends to book*** a ticket on behalf of a passenger, the intermediary shall inform the air carrier concerned ***before*** booking ▌ that it ***intends to book*** the ticket as an intermediary. It shall provide the air carrier with its own postal address and electronic contact details. ▌

▌

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6. This Article does not apply to tickets booked as part of a package as defined in Article 3, point (2), of Directive (EU) 2015/2302.

** Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC (OJ L 344, 27.12.2005, p. 15, ELI: http://data.europa.eu/eli/reg/2005/2111/oj)';*

(4) Article 16 is replaced by the following:

'Article 16

Designation of national enforcement bodies

1. Each Member State shall designate a national enforcement body or bodies responsible for the enforcement of this Regulation as regards flights from airports situated in its territory and flights from a third country to such airports.

2. Each national enforcement body shall be independent in its organisation, funding decisions, legal structure and decision-making of any air carrier, airport managing body and intermediary or the commercial interests of other persons or entities.

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3. Member States shall inform the Commission of the national enforcement body or bodies designated in accordance with this Article and the respective responsibilities of those bodies, including any changes thereto. The Commission and the designated national enforcement bodies shall publish that information on their websites.';

(5) the following articles are inserted:

'Article 16a
Enforcement tasks

1. The national enforcement bodies shall closely monitor compliance with this Regulation and shall take the measures necessary to ensure that the rights of passengers are upheld.

2. The monitoring shall be carried out in accordance with Union law, national standards and applicable rules. It may be based on a factual assessment that takes into account complaints made by passengers under Article 16b, where available, as well as on findings of the previous monitoring activities carried out by the national enforcement bodies, on information received in accordance with paragraph 3 of this Article and with Article 16c, as well as on other sources of information pertaining to the application of this Regulation in the territory of the respective Member State. Monitoring activities may include audits, inspections, interviews, and the examination of documents.

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3. The national enforcement bodies may request air carriers, intermediaries and airport managing bodies to provide documents and information that are relevant for the purposes of carrying out their functions as referred to in paragraph 1. Such documents and information shall be provided within one month from the receipt of the request, unless a different deadline is specified by the national enforcement body.

4. In carrying out their functions, the national enforcement bodies shall, where relevant, take into account the information submitted to them by a body designated to handle complaints in accordance with Article 16b(1).

5. In the event of air services between two or more Member States, monitoring activities may be performed jointly by national enforcement bodies.

6. Member States shall ensure that their respective national enforcement bodies are given sufficient powers to take enforcement actions.

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7. Where an air carrier invokes extraordinary circumstances as a justification for refusing compensation under this Regulation, that air carrier shall substantiate its claim by providing, upon the request of the national enforcement body, all necessary evidence in line with the requirements laid down in Article 6c(2).

8. By 30 June 2030, and every five years thereafter, the national enforcement bodies shall publish reports on their activities, including, where relevant, on penalties applied. Those reports shall be made available on the website of the European Union Aviation Safety Agency.

9. Air carriers and intermediaries shall give their contact details to the national enforcement body or bodies of the Member States in which they operate and shall promptly update them when necessary.

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Article 16b

Passengers' complaints to designated bodies

1. Without prejudice to the rights of consumers to seek alternative dispute resolution pursuant to Directive 2013/11/EU of the European Parliament and of the Council*, Member States shall each designate a body for passenger complaints pursuant to this Regulation (the "body for passenger complaints").

2. If the body for passenger complaints is different from the national enforcement body designated pursuant to Article 16, Member States shall inform the Commission of the body for passenger complaints. The Commission and the body for passenger complaints shall publish that information on their websites.

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3. Any passenger may submit a complaint, in accordance with national law, to the body for passenger complaints, about an alleged infringement of this Regulation.

4. After having submitted a complaint to the air carrier or the intermediary pursuant to Article 15a, the passenger may submit a complaint to the body designated in accordance with paragraph 1 of this Article:

(a) no later than three months from the date of being informed of the rejection of the original complaint by the air carrier or the intermediary; or

(b) where no reply is received from the air carrier or the intermediary within two months from the date of the original complaint submitted to the air carrier or the intermediary.

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5. The body for passenger complaints shall acknowledge receipt of the complaint within 14 calendar days of receiving it. Where the body for passenger complaints has the power to issue enforceable decisions in individual cases, it shall provide the passenger with a substantiated reply to their complaint within a reasonable period of time. Where the body for passenger complaints does not have such a power, it may issue an opinion or recommendation on the complaint and it shall inform the passenger about available means to seek redress, including the right to submit a complaint to alternative dispute resolution bodies, and shall inform the passenger of the applicable deadlines.

6. The obligation under paragraph 5 of this Article to inform the passengers about their right to seek redress with an alternative dispute resolution body may be fulfilled by referring them to the interactive tool hosting a list of notified alternative dispute resolution entities maintained by the Commission pursuant to Article 20 of Directive 2013/11/EU, or, where appropriate, to the designated alternative dispute resolution contact points notified to the Commission under Article 24 of that Directive.

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Article 16c

Exchange of information and cross-border cooperation between national enforcement bodies

1. Where a Member State designates different bodies pursuant to Articles 16 and 16b of this Regulation, those bodies shall ensure the exchange of relevant information between them, in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council**, in order to help the national enforcement body to carry out its tasks of supervision and enforcement, and so that the body for passenger complaints designated pursuant to Article 16b of this Regulation can collect the information necessary to examine individual complaints.

2. The national enforcement bodies of the Member States shall exchange information on their work and decision-making principles and practices for the purpose of cross-border coordination. The Commission shall support them in that task.

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Article 16d

Information about suspected practices of non-compliance

1. The Commission may alert the national enforcement bodies about specific suspected practices of non-compliance with the obligations laid down in this Regulation by one or more air carriers, intermediaries or airport managing bodies. Where, in accordance with its powers and procedures pursuant to national law, the national enforcement body initiates any investigation, it shall inform the Commission, upon request, of its findings.

2. Paragraph 1 shall be without prejudice to the operational independence of the national enforcement bodies.

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Article ***16e***

Common form for reimbursement and compensation requests

1. The Commission shall adopt an implementing act establishing a common form for compensation and reimbursement pursuant to ***Articles 7, 8, 8b, 9 and 10 (the "common form")***. That common form shall be established in ***an*** accessible ***format. The Commission shall make the common form available on its website in all official languages of the Union. That*** implementing act shall be adopted in accordance with the ***advisory*** procedure referred to in Article ***16h(2)***.

2. Air carriers and intermediaries shall provide contact details on their websites, such as an e-mail address to which the common form may be sent by electronic means.

3. ***Without prejudice to Article 8(1), first subparagraph, point (a),*** passengers shall have the right to submit their requests using the ***form provided by the air carrier, the*** common form ***or by other means***. Air carriers and intermediaries shall not reject a request ▌ on the grounds that the passenger has not used ***the form provided by the air carrier or the common form, or that the passenger has sent the form by means other than electronic means. Passengers shall have the right to submit their request in at least the language of the booking.*** If a request is not sufficiently precise, the ***air*** carrier ***or intermediary*** shall ask the passenger to clarify ***or complete*** that request ▌ .

▌

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Article 16f

Legal representatives of third-country intermediaries

1. *Intermediaries which are not established in the Union, but which offer services in the Union, shall designate in writing a legal or natural person to act as their legal representative in one of the Member States where the intermediary offers its services. For intermediaries covered by Regulation (EU) 2022/2065 of the European Parliament and of the Council[***], the legal representative designated pursuant to that Regulation may also act as a legal representative pursuant to this Regulation.*

2. *The intermediaries referred to in paragraph 1 shall mandate their legal representative for the purpose of being addressed in addition to or instead of such intermediaries regarding the receipt of, compliance with and enforcement of decisions issued in relation to this Regulation. Intermediaries shall provide their legal representatives with the necessary powers and sufficient resources to guarantee their efficient and timely cooperation with those bodies, and to comply with such decisions.*

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3. It shall be possible for a designated legal representative to be held liable for non-compliance with an intermediary's obligations under this Regulation, without prejudice to the liability of the intermediary and legal actions that could be initiated against the intermediary.

4. Intermediaries shall notify the name, postal address, email address and telephone number of their legal representative to the bodies designated under Article 16(1) in the Member State where that legal representative resides or is established. The intermediaries shall ensure that such information is publicly available, easily accessible, accurate and kept up to date.

5. The designation of a legal representative within the Union pursuant to paragraph 1 shall not constitute an establishment in the Union.

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Article 16g

Penalties

1. *Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures and shall notify it without delay of any subsequent amendment affecting them.*

2. *In the framework of cooperation referred to in Article 16c(1), the national enforcement body designated under Article 16, or any other competent national authority acting on its behalf may, at the request of the body handling the complaint pursuant to Article 16b, investigate an alleged infringement of this Regulation, and, where necessary, impose penalties.*

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* *Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63, ELI: http://data.europa.eu/eli/dir/2013/11/oj);*

** *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) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj);*

*** *Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: http://data.europa.eu/eli/reg/2022/2065/oj).'.*

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Article 2

Amendments to Regulation (EC) No 1107/2006

Regulation (EC) No 1107/2006 is amended as follows:

(1) in Article 2, the following points are added:

'(m) "recognised assistance dog" means a dog specifically trained to increase the independence and self-determination of disabled persons, officially recognised in accordance with applicable national rules, where such rules exist;

(n) "accessible format" means a format that gives a disabled person or a person with reduced mobility access to any relevant information, including by providing that person with access in as feasible and as comfortable a manner as a person without an impairment or disability, and which meets accessibility requirements defined in accordance with the applicable Union law, in particular Directive (EU) 2019/882 of the European Parliament and of the Council*[*]*.

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[*] ***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).';***

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(2) in Article 4***, paragraph 2 is replaced by*** the following ▌ :

‘2. Under the same conditions referred to in paragraph 1, first subparagraph, point (a), an air carrier may require that a disabled person ***or person with reduced mobility be accompanied by another person who is capable of providing the assistance required by that person. Where the air carrier introduces such a requirement, but does not provide the assistance needed by the disabled person or person with reduced mobility, that person shall be allowed to travel accompanied by another person of their choice, who will travel*** free of charge and ***be seated*** next to ***that disabled*** person ***or*** person with reduced mobility. ▌

The air carrier, its agents or the tour operator shall allow the disabled person or the person with reduced mobility to designate a different accompanying person without any charge for the change and up to 48 hours before the scheduled time of departure.’;

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(3) Article 9 is amended as follows:

(a) the following paragraph is inserted:

'1a. Air carriers that do not qualify as micro, small or medium-sized enterprises within the meaning of the Annex to Commission Recommendation 2003/361/EC[*] shall establish service quality standards for the carriage of disabled persons and persons with reduced mobility, covering at least the issues specified in Annex II to this Regulation.

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[*] *Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: http://data.europa.eu/eli/reco/2003/361/oj).';*

(b) the following paragraph is inserted:

'2a. The managing bodies and air carriers shall also set quality standards for structured dialogue with organisations representing disabled persons and persons with reduced mobility and for the implementation of the disability awareness and assistance training of their staff.';

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(c) paragraph 3 is replaced by the following:

'3. The managing bodies and air carriers shall make their quality standards publicly available and shall monitor their performance in accordance with those standards. Upon request, they shall provide the national enforcement body or bodies with information on that performance. With a view to the evaluation by the Commission of the service quality standards under Article 17a, the managing bodies and air carriers shall, upon request, provide the Commission with information on that performance during the first five years from … [the date of entry into force of this amending Regulation].';

(4) Article 14 is replaced by the following:

'Article 14
Designation of national enforcement bodies

1. Each Member State shall designate a national enforcement body or bodies responsible for the enforcement of this Regulation as regards flights from airports situated in its territory and flights from a third country to such airports.

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2. Each national enforcement body shall be independent in its organisation, funding decisions, legal structure and decision-making of any air carrier, agent, tour operator or airport managing body, or the commercial interests of other persons or entities.

3. Member States shall inform the Commission of the national enforcement body or bodies designated in accordance with this Article and of the respective responsibilities of those bodies, including any changes thereto. The Commission and the designated national enforcement bodies shall publish that information on their websites.';

(5) the following articles are inserted:

'Article 14a
Enforcement tasks

1. The national enforcement body shall closely monitor compliance with this Regulation and shall take the measures necessary to ensure that the rights of disabled persons and persons with reduced mobility are upheld.

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2. The monitoring shall be carried out in accordance with Union law, national standards and applicable rules. It may be based on a factual assessment that takes into account complaints made by passengers under Article 15a, where available, as well as on findings of the previous monitoring activities carried out by the national enforcement bodies, on information received in accordance with paragraph 3 of this Article and with Article 15b, as well as on other sources of information pertaining to the application of this Regulation in the territory of the respective Member State. Monitoring activities may include audits, inspections, interviews, and the examination of documents.

3. The national enforcement bodies may request air carriers, their agents, tour operators and airport managing bodies to provide documents and information that are relevant to the purposes of carrying out their functions as referred to in paragraph 1. Such documents and information shall be provided within one month from the receipt of the request, unless a different deadline is specified by the national enforcement body.

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4. In carrying out their functions, the national enforcement bodies shall, where relevant, take into account the information submitted to them by a body designated to handle complaints in accordance with Article 15a(1).

5. Member States shall ensure that their respective national enforcement bodies are given sufficient powers to take enforcement actions.

6. In the event of air services between two or more Member States, monitoring activities may be performed jointly by national enforcement bodies.

7. By 30 June 2030, and every five years thereafter, the national enforcement bodies shall publish reports on their activities, including, where relevant, on penalties applied. Those reports shall be made available on the website of the European Union Aviation Safety Agency.

8. Air carriers shall give their contact details to the national enforcement body or bodies of the Member States in which they operate and shall promptly update them when necessary.

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Article ***14b***

Information about suspected practices of non-compliance

1. The Commission ***may alert*** the national enforcement bodies ***about*** specific suspected practices of non-compliance with the obligations laid down in this Regulation by one or more air carriers, airport managing bodies or tour operators**.** ***Where, in accordance with its powers and procedures pursuant to national law, the national enforcement body initiates any investigation, it shall inform*** the Commission, ***upon*** request, ***of its findings***.

2. Paragraph 1 shall be without prejudice to the operational independence of the national enforcement bodies.';

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(6) Article 15 is replaced by the following:

'Article 15

Complaints to the air carrier or airport managing body

1. Each air carrier and airport managing body shall set up a complaint-handling mechanism for the rights and obligations covered by this Regulation in their respective fields of responsibility.

2. Disabled persons and persons with reduced mobility may submit a complaint to any air carrier or airport managing body regarding their respective fields of responsibility by means of the mechanism referred to in paragraph 1. Such a complaint shall be submitted within 12 months from the date on which the flight was performed or was scheduled to be performed, or three months after submitting a request for compensation, whichever is later.

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3. Within seven working days of receiving the complaint, the addressee shall confirm receipt of the complaint to the passenger. Within one month of receiving the complaint, the addressee shall either provide a reasoned reply or, in duly justified cases, inform the passenger that they will receive a final reply within a period of less than two months from the date of receipt of the complaint.

4. The final reply shall also contain the relevant contact details of the body or bodies responsible for the handling of complaints under Article 15a. This obligation may be fulfilled by referring the passenger to the list of complaint-handling bodies made available by the Commission.

5. The burden of proof with regard to the provision of the requisite information to passengers shall be on the air carrier and the airport managing body.

6. Details of the complaint-handling procedure shall be accessible to the public, including to disabled persons and to persons with reduced mobility, in an accessible format. This information shall be made publicly available, in accessible formats and in at least the same languages as the general information made available to passengers.';

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(7) the following articles are inserted:

'Article 15a

Passengers' complaints to designated bodies

1. Without prejudice to the rights of consumers to seek alternative dispute resolution pursuant to Directive 2013/11/EU of the European Parliament and of the Council, Member States shall each designate a body for passenger complaints pursuant to this Regulation (the "body for passenger complaints").*

2. If the body for passenger complaints is different from the national enforcement body designated pursuant to Article 14, Member States shall inform the Commission of the body for passenger complaints. The Commission and the body for passenger complaints shall publish that information on their websites.

3. Any disabled person or person with reduced mobility may submit a complaint, in accordance with national law, to the body for passenger complaints, or to any other competent body designated by a Member State, about an alleged infringement of this Regulation.

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4. After having submitted a complaint to the air carrier or airport managing body pursuant to Article 15, the disabled person or person with reduced mobility may submit a complaint to the body designated in accordance with paragraph 1 of this Article:

(a) no later than three months from the date of being informed of the rejection of the original complaint by the air carrier or the airport managing body; or

(b) where no reply is received from the air carrier or the airport managing body within two months from the date of the original complaint submitted to the air carrier or airport managing body .

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5. The body for passenger complaints shall acknowledge receipt of the complaint within 14 calendar days of receiving it. Where the body for passenger complaints has the power to issue enforceable decisions in individual cases, it shall provide the disabled person or person with reduced mobility with a substantiated reply to their complaint within a reasonable period of time. Where the body for passenger complaints does not have such a power, it may issue an opinion or recommendation on the complaint and it shall inform the passenger about available means to seek redress, including the right to submit a complaint to alternative dispute resolution bodies, and shall inform the passenger of the applicable deadlines.

6. The obligation under paragraph 5 of this Article to inform the passengers about their right to seek redress with an alternative dispute resolution body may be fulfilled by referring them to the interactive tool hosting a list of notified alternative dispute resolution entities, maintained by the Commission pursuant to Article 20 of Directive 2013/11/EU, or, where appropriate, to the designated alternative dispute resolution contact points notified to the Commission under Article 24 of that Directive.

7. The complaint-handling procedure shall be made available to disabled persons or persons with reduced mobility in an accessible format.

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Article 15b

Exchange of information and cross-border cooperation between national enforcement bodies

1. ***Where a Member State designates different bodies pursuant to Articles 14 and 15a of this Regulation, those bodies shall ensure the exchange of relevant information between them, in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council[**], in order to help the national enforcement body to carry out its tasks of supervision and enforcement, and so that the body for passenger complaints designated pursuant to Article 15a of this Regulation can collect the information necessary to examine individual complaints.***

2. ***The national enforcement bodies of the Member States shall exchange information on their work and decision-making principles and practices for the purpose of cross-border coordination. The Commission shall support them in that task.***

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* ***Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63, ELI: http://data.europa.eu/eli/dir/2013/11/oj);***

** ***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) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).';***

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(8) Article 16 is replaced by the following:

'Article 16
Penalties

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures and shall notify it without delay of any subsequent amendment affecting them.';

(9) the following article is inserted:

'Article 17a
Review of service quality standards

1. By … [five years from the date of entry into force of this amending Regulation], the Commission shall carry out a comprehensive evaluation of all service quality standards, as part of the first report on the operation and the effects of this Regulation.

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2. That evaluation shall examine in particular:

(a) measurable benefits for passengers, in particular disabled persons and persons with reduced mobility, under this Regulation, including in comparison with the various service quality standards in other modes of transport;

(b) the effectiveness of such standards when compared to other means with the potential to achieve comparable results for passengers, in terms of cost-efficiency, proportionality and administrative burdens incurred on market actors and authorities.

3. On the basis of the findings in the comprehensive evaluation, the Commission may, where appropriate, submit a legislative proposal to adjust service quality standards in air passenger transport accordingly.';

(10) Annexes I and II are replaced by the text set out in Annex I to this Regulation.

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Article 3

Amendments to Regulation (EU) No 1177/2010

Regulation (EU) No 1177/2010 is amended as follows:

(1) in Article 3, the following points are added:

‘(v) “recognised assistance dog” means a dog specifically trained to increase the independence and self-determination of disabled persons, officially recognised in accordance with applicable national rules, where such rules exist;

(w) “accessible format” means a format that gives a disabled person or a person with reduced mobility access to any relevant information, including by providing that person with access in as feasible and as comfortable a manner as a person without an impairment or disability, and which meets accessibility requirements defined in accordance with the applicable Union law, in particular Directive (EU) 2019/882 of the European Parliament and of the Council*[*]*.

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[*] ***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).’;***

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(2) Article 13 is amended as follows:

(a) the following paragraph is inserted:

‘2a. Terminal operators and carriers shall also set quality standards for structured dialogue with organisations representing disabled persons and persons with reduced mobility and for the implementation of the disability awareness and assistance training referred to in Article 14, point (a).’;

(b) paragraph 3 is replaced by the following:

‘3. The quality standards provided for in paragraph 1 shall be made publicly available by terminal operators and carriers physically or on the internet in accessible formats and in the same languages as those in which information is generally made available to all passengers. Terminal operators and carriers shall monitor their performance in accordance with those quality standards. Upon request, they shall provide the national enforcement body or bodies with information on that performance. With a view to the evaluation by the Commission of the service quality standards under Article 29a, terminal operators and carriers shall, upon request, provide the Commission with information on that performance during the first five years from … [the date of entry into force of this amending Regulation].’;

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(3) Article 16 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. In the case of a cancellation or a delay in departure of a passenger service or a cruise, passengers departing from port terminals or, if possible, passengers departing from ports shall be informed by the carrier or, where appropriate, by the terminal operator, of the situation and of their passenger rights under this Regulation as soon as possible and in any event no later than 30 minutes after the scheduled time of departure, and of the estimated departure time and estimated arrival time as soon as that information is available.’;

(b) paragraph 3 is replaced by the following:

‘3. The carrier or, where appropriate, the terminal operator, shall ensure that disabled persons or persons with reduced mobility receive the information required under paragraphs 1 and 2 in accessible format.’;

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(4) the following article is inserted:

‘Article 19a

Submission of reimbursement and compensation requests

1. The Commission shall adopt an implementing act establishing a common form for reimbursement and compensation pursuant to ***Articles*** 18 and 19 ***(the “common form”)***. That common form shall be established in ***an*** accessible ***format. The Commission shall make the common form available on its website in all official languages of the Union . The*** implementing act shall be adopted in accordance with the ***advisory*** procedure referred to in Article ***28a(2)***.

2. Following travel disruptions, carriers shall, where possible and without undue delay, provide to passengers a common form, or a link allowing a direct access to that form.

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3. The requirement set out in paragraph 2 shall not apply to carriers who make use of other means of communication allowing passengers to request reimbursement or compensation, such as a carrier's own electronic form made available on its website, a paper form or a mobile application, provided that such means offer, in an accessible format, the choice and information set out in the common form and are available in at least the language of the booking.

4. ▌ Passengers shall have the right to submit their requests ***for reimbursement or compensation*** using the ***form provided by the carrier in accordance with paragraph 2 or 3, or by other means***. Carriers shall not reject a request ▌ on the grounds that the passenger has not used ***the common form or the form provided in accordance with paragraph 3, or that the passenger has sent the request by means other than electronic means.***

Passengers shall have the right to submit their request in at least the language of the booking.

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If a request is not sufficiently precise, the ***carrier*** shall ask the passenger to clarify ***or complete*** the request***. If requested additional information is outside the scope of standard information covered by the common form, the carrier*** shall give reasons for ***its request***.

5. ***Without prejudice to paragraphs 2 and 3,*** carriers shall ***provide clear information on their websites regarding the various*** electronic means ***that allow*** passengers to request reimbursement or compensation, such as ***an e-mail address, electronic forms*** or mobile applications***. When*** passengers ***submit their requests through electronic means, they*** shall ***receive an electronic confirmation as proof that such requests have been submitted***.';

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(5) Article 23 is amended as follows:

(a) paragraph 1 is ***replaced by the following***:

'1. When selling tickets for services falling within the scope of this Regulation, carriers, ticket vendors, travel agents, tour operators and terminal operators shall, within their respective areas of competence, ensure that passengers are provided with appropriate and comprehensible information regarding their rights under this Regulation. ▌

Carriers, terminal operators and, where applicable, port authorities, shall also, within their respective areas of competence, ensure that information on the rights of passengers under this Regulation is publicly available on board ships, in ports, if possible, and in port terminals.';

(b) the following paragraph is inserted:

'1a. The information referred to in paragraph 1 shall be provided as far as possible in an accessible format and in the same languages as those in which information is generally made available to all passengers. When that information is provided, particular attention shall be paid to the needs of disabled persons and of persons with reduced mobility.';

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(c) paragraph 3 is replaced by the following:

‘3. Carriers, terminal operators and, where applicable, port authorities shall inform passengers in an appropriate manner on board ships, in ports, if possible, and in port terminals, of their contact details and the contact details of the enforcement body designated by the Member State concerned pursuant to Article 25(1).’;

(6) the following article is inserted:

‘Article 23a
Means of communication with passengers

The information referred to in Articles 16, 22 and 23 shall be provided ***by electronic means***, where technically possible, ***and in an accessible format***.

Where information is provided by electronic means , carriers, terminal operators, port authorities, travel agents, tour operators and ticket vendors shall ensure that ▌ any written correspondence, including the date and time of such correspondence, ***can be kept for further reference. The burden of proof with regard to the provision of the necessary information to passengers shall be on the carriers, terminal operators, port authorities, travel agents, tours operators and ticket vendors***. All means of communication shall enable the passenger to contact them quickly and communicate efficiently. ▌ ’;

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(7) Articles 24, 25 and 26 are replaced by the following:

'Article 24

Complaints to the carrier or terminal operator

1. Each carrier and terminal operator shall set up an accessible complaint-handling mechanism for the rights and obligations covered by this Regulation in their respective fields of responsibility.

2. Passengers may submit a complaint to any carrier or terminal operator regarding their respective fields of responsibility by means of the mechanism referred to in paragraph 1. Such a complaint shall be submitted within three months from the date on which the service was performed or when a service should have been performed.

3. Within seven working days of receiving the complaint, the addressee shall confirm receipt of the complaint to the passenger. Within one month of receiving the complaint, the addressee shall either provide a reasoned reply or, in duly justified cases, inform the passenger that they will receive a final reply no later than three months from the date of receipt of the complaint.

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4. The final reply shall also contain the relevant contact details of the body or bodies responsible for the handling of complaints under Article 26a. This obligation may be fulfilled by referring the passenger to the list of complaint handling bodies made available by the Commission.

5. Where the carrier invokes extraordinary circumstances, it shall inform the passenger in its reply of the specific circumstances responsible for the cancellation or delay.

6. The burden of proof with regard to the provision of the requisite information to passengers shall be on the carrier and the terminal operator.

7. Details of the complaint-handling procedure shall be made available to the public, including to disabled persons and to persons with reduced mobility, in an accessible format. This information shall be available on board ships, in ports, if possible, and in port terminals at least in the same languages as those in which information is generally made available to all passengers. The carrier shall inform the passenger of the details of the complaint-handling procedure at the time of the reservation or the advance purchase of the ticket, where applicable.

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Article 25

Designation of national enforcement bodies

1. *Each Member State shall designate a national enforcement body or bodies responsible for the enforcement of this Regulation as regards passenger services and cruises from ports situated in its territory and passenger services from a third country to such ports.*

2. *Each national enforcement body shall be independent in its organisation, funding decisions, legal structure and decision-making of any carrier or terminal operator or the commercial interests of other persons or entities.*

3. *Member States shall inform the Commission of the national enforcement body or bodies designated in accordance with this Article and of the respective responsibilities of those bodies, including any changes thereto. The Commission and the designated national enforcement bodies shall publish that information on their websites.*

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Article 26

Enforcement tasks

1. The national enforcement body shall closely monitor compliance with this Regulation and shall take the measures necessary to ensure that the rights of passengers are upheld.

2. The monitoring shall be carried out in accordance with Union law, national standards and applicable rules. It may be based on a factual assessment that takes into account complaints made by passengers under Article 26a, where available, as well as on findings of the previous monitoring activities carried out by the national enforcement bodies, on information received in accordance with paragraph 3 of this Article and Article 27, as well as on other sources of information pertaining to the application of this Regulation in the territory of the respective Member State. Monitoring activities may include audits, inspections, interviews, and the examination of documents.

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3. The national enforcement bodies may request the carriers, ticket vendors, travel agents, tour operators or terminal operators to provide documents and information that are relevant for the purposes of carrying out their functions as referred to in paragraph 1. Such documents and information shall be provided within one month from the receipt of the request, unless specified otherwise by the national enforcement body.

4. In carrying out their functions, the national enforcement bodies shall, where relevant, take into account the information submitted to them by a body designated to handle complaints in accordance with Article 26a(1).

5. In the event of services between two or more Member States, monitoring activities may be performed jointly by national enforcement bodies.

6. Member States shall ensure that their respective national enforcement bodies are given sufficient powers to take enforcement actions.

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7. Where a carrier invokes extraordinary circumstances as a justification for refusing compensation under this Regulation, that carrier shall substantiate its claim by providing, upon the request of the national enforcement body, all necessary evidence.

8. By 30 June 2030, and every five years thereafter, the national enforcement bodies shall publish reports on their activities, including, where relevant, on penalties applied. Those reports shall be made available on the website of the European Maritime Safety Agency.

9. Carriers, travel agents and tour operators shall give their contact details to the national enforcement body or bodies of the Member States in which they operate and shall promptly update them when necessary.';

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(8) the following article is inserted:

'Article 26a

Passengers' complaints to designated bodies

1. Without prejudice to the rights of consumers to seek alternative dispute resolution pursuant to Directive 2013/11/EU of the European Parliament and of the Council, Member States shall each designate a body for passenger complaints pursuant to this Regulation (the "body for passenger complaints"').*

2. If the body for passenger complaints is different from the national enforcement body designated pursuant to Article 25, Member States shall inform the Commission of the body for passenger complaints. The Commission and the body for passenger complaints shall publish that information on their websites.

3. Any passenger may submit a complaint, in accordance with national law, to the body for passenger complaints, or to any other competent body designated by a Member State, about an alleged infringement of this Regulation.

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4. The passenger may also submit a complaint, in accordance with national law, to the body for passenger complaints where:

(a) the original complaint submitted to the carrier or the terminal operator pursuant to Article 24 was rejected; or

(b) the carrier or terminal operator does not reply within three months from the date on which the passenger submitted the original complaint pursuant to Article 24.

5. The body for passenger complaints shall acknowledge receipt of the complaint within 14 days of receiving it. Where the body for passenger complaints has the power to issue enforceable decisions in individual cases, it shall provide the passenger with a substantiated reply to their complaint within a reasonable period of time. Where the body for passenger complaints does not have such a power, it may issue an opinion or recommendation on the complaint and it shall inform the passenger about available means to seek redress, including the right to submit a complaint to alternative dispute resolution bodies, and shall inform the passenger of the applicable deadlines.

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6. The obligation under paragraph 5 of this Article to inform the passengers about their right to seek redress with an alternative dispute resolution body may be fulfilled by referring them to the interactive tool hosting a list of notified alternative dispute resolution entities, maintained by the Commission pursuant to Article 20 of Directive 2013/11/EU, or, where appropriate, to the designated alternative dispute resolution contact points notified to the Commission under Article 24 of that Directive.

7. The complaint-handling procedure shall be made available to disabled persons or persons with reduced mobility in an accessible format.

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* *Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63, ELI: http://data.europa.eu/eli/dir/2013/11/oj).';*

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(9) Article 27 is replaced by the following:

'Article 27

Exchange of information and cross-border cooperation between national enforcement bodies

1. Where a Member State designates different bodies pursuant to Articles 25 and 26a of this Regulation, those bodies shall ensure the exchange of relevant information between them, in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council*, in order to help the national enforcement body to carry out its tasks of supervision and enforcement, and so that the body for passenger complaints designated pursuant to Article 26a of this Regulation can collect the information necessary to examine individual complaints.

2. The national enforcement bodies of the Member States shall exchange information on their work and decision-making principles and practices for the purpose of cross-border coordination. The Commission shall support them in that task.

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* ***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) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).':***

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(10) the following article is inserted:

‘Article 27a

Information about suspected practices of non-compliance

1. The Commission ***may alert*** the national enforcement bodies ***about*** specific suspected practices of non-compliance with the obligations laid down in this Regulation by one or more carriers, terminal operators, ***port*** authorities, travel agents, ticket vendors or tour operators***. Where, in accordance with its powers and procedures pursuant to national law, the national enforcement body initiates any investigation, it shall inform*** the Commission, ***upon*** request, ***of its findings***.

2. Paragraph 1 shall be without prejudice to the operational independence of the national enforcement bodies.’;

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(11) Article 28 is replaced by the following:

'Article 28
Penalties

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures and shall notify it without delay of any subsequent amendment affecting them.

2. In the framework of cooperation referred to in Article 27, the national enforcement body designated under Article 25, or any other competent national authority acting on its behalf may, at the request of the body handling the complaint pursuant to Article 26a, investigate an alleged infringement of this Regulation and, where necessary, impose penalties.';

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(12) the following article is inserted:

‘Article 28a

Passenger Rights Committee

1. The Commission shall be assisted by the committee referred to in Article 38 of Regulation (EU) 2021/782 of the European Parliament and of the Council*.

2. Where reference is made to this paragraph, Article ***4*** of Regulation (EU) No 182/2011 shall apply. ▌

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

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(13) Article 29 is replaced by the following:

'Article 29
Report

By … [five years from the date of entry into force of this amending Regulation], and every five years thereafter, the Commission shall report to the European Parliament and to the Council on the operation, enforcement and the results of this Regulation. The report shall, where necessary, be accompanied by appropriate legislative proposals.';

(14) The following article is inserted:

'Article 29a
Review of service quality standards

1. By … [five years from the date of entry into force of this amending Regulation], the Commission shall carry out a comprehensive evaluation of all service quality standards, as part of the first report on the operation, enforcement and the results of this Regulation.

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2. That evaluation shall examine in particular:

(a) measurable benefits for passengers, in particular disabled persons and persons with reduced mobility, under this Regulation, including in comparison with the various service quality standards in other modes of transport;

(b) the effectiveness of such standards when compared to other means with the potential to achieve comparable results for passengers, in terms of cost-efficiency, proportionality and administrative burdens incurred on market actors and authorities.

3. On the basis of the findings in the comprehensive evaluation, the Commission may, where appropriate, submit a legislative proposal to adjust service quality standards in this Regulation accordingly.';

(15) Annexes II and III are replaced by the text set out in Annex II to this Regulation.

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Article 4

Amendments to Regulation (EU) No 181/2011

Regulation (EU) No 181/2011 is amended as follows:

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

‘2. As regards the services referred to in paragraph 1 of this Article, but where the scheduled distance of the service is shorter than 250 km, Article 4(2), Article 9, Article 10(1), Article 13a, Article 16(1), point (b), Article 16(2), Article 17(1) and (2), Article 24, Article 25, Article 25a (in so far as it refers to information referred to in Articles 24 and 25), Article 26, Article 28, Article 29 and Article 29a shall apply.’;

(2) in Article 3, the following points are added:

‘(r) “recognised assistance dog” means a dog specifically trained to increase the independence and self-determination of disabled persons, officially recognised in accordance with applicable national rules, where such rules exist;

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(s) "accessible format" means a format that gives a disabled person or a person with reduced mobility access to any relevant information, including by providing that person with access in as feasible and as comfortable a manner as a person without an impairment or disability, and which meets accessibility requirements defined in accordance with the applicable Union law, in particular Directive (EU) 2019/882 of the European Parliament and of the Council[*].*

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[*] *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).';*

(3) The following article is inserted:

'Article 13a

Service quality standards for assistance

Carriers that do not qualify as small or medium-sized enterprises within the meaning of the Annex to Commission Recommendation 2003/361/EC[*]*, and, where relevant, terminal managing bodies of terminals referred to in Article 12 of this Regulation, shall establish and make publicly available, including in an accessible format, service quality standards for assistance to the disabled persons and persons with reduced mobility, covering at least the matters set out in Annex III to this Regulation.*

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Carriers and terminal managing bodies referred to in the first subparagraph shall monitor their performance in accordance with those standards and shall, upon request, provide the national enforcement body or bodies with information on that performance. With a view to the evaluation by the Commission of the service quality standards under Article 32a, carriers and, where relevant, terminal managing bodies shall, upon request, provide the Commission with information on that performance during the first five years from … [the date of entry into force of this amending Regulation].

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* ***Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: http://data.europa.eu/eli/reco/2003/361/oj).';***

(4) the following article is inserted:

'Article 19a

Submission of reimbursement and compensation requests

1. The Commission shall adopt an implementing act establishing a common form for reimbursement and compensation pursuant to Article 19 ▌ ***(the "common form")***. That common form shall be established in ***an*** accessible ***format. The Commission shall make the common form available on its website in all the official languages of the Union. That*** implementing act shall be adopted in accordance with the ***advisory*** procedure referred to in Article ***31a(2)***.

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2. Following travel disruptions, carriers shall, where possible and without undue delay, provide to passengers a common form as referred to in paragraph 1, or a link allowing direct access to that form.

3. The requirement set out in paragraph 2 shall not apply to carriers who make use of other means of communication allowing passengers to request reimbursement or compensation, such as a carrier's own electronic form made available on its website, a paper form or a mobile application, provided that such means offer, in an accessible format, the choice and information set out in the common form and are available in at least the language of the booking.

4. ▌Passengers shall have the right to submit their requests ***for reimbursement or compensation*** using the ***form provided by the carrier in accordance with paragraph 2 or 3, or by other means***. Carriers shall not reject a request ▌ on the grounds that the passenger has not used ***the common form or the form provided in accordance with paragraph 3, or that the passenger has sent the form by means other than electronic means.***

Passengers shall have the right to submit their request in at least the language of the booking.

If a request is not sufficiently precise, the carrier shall ask the passenger to clarify ***or complete*** that request***. If requested additional information is outside the scope of standard information covered by the common form, the carrier*** shall give reasons for ***its request***.

▌

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5. ***Without prejudice to paragraphs 2 and 3,*** carriers shall ***provide clear information on their websites regarding the various*** electronic means ***that allow*** passengers to request reimbursement or compensation ▌, such as ***an e-mail address, electronic forms*** or mobile applications***. When*** passengers ***submit their request through electronic means, they*** shall ***receive an electronic confirmation as proof that such requests have been submitted***.';

▌

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

'1. In the event of cancellation or delay in departure of a regular service, passengers departing from terminals shall be informed by the carrier or, where appropriate, the terminal managing body, of the situation and of their passenger rights under this Regulation as soon as possible and in any event no later than 30 minutes after the scheduled departure time, and of the estimated departure time as soon as that information is available.';

▌

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(6) Article 24 is ***replaced by the following***:

'Article 24
Right to travel information

Carriers and terminal managing bodies shall, within their respective areas of competence, provide passengers with adequate information throughout their travel, in accessible format, and in the same languages as those in which information is generally made available to all passengers. ***That information shall be provided by electronic means, where technically possible.';***

(7) in Article 25, paragraph 1 is replaced by the following:

'1. When selling tickets for bus and coach services, carriers and terminal managing bodies shall, within their respective areas of competence, ensure that passengers are provided with ***the following***:

(a) appropriate and comprehensible information regarding their rights and obligations under this Regulation;

(b) contact details of carriers or, where appropriate, terminal managing bodies;

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(c) contact details of the enforcement body or bodies designated by the Member State pursuant to Article 28(1).

The information ***referred to in the first subparagraph*** shall also be provided by electronic means***, if technically possible and*** feasible, including at terminals and, where applicable, on the internet. At the request of a ***disabled*** person or a person with reduced mobility, ***that*** information shall be provided ▌ in an accessible format. ▌ ';

(8) the following article is inserted:

'Article 25a
Means of communication with passengers

The information referred to in Articles 20, 24 and 25(1)***,*** shall be provided ***by electronic means***, where technically possible, ***and in an accessible format***.

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Where information is provided by electronic means, carriers, terminal managing bodies, ticket vendors, travel agents and tour operators shall ensure that ▌ any written correspondence, including the date and time of such correspondence, ***can be kept for further reference. The burden of proof with regard to the provision of the necessary information to passengers shall be on the carriers, terminal managing bodies, ticket vendors and travel agents***. All means of communication shall enable the passenger to contact them quickly and communicate efficiently.';

(9) Article 26 is replaced by the following:

'Article 26
Complaints to the carrier or terminal managing body

1. Each carrier and terminal managing body shall set up a complaint-handling mechanism for the rights and obligations covered by this Regulation in their respective fields of responsibility.

2. Passengers may submit a complaint to any carrier or terminal managing body regarding their respective fields of responsibility by means of the mechanism referred to in paragraph 1. Such a complaint shall be submitted within three months from the date on which the service was performed or when a service should have been performed.

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3. Within seven working days of receiving the complaint, the addressee shall confirm receipt of the complaint to the passenger. Within one month of receiving the complaint, the addressee shall either provide a reasoned reply or, in duly justified cases, inform the passenger that they will receive a final reply no later than three months from the date of receipt of the complaint.

4. The final reply shall also contain the relevant contact details of the body or bodies responsible for the handling of complaints under Article 29a. This obligation may be fulfilled by referring the passenger to the list of complaint handling bodies made available by the Commission.

5. The burden of proof with regard to the provision of the requisite information to passengers shall be on the carrier or terminal managing body.

6. Details of the complaint-handling procedure shall be made available to the public, including to disabled persons and persons with reduced mobility, in an accessible format. This information shall be available at least in the same languages as those in which information is generally made available to all passengers. The carrier shall inform the passenger of the details of the complaint-handling procedure at the time of the reservation or the advance purchase of the ticket, where applicable.';

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(10) Article 27 is deleted;

(11) Articles 28 and 29 are replaced by the following:

'Article 28
Designation of national enforcement bodies

1. Each Member State shall designate a national enforcement body or bodies responsible for the enforcement of this Regulation as regards regular services from points situated in its territory and regular services from a third country to such points.

2. Each national enforcement body shall be independent in its organisation, funding decisions, legal structure and decision-making of any carrier, tour operator, terminal managing body or the commercial interests of other persons or entities.

3. Member States shall inform the Commission of the national enforcement bodies designated in accordance with this Article and of the respective responsibilities of those bodies, including any changes thereto. The Commission and the designated national enforcement bodies shall publish that information on their websites.

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Article 29

Enforcement tasks

1. The national enforcement body shall closely monitor compliance with this Regulation and shall take the measures necessary to ensure that the rights of passengers are upheld.

2. The monitoring shall be carried out in accordance with Union law, national standards and applicable rules. It may be based on a factual assessment that takes into account complaints made by passengers under Article 29a, where available, as well as on findings of the previous monitoring activities carried out by the national enforcement bodies, on information received in accordance with paragraph 3 of this Article and Article 30, as well as on other sources of information pertaining to the application of this Regulation in the territory of the respective Member State. Monitoring activities may include audits, inspections, interviews, and the examination of documents.

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3. The national enforcement bodies may request carriers, tour operators and terminal managing bodies to provide documents and information that are relevant for the purposes of carrying out their functions as referred to in paragraph 1. Such documents and information shall be provided within one month from the receipt of the request, unless specified otherwise by the national enforcement body.

4. In carrying out their functions, the national enforcement bodies shall, where relevant, take into account the information submitted to them by a body designated to handle complaints in accordance with Article 29a(1).

5. In the event of services between two or more Member States, monitoring activities may be performed jointly by national enforcement bodies.

6. Member States shall ensure that their respective national enforcement bodies are given sufficient powers to take enforcement actions.

7. By 30 June 2030, and every five years thereafter, the national enforcement bodies shall publish reports on their activities, including, where relevant, on penalties applied.';

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(12) The following article is inserted:

'Article 29a
Passengers' complaints to designated bodies

1. Without prejudice to the rights of consumers to seek alternative dispute resolution pursuant to Directive 2013/11/EU of the European Parliament and of the Council*, Member States shall each designate a body for passenger complaints pursuant to this Regulation (the "body for passenger complaints").

2. If the body for passenger complaints is different from the national enforcement body designated in compliance with Article 28, Member States shall inform the Commission of the body for passenger complaints. The Commission and the body for passenger complaints shall publish that information on their websites.

3. Any passenger may submit a complaint, in accordance with national law, to the body for passenger complaints, or to any other competent body designated by a Member State, about an alleged infringement of this Regulation.

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4. The passenger may also submit a complaint, in accordance with national law, to the body for passenger complaints where:

(a) the original complaint submitted to the carrier or the terminal managing body pursuant to Article 26 was rejected; or

(b) the carrier or terminal managing body does not reply within three months from the date on which the passenger submitted the original complaint pursuant to Article 26.

5. The body for passenger complaints shall acknowledge receipt of the complaint within two weeks of receiving it. Where the body for passenger complaints has the power to issue enforceable decisions in individual cases, it shall provide the passenger with a substantiated reply to their complaint within a reasonable period of time. Where the body for passenger complaints does not have such a power, it may issue an opinion or recommendation on the complaint and shall inform the passenger about available means to seek redress including the passenger's right to submit a complaint to alternative dispute resolution bodies, and shall inform the passenger of the applicable deadlines.

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6. The obligation under paragraph 5 of this Article to inform the passengers about their right to seek redress with an alternative dispute resolution body may be fulfilled by referring them to the interactive tool hosting a list of notified alternative dispute resolution entities, maintained by the Commission pursuant to Article 20 of Directive 2013/11/EU, or, where appropriate, to the designated alternative dispute resolution contact points notified to the Commission under Article 24 of that Directive.

7. The complaint-handling procedure shall be made available to disabled persons and to persons with reduced mobility in accessible format.

** Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63, ELI: http://data.europa.eu/eli/dir/2013/11/oj).';*

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(13) Article 30 is replaced by the following:

'Article 30

Exchange of information and cross-border cooperation between national enforcement bodies

1. Where a Member State designates different bodies under Articles 28 and 29a of this Regulation, those bodies shall ensure the exchange of relevant information between them, in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council*, in order to help the national enforcement body to carry out its tasks of supervision and enforcement, and so that the body for passenger complaints designated in accordance with Article 29a of this Regulation can collect the information necessary to examine individual complaints.

2. The ***national enforcement bodies of the Member States shall exchange information on their work and decision-making principles and practices for the purpose of cross-border coordination. The Commission shall support them in that task.***

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* ***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) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).';***

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(14) the following article is inserted:

‘Article 30a

Information about suspected practices of non-compliance

1. The Commission ***may alert*** the national enforcement bodies ***about*** specific suspected practices of non-compliance with the obligations laid down in this Regulation by one or more carriers, terminal managing bodies, ticket vendors, travel agents or tour operators***. Where, in accordance with its powers and procedures pursuant to national law, the national enforcement body initiates any investigation, it shall inform*** the Commission, ***upon*** request, ***of its findings***.

2. Paragraph 1 shall be without prejudice to the operational independence of the national enforcement bodies.’;

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(15) Article 31 is replaced by the following:

'Article 31

Penalties

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures and shall notify it without delay of any subsequent amendment affecting them.

2. In the framework of cooperation referred to in Article 30, the national enforcement body, designated under Article 28, or any other competent national authority acting on its behalf may, at the request of the body designated pursuant to Article 29a, investigate an alleged infringement of this Regulation and, where necessary, impose penalties.';

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(16) the following article is inserted:

‘Article 31a

Passenger Rights Committee

1. The Commission shall be assisted by the committee referred to in Article 38 of Regulation (EU) 2021/782 of the European Parliament and of the Council*.

2. Where reference is made to this paragraph, Article ***4*** of Regulation (EU) No 182/2011 ***of the European Parliament and of the Council***** shall apply. ▌

_____

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

** ***Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).’;***

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(17) ***Article 32 is replaced by the following:***

'Article 32
Report

By … [five years from the date of entry into force of this amending Regulation], and every five years thereafter, the Commission shall report to the European Parliament and to the Council on the operation, enforcement and the results of this Regulation. The report shall, where necessary, be accompanied by appropriate legislative proposals.';

(18) the following article is inserted:

'Article 32a
Review of service quality standards

1. By … [five years from the date of entry into force of this amending Regulation], the Commission shall carry out a comprehensive evaluation of all service quality standards, as part of the first report on the operation, enforcement and the results of this Regulation.

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2. That evaluation shall examine in particular:

(a) measurable benefits for passengers, in particular disabled persons and persons with reduced mobility, under this Regulation, including in comparison with various service quality standards in other modes of transport;

(b) the effectiveness of such standards when compared to other means with the potential to achieve comparable results for passengers, in terms of cost-efficiency, proportionality and administrative burdens incurred on market actors and authorities.

3. On the basis of the findings in the comprehensive evaluation, the Commission may, where appropriate, submit a legislative proposal to adjust service quality standards in this Regulation accordingly.';

(19) the text set out in Annex III to this Regulation is added as Annex III to Regulation (EU) No 181/2011.

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Article 5

Amendments to Regulation (EU) 2021/782

Regulation (EU) 2021/782 is amended as follows:

(1) in Article 3, the following points are added:

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

(24) "accessible format" means a format that gives a person with disabilities or a person with reduced mobility access to any relevant information, including by providing that person with access in as feasible and as comfortable a manner as a person without an impairment or disability, and which meets accessibility requirements defined in accordance with the applicable Union law, in particular Directive (EU) 2019/882 of the European Parliament and of the Council*.

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* ***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).';***

(2) ***Article 8 is replaced by the following:***

‘Article 8
Obligation to provide information concerning discontinuation of services

Railway undertakings or, where appropriate, competent authorities responsible for a public service railway contract shall make public by appropriate means, including in an accessible format, and before their implementation, decisions to discontinue services either permanently or temporarily.’;

(3) in ***Article 9, paragraph 3 is replaced by the following:***

‘3. The information referred to in paragraphs 1 and 2 shall be provided in the most appropriate format, where possible based on real-time travel information, including by using appropriate communication technologies. Particular attention shall be paid to ensuring that this information is available in an accessible format.’;

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(4) Article 20 is amended as follows:

(a) in paragraph 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 of persons with reduced mobility and the needs of recognised assistance dogs shall be taken into account, whenever possible;’;

(b) 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 of persons with reduced mobility, as well as to those of any accompanying persons and those of recognised assistance dogs.’;

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(5) Article 22 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Upon request, a station manager, a railway undertaking, a ticket vendor or a tour operator shall provide persons with disabilities and persons with reduced mobility with information, including in an accessible format, on the accessibility of the station and associated facilities, and of rail services and on the access conditions of rolling stock in accordance with the access rules referred to in Article 21(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board.’;

(b) paragraph 3 is replaced by the following:

‘3. In unstaffed stations, railway undertakings and station managers shall ensure that easily available information, including in an accessible format, is displayed in accordance with the access rules referred to in Article 21(1) regarding the nearest staffed stations and regarding directly available assistance for persons with disabilities and persons with reduced mobility.’;

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(6) in ***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;’;

(7) Article 25 is amended as follows:

(a) the title is replaced by the following:

‘Article 25
Compensation in respect of mobility equipment, assistive devices and recognised assistance dogs’

(b) paragraph 1 is replaced by the following:

‘1. Where railway undertakings or 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 or persons with reduced mobility, they shall be liable for that loss, damage or injury, and shall provide compensation without undue delay. That compensation shall comprise:

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

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(b) the cost of replacement or the treatment of the injury of a recognised assistance dog that was lost or injured; and

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

(8) Article 28 is amended as follows:

(a) paragraph 3 is replaced by the following :

'3. Details of the complaint-handling procedure shall be accessible to the public, including to persons with disabilities and to persons with reduced mobility in an accessible format. That information shall be available at least in the official language or languages of the Member State in which the railway undertaking is operating.';

(b) the following paragraph is inserted:

'3a. Where the rail undertaking invokes the exemption from paying compensation provided for in Article 19(10), it shall, in its reply, inform the passenger of the specific circumstances responsible for the delay, missed connection or cancellation.';

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(9) Article 30 is replaced by the following:

'Article 30

Information to passengers about their rights

1. When selling tickets for journeys by rail, railway undertakings, station managers, ticket vendors and tour operators shall inform passengers of their rights and obligations under this Regulation. In order to comply with this information requirement, they may use a summary of the provisions of this Regulation prepared by the Commission in all official languages of the Union and made available to them. They shall provide that information, in either paper or electronic format, or by any other means, including in an accessible format. They shall specify where, in the event of cancellation, missed connection or long delay, such information can be obtained.

2. Railway undertakings and station managers shall inform passengers in an appropriate manner, including in an accessible format, at the station, on the train and on their website, of their rights and obligations under this Regulation, and of the contact details of the body or bodies designated by Member States pursuant to Article 31.';

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(10) the following article is inserted:

‘Article 30a

Means of communication with passengers

Where information under this Regulation is provided to passengers by electronic means of communication, railway undertakings, station managers, ▌ ticket vendors and tour operators shall ensure that ▌ any written correspondence, including the date and time of such correspondence, ***can be kept for further reference. The burden of proof with regard to the provision of the necessary information to passengers shall be on the railway undertakings, station managers and ticket vendors***. All means of communication shall enable the passenger to contact them quickly and communicate efficiently. ▌

(11) in Article 32, the following paragraphs are inserted:

‘2a. Member States shall ensure that their respective national enforcement bodies are given sufficient power to take enforcement actions.

2b. In the event that the railway undertaking invokes the exemption from paying compensation provided for in Article 19(10), it shall, upon the request of the national enforcement body, provide adequate evidence of such exemption.’;

▌

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(12) the following article is inserted:

‘Article 34a

Information about suspected practices of non-compliance

▌

1. ▌ The Commission ***may alert*** the national enforcement bodies ***about*** specific suspected practices of non-compliance with the obligations laid down in this Regulation by one or more railway undertakings, infrastructure managers, station managers, ticket vendors or tour operators***. Where, in accordance with its powers and procedures pursuant to national law, the national enforcement body initiates any investigation, it shall inform*** the Commission, ***upon*** request, ***of its findings*** .

2. Paragraph 1 shall be without prejudice to the operational independence of the national enforcement bodies.’;

(13) In Article 38, paragraph 2 is replaced by the following:

‘2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.’;

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(14) Article 39 is replaced by the following:

'Article 39
Report

By … [five years from the date of entry into force of this amending Regulation], and every five years thereafter, the Commission shall report to the European Parliament and to the Council on the operation, enforcement and the results of this Regulation. The report shall, where necessary, be accompanied by appropriate legislative proposals.';

(15) the following article is inserted

'Article 39a
Review of service quality standards

1. By … [five years from the date of entry into force of this amending Regulation], the Commission shall carry out a comprehensive evaluation of all service quality standards, as part of the first report on the operation, enforcement and the results of this Regulation.

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2. That evaluation shall examine in particular:

(a) measurable benefits for passengers, in particular persons with disabilities and persons with reduced mobility, under this Regulation, including in comparison with various service quality standards in other modes of transport;

(b) the effectiveness of such standards when compared to other means with the potential to achieve comparable results for passengers, in terms of cost-efficiency, proportionality and administrative burdens incurred on market actors and authorities.

3. On the basis of the findings in the comprehensive evaluation, the Commission may, where appropriate, submit a legislative proposal to adjust service quality standards in this Regulation accordingly.'.

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*Article **6***

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply ***from 23 October 2027***.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at …,

For the European Parliament	*For the Council*
The President	*The President*

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I

ANNEX I

‘ANNEX I

Assistance under the responsibility of the managing bodies of airports

Assistance and arrangements necessary to enable disabled persons and persons with reduced mobility to:

– ***communicate their arrival at an airport and their request for assistance at the designated points inside and outside terminal buildings referred to in Article 5,***

– ***move from a designated point to the check-in counter,***

– ***check-in and register baggage,***

– ***proceed from the check-in counter to the aircraft, with completion of border control, customs and security procedures,***

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– ***board the aircraft, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,***

– ***proceed from the aircraft door to their seats,***

– ***store and retrieve baggage on the aircraft,***

– ***proceed from their seats to the aircraft door,***

– ***disembark from the aircraft, with the provision of lifts, wheelchairs or other necessary assistance, as appropriate,***

– ***proceed from the aircraft to the baggage hall and retrieve baggage, with completion of border control and customs procedures,***

– ***proceed from the baggage hall to a designated point,***

– ***reach connecting flights when in transit, with assistance on the air and land sides and within and between terminals as needed,***

– ***move to the toilet facilities if required.***

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Where a disabled person or a person with reduced mobility is assisted by an accompanying person, this accompanying person must, if requested, be allowed to provide the necessary assistance in the airport and with embarking and disembarking.

Ground handling of all necessary mobility equipment, including equipment such as electric wheelchairs, subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods.

Temporary replacement of damaged or lost mobility equipment, albeit not necessarily on a like-for-like basis.

Complaints and compensation procedure for damaged or lost mobility equipment.

Ground handling of recognised assistance dogs, where relevant.

Communication, in accessible formats, of information needed to take flights, including:

– ***general guidance on minimum presentation time at the designated meeting points within the terminal and on minimum connecting time between terminals,***

– ***safety provisions applied,***

– ***accessibility of the terminal.***

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ANNEX II

Assistance by air carriers

Carriage of recognised assistance dogs in the cabin, subject to national regulations. Transport of mobility equipment, including procedures for complaints and compensation for damage or loss of such equipment.

In addition to medical equipment, transport of up to two pieces of mobility equipment per disabled person or per person with reduced mobility, including electric wheelchairs (subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods).

Communication, in accessible formats, of essential information concerning a flight, including:

– ***accessibility of aircrafts,***

– ***conditions under which an accompanying person is required,***

– ***conditions under which the transport service may be refused.***

The making of all reasonable efforts to arrange seating to meet the needs of disabled persons or persons with reduced mobility on request and subject to safety requirements and availability.

Assistance in moving to toilet facilities if required.

Where a disabled person or person with reduced mobility is assisted by an accompanying person, the air carrier will make all reasonable efforts to give such accompanying person a seat next to the disabled person or the person with reduced mobility.’.

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'ANNEX II

ASSISTANCE IN PORTS, INCLUDING EMBARKATION AND DISEMBARKATION, AS REFERRED TO IN ARTICLES 10 AND 13

1. Assistance and arrangements necessary to enable disabled persons and persons with reduced mobility to:

- ***communicate their arrival at a port terminal or, if possible, a port and their request for assistance,***
- ***move from an entry point to the check-in counter, if any, or to the ship,***
- ***check in and register baggage, if necessary,***
- ***proceed from the check-in counter, if any, to the ship, through border control and security points,***
- ***embark the ship, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,***
- ***proceed from the ship door to their seats/area,***
- ***store and retrieve baggage on the ship,***
- ***proceed from their seats to the ship door,***

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– *disembark from the ship, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,*

– *retrieve baggage, if necessary, and proceed through border control and customs points,*

– *proceed from the baggage hall or the disembarkation point to a designated point of exit,*

– *if required, make their way to the toilet facilities (if any).*

2. Where a disabled person or person with reduced mobility is assisted by an accompanying person, that accompanying person must, if requested, be allowed to provide the necessary assistance in the port and with embarking and disembarking.

3. Handling of all necessary mobility equipment, including equipment such as electric wheelchairs.

4. Temporary replacement of damaged or lost mobility equipment with equipment which is a suitable alternative.

5. Complaints and compensation procedure for damaged or lost mobility equipment.

6. Ground handling of recognised assistance dogs, where relevant.

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7. Communication, in accessible formats, of information needed to embark and disembark, including:

- *general guidance on minimum presentation time at the designated meeting points within the port and on minimum connecting times between port terminals,*
- *safety provisions applied,*
- *accessibility of the terminal.*

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ANNEX III

ASSISTANCE ON BOARD SHIPS AS REFERRED TO IN ARTICLES 10 AND 13

1. *Carriage of recognised assistance dogs on board the ship, subject to national regulations.*

2. *Carriage of medical equipment and of the mobility equipment necessary for the disabled person or the person with reduced mobility, including electric wheelchairs.*

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3. Information on complaints and compensation procedures for damaged or lost equipment.

4. Communication, in accessible formats, of essential information concerning a route and the accessibility of the means of transport.

5. Conditions under which the transport service may be refused.

6. Making all reasonable efforts to arrange seating to meet the needs of disabled persons or persons with reduced mobility on request and subject to safety requirements and availability.

7. If required, assistance in moving to toilet facilities (if any).

8. Conditions under which an accompanying person is required.

9. Where a disabled person or a person with reduced mobility is assisted by an accompanying person, the carrier shall make all reasonable efforts to give such accompanying person a seat or a cabin next to the accompanied disabled person or the accompanied person with reduced mobility.'.

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ANNEX III

‘ANNEX III

MINIMUM SERVICE QUALITY STANDARDS

FOR CARRIERS AND TERMINAL MANAGING BODIES

1. Information to ***disabled persons and persons with reduced mobility*** in a transparent, accessible, non-discriminatory, effective and proportionate manner ***about:***

(a) their rights under this Regulation;

(b) the applicable safety provisions and restrictions;

(c) the requirements regarding the carriage of recognised assistance dogs;

(d) the conditions under which the presence of an accompanying person is required (for carriers only);

(e) the accessibility of the buses and coaches operated (for carriers only);

(f) the accessibility of the terminals (for terminal managing bodies only);

(g) general guidance on minimum check-in and presentation times at the designated meeting points within the terminal;

(h) the conditions for the transport of mobility equipment (for carriers only).

2. ***Procedure for complaints and compensation in respect of damaged or lost mobility equipment.***

3. ***Implementation of the disability awareness and assistance training.***

4. ***Cooperation with organisations representing disabled persons and persons with reduced mobility.***

5. ***Conditions under which the transport service may be refused.’.***

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