

# Key points for consumers

## PASSENGER RIGHTS

### Enforcement and online booking intermediaries



## Why it matters to consumers

EU passenger rights create common and harmonised rules making sure passengers are protected. The rights cover all transport modes and apply to over 13 billion consumers annually. However, travel markets have evolved and new actors such as online booking intermediaries have emerged. Recent crises have highlighted shortcomings of current regulations, lax enforcement in particular. The COVID-19 pandemic has also revealed legal gaps among passenger rights instruments.

This two-pager summarises [BEUC's position](#) on the passenger rights proposal on enforcement. Overall, BEUC is disappointed with the proposal and believes the EU can do better to protect passengers and their rights. While information rules for online booking are welcomed, the proposal does not sufficiently address enforcement and fails to correct discrepancies between Passenger Rights Frameworks and the Package Travel Directive (PTD).

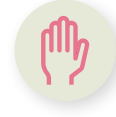
The table assesses the articles and content with the following symbols, illustrating whether BEUC:



what BEUC supports



what can be improved



what is missing

### COMMISSION PROPOSAL

### BEUC POSITION

Refund and transparency rules for airline tickets booked via online booking intermediaries.



BEUC supports the new refund and transparency rules for airline tickets booked via online booking intermediaries. We however regret that such rules are not replicated for tickets bought via intermediaries in all transport modes.

Information on passenger rights when booking trips and when travel gets disrupted.



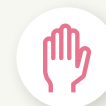
There needs to be consistency between different modes of transport.

Standardised EU-wide refund and compensation forms for all modes of transport.



Creating an EU-wide standardised form would make it easier for individual consumers to seek redress. But to make sure this is efficient, the form should be automatically sent to consumers' inboxes in case of disruption. This would ensure that consumers are quickly informed and can easily assert their rights.

Enforcement and redress.

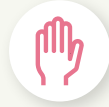


The proposed measures on enforcement are insufficient to truly empower passengers to exercise their rights easily and swiftly. What is essential is automated refund and compensation schemes (where possible), mandatory Alternative Dispute Resolution (ADR) participation, as well as harmonized powers for authorities to investigate, enforce and sanction.

## COMMISSION PROPOSAL

## BEUC POSITION

Further regulation for intermediaries.



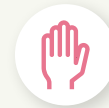
Proposed rules are limited in scope and do not tackle all problematic practices encountered by consumers.

Insolvency protection.



There is **still no** mandatory insolvency protection scheme for airlines despite [ample evidence](#) of consumer harm and joint calls from consumer and tourism industry representatives to align the Package Travel Directive and the Air Passenger Rights Regulation.

Cancellation rights.



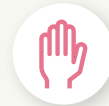
There are **still no** statutory rights for passengers to cancel their tickets, leaving them unprotected if carriers decide to maintain flights, despite negative travel warnings for example. This leads to important losses for consumers. Consistency with the Package Travel Directive (PTD) should be ensured.

Minimum rules on vouchers.



Clarification is needed on vouchers being voluntary, insolvency protected, and with minimum validity rules, as per the PTD proposal.

Lack of harmonisation between passenger rights frameworks.



To ensure consistency between the different frameworks, BEUC considers that several provisions of passenger rights regulations should be harmonised (deadline to refund and pay compensation etc.). In these provisions, there are no substantial grounds for having different rules depending on the mode of transport.

Security of consumer pre-payments.



Airlines and tour operators' business models based on pre-payments are precarious, as the pandemic has shown. Pre-payments must be phased out or secured in trusted accounts ('escrow schemes') to guarantee consumers' money until the contract is fulfilled.