

Brussels, 6 December 2024
(OR. en)

16535/24

**Interinstitutional File:
2023/0436(COD)**

**TRANS 535
CODEC 2281**

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	16127/24
No. Cion doc.:	16307/23 + ADD1
Subject:	Proposal for a Regulation of the European Parliament and of the Council on passenger rights in the context of multimodal journeys - Outcome of proceedings

Delegations will find enclosed, for information, the text on which the Transport, Telecommunications and Energy Council (Transport) reached a general approach on the above-mentioned proposal at its meeting on 5 December 2024.

2023/0436 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on passenger rights in the context of multimodal journeys

(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 Committee¹,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure,

Whereas:

¹ OJ C, C/2024/3382, 31.5.2024, ELI: <http://data.europa.eu/eli/C/2024/3382/oj>.

- (1) The protection of the rights of passengers travelling by air, sea and inland waterways, bus and coach, and rail when their travel plans are disrupted by long delays and cancellations was significantly improved by sectoral Union legislation on passenger rights, in particular Regulations (EC) No 261/2004², (EC) No 1107/2006³, (EU) No 1177/2010⁴, (EU) No 181/2011⁵ and (EU) 2021/782⁶ of the European Parliament and of the Council.
- (2) The implementation of the rights established and protected under those Regulations has however revealed shortcomings for passengers who perform or intend to perform a journey involving a combination of transport modes, thereby preventing the full potential of passenger rights to be realised.
- (3) In the framework of the common transport policy, it is important to safeguard the rights of passengers switching modes of transport in order to assist the development of multimodal travel and improve the choice for passengers in terms of travel options.

² 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>).

³ 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>).

⁴ 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>).

⁵ 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>).

⁶ 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>).

- (4) The Union standards of protection set by Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782 for travelling using one mode of transport should therefore be extended to cover the rights of passengers switching between modes of transport and to ensure that undertakings which are involved in a multimodal journey operate under harmonised rules.
- (5) Legal protection should be provided for passengers who perform multimodal journeys where there is no specific sectoral Union legislation.
- (6) The rights for passengers who perform multimodal journeys established in this Regulation should complement the protection that those same passengers already enjoy under the existing Union legislation on passenger rights. Therefore, this Regulation should be without prejudice to the rights and obligations under that legislation.
- (6a) Tickets for the purpose of a multimodal journey should fall within the scope of the definition of ‘single multimodal ticket’ when carriers offering such tickets have concluded between them an agreement to offer successive transport services as part of such a journey even if each carrier also has separate transport conditions in addition to such an agreement.
- (7) This Regulation should not apply to single multimodal tickets where they are part of a package and a right to reimbursement arises under Directive (EU) 2015/2302 of the European Parliament and Council⁷. In view of the protection to passengers foreseen under that Directive, this Regulation should also not apply to combined multimodal tickets where they are combined by an organiser as part of a package.

⁷ Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1, ELI: <http://data.europa.eu/eli/dir/2015/2302/oj>).

- (8) Member States should ensure that discrimination on the basis of the nationality of the passenger or the place of establishment within the Union of the carrier or intermediary is prohibited when carriers or intermediaries offer contract conditions and tariffs for multimodal journeys to the general public. Social tariffs should not be prohibited, provided that such measures are proportionate and independent of the nationality of the passenger concerned. In light of the development of online platforms selling passenger transport tickets, Member States should pay special attention to ensuring that no discrimination on the basis of nationality of the passenger or the place of establishment within the Union of the carrier or intermediary occurs during the process of accessing online interfaces or purchasing tickets. Furthermore, regardless of how a certain type of a ticket is purchased, the level of protection of the passenger should be the same.
- (9) Member States should ensure that carriers and intermediaries offering transport contracts for the purpose of a multimodal journey inform the passenger of the type of ticket or tickets associated to that journey and their corresponding rights, in particular with regard to missed connections. In particular, carriers and intermediaries offering types of tickets or tickets for multimodal journeys not falling under the general scope of this Regulation should inform passengers that those tickets do not entitle their holder to any rights under this Regulation, without prejudice to their right to be informed of the general conditions applicable to those tickets and of the rights and obligations applicable under relevant sectoral Union legislation on passenger rights.

- (10) Access to travel information, including real-time data, makes multimodal travel easier and provides passengers with a wider range of journey possibilities. In this regard, Commission Delegated Regulation (EU) 2017/1926⁸ sets out the accessibility of such travel and traffic information data via national access points. In order to avoid any unnecessary burden for carriers offering single multimodal tickets, they should be able to comply with provisions under this Regulation to provide travel information to other carriers and intermediaries selling their services to the extent where they provide this data to such national access points.
- (11) [...]
- (11a) Punctuality of transport services is important for a smooth conduct of multimodal journeys, but should not take precedence before the safety of transport service and of other users of the transport infrastructure. Notably in the case of transport by bus and coach, where the transport services share the roads with many other road users and are affected by construction or traffic measures that may always give rise to delays (for example, due to accidents, traffic jams, building sites, road closures and/or detours), particular attention should be paid to respect road traffic regulations and observe driving times and rest periods prescribed by law.
- (12) Passengers having a single multimodal ticket who miss a connection due to a delay or cancellation of a preceding service included in that ticket should be able either to obtain reimbursement of their tickets or to obtain re-routing under satisfactory conditions, and they should be adequately cared for while awaiting a later connection.

⁸ Commission Delegated Regulation (EU) 2017/1926 of 31 May 2017 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services (OJ L 272, 21.10.2017, p. 1, ELI: http://data.europa.eu/eli/reg_del/2017/1926/oj).

- (12a) In cases where an additional stay becomes necessary due to weather conditions endangering the safe operation of the transport service or to extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken, the carrier should be allowed to limit the duration of accommodation. Carriers should, in accordance with generally accepted principles, bear the burden of proving that the stay is needed due to such weather conditions or extraordinary circumstances.
- (13) Where a single multimodal ticket is booked via an intermediary, the intermediary should inform the passenger about the reimbursement process. To that end, the contracting carrier should state publicly whether it cooperates with intermediaries for the processing of reimbursements, and if so with which it does so; a negative list of intermediaries with which the contracting carrier decides not to cooperate should also be seen as fulfilling this obligation.
- (14) Correct information as regards a multimodal transport service is also essential when passengers buy tickets from intermediaries. Where intermediaries or carriers are selling separate tickets for different transport services as a bundle in the form of a combined multimodal ticket, they should clearly inform the passenger that those tickets do not offer the same level of protection as single multimodal tickets and that those tickets have not been issued as single multimodal tickets by the carrier or carriers providing the service. Where intermediaries or carriers that sold the combined multimodal ticket fail to comply with this requirement, their liability should include the reimbursement of the full cost of the ticket under the same conditions that would apply to the single multimodal ticket.
- (14a) Reimbursement procedures should be non-discriminatory and easily accessible. To make it easier for passengers to request reimbursement in accordance with this Regulation, a form that is valid throughout the Union should be established for such requests. Passengers should have the possibility to submit their requests by using such a form. While submitting requests for reimbursement through electronic means became a widespread practice, a passenger should have sufficient opportunities to submit requests in ways other than electronically and to have their matters efficiently handled through a channel other than the electronic one, for example by telephone or post.

- (15) In light of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), entered into force for the Union on 22 January 2011, and in order to give persons with disabilities and persons with reduced mobility opportunities for multimodal travel comparable to those of other citizens, rules for non-discrimination and assistance during their multimodal journey should be established. In particular, special attention should be given to the provision of information to persons with disabilities and persons with reduced mobility concerning the accessibility of transport services, access conditions of vehicles and the facilities on board when switching modes. If information to persons with disabilities and persons with reduced mobility is provided in accessible formats, it should be provided in accordance with the applicable legislation such as the accessibility requirements set out in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council⁹. In light of the benefits in terms of security, convenience and accessibility, Member States should encourage the use of European digital identity wallets for identification and authentication in multimodal transport scenarios, particularly aiding vulnerable persons or persons with disabilities.
- (15a) With regard to persons with disabilities and persons with reduced mobility, special attention should be paid to ensuring that they can make the transition from one means of transport to the other. Carriers and, where applicable, terminal managers should provide assistance in such a way that the person is able to get to the connecting transport services for which he or she holds a reservation as part of the single multimodal ticket. Subsequent assistance should be provided according to the sectoral Union legislation on passenger rights.
- (15b) The access rules for the transport of persons with disabilities, and the transport of persons with reduced mobility should be established with the active involvement of representative organisations for persons with disabilities and persons with reduced mobility and, where relevant, representatives of persons with disabilities and persons with reduced mobility. Those representatives should be consulted about the content of such access rules and should be able to give their opinion about those rules.

⁹ 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>).

- (16) In order to facilitate access to multimodal passenger services for persons with disabilities and persons with reduced mobility, Member States might require carriers and terminal managers to set up single points of contact to coordinate information and assistance.
- (17) [...]
- (17a) Terminal managers and carriers assisting persons with disabilities and persons with reduced mobility from one transport service to a connecting transport service, in the context of a single multimodal ticket, should be liable where they cause the loss of, or damage to, mobility equipment, including wheelchairs, and assistive devices, or the loss of, or injury to, recognised assistance dogs used by persons with disabilities and persons with reduced mobility during the period within which they are in charge of assisting the persons concerned. With respect to carriers, since the conditions for such liability are, for certain modes of transport, in particular air and sea, governed by international conventions to which the Union is a party, in particular by the Convention for the Unification of Certain Rules for International Carriage by Air (the Montreal Convention), concluded by Council Decision 2001/539/EC¹⁰, and the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, as amended by the Protocol of 2002 to which the Union acceded by Council Decisions 2012/22/EU¹¹ and 2012/23/EU¹², reference should be made to the sectoral Union legislation applicable to the mode of transport concerned, which lay down specific rules and, where applicable, implement those conventions into the Union law.
- (18) [...]

¹⁰ Council Decision 2001/539/EC of 5 April 2001 on the conclusion by the European Community of the Convention for the Unification of Certain Rules for International Carriage by Air (the Montreal Convention) (OJ L 194, 18.7.2001, p. 38, ELI: <http://data.europa.eu/eli/dec/2001/539/oj>).

¹¹ Council Decision 2012/22/EU of 12 December 2011 concerning the accession of the European Union to the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, with the exception of Articles 10 and 11 thereof (OJ L 8, 12.1.2012, p. 1, ELI: <http://data.europa.eu/eli/dec/2012/22/oj>).

¹² Council Decision 2012/23/EU of 12 December 2011 concerning the accession of the European Union to the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, as regards Articles 10 and 11 thereof (OJ L 8, 12.1.2012, p. 13, ELI: [http://data.europa.eu/eli/dec/2012/23\(1\)/oj](http://data.europa.eu/eli/dec/2012/23(1)/oj)).

- (19) This Regulation should not affect the rights of passengers to file a complaint with a national body or to seek legal redress in accordance with national law and international conventions where applicable, including to seek compensation for damages. This Regulation is also without prejudice to the right of carriers, intermediaries, and terminal managers to seek redress from each other or from third parties, in particular actions in contractual or non-contractual liability, in accordance with national law.
- (20) In order to maintain a high level of consumer protection in multimodal transport, Member States should be required to designate national enforcement bodies to monitor closely the application of this Regulation and to enforce it at national level. Those bodies should be able to take a variety of enforcement measures. Passengers should be able to complain to those bodies, or any other body designated by a Member State to this effect, about alleged infringements of the Regulation. It should be noted that Member States may choose to designate a national enforcement body that is also designated as the body responsible for the enforcement of other Union rules on passenger rights.

- (21) The application of this Regulation will entail the processing of personal data, including of passengers' contact details, in particular in order to provide passengers with information, to address requests for provision of assistance, reimbursement and re-routing, and to handle passengers' complaints. Processing of personal data pursuant to this Regulation by carriers, intermediaries and terminal managers should be carried out in accordance with Union law on the protection of personal data, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council¹³, for the purposes and the duration set out in this Regulation. Carriers, intermediaries and terminal managers should be allowed to retain for no longer than 72 hours after the completion of the journey passengers' contact details collected for the purpose of fulfilling their obligation in respect of passengers' travel information. Retention of such personal data for 72 hours might be necessary notably to allow those operators to inform passengers after the completion of the journey in case an incident, such as a cancellation, denied boarding, missed connection or delay, has occurred during the journey.

In the case of journey disruption, or journey cancellation, or information on passenger rights related to a combined multimodal ticket, which might subsequently give rise in particular to reimbursement requests and complaints, a longer retention period might be necessary to allow carriers, intermediaries and terminal managers to comply with their obligations under this Regulation regarding the provision of assistance, reimbursement and re-routing, and complaint-handling. Any processing of personal data should be carried out in accordance with Article 5(1) and Article 6(1) of Regulation (EU) 2016/679.

¹³ 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>).

Any processing of passengers' personal data, including retention of such data by carriers, intermediaries and terminal managers, for other purposes than the purpose for which the personal data were initially collected under this Regulation, should be carried out in accordance with Article 6(4) of Regulation (EU) 2016/679. Carriers, intermediaries and terminal managers may use passengers' personal data or keep such data for a longer period than the retention period provided with in this Regulation and for such other purposes where such processing is based on other provisions of Union law or national law. They may include processing for the purpose of dispute-resolution, including judicial proceedings, concerning the implementation of this Regulation.

Moreover, this Regulation is without prejudice to the processing of personal data based on Union law 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, it is without prejudice to the processing of personal data based on Directive (EU) 2016/681 of the European Parliament and of the Council¹⁴ and Regulation (EC) No 2111/2005 of the European Parliament and of the Council¹⁵, or national law in accordance with Article 6(4) of Regulation (EU) 2016/679 or on the applicable Union law on aviation safety and security.

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.

(22) [...]

¹⁴ 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>).

¹⁵ 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>).

- (23) Member States should lay down penalties applicable to infringements of this Regulation and ensure that these penalties are applied. The penalties should be effective, proportionate and dissuasive.
- (24) Since the objectives of this Regulation, namely the development of the Union's market for multimodal passenger transport and the establishment of passengers' rights in the context of multimodal journeys, cannot be sufficiently achieved by the Member States, and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (25) 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 examination procedure should be used for the adoption of the common forms for reimbursement and compensation requests and model activity reports.
- (26) 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 concerning, respectively, the prohibition of any form of discrimination, the integration of persons with disabilities, the ensuring of a high level of consumer protection, and the right to an effective remedy and to a fair trial. The Member States' courts must apply this Regulation in a manner consistent with these rights and principles.

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 the 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>).

(27) 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 Council¹⁷ and delivered its opinion on 24 January 2024,

HAVE ADOPTED THIS REGULATION:

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>).

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation establishes rules applicable to multimodal transport as regards the following:

- (a) non-discrimination between passengers with regard to transport conditions and the provision of tickets;
- (b) information to passengers;
- (c) passengers' rights in the event of disruption, in particular in the context of a missed connection between different transport modes;
- (d) non-discrimination against, and assistance for, persons with disabilities and persons with reduced mobility;
- (e) [...]
- (f) handling of complaints;
- (g) general rules on enforcement;
- (h) penalties.

Article 2

Scope

1. Without prejudice to paragraph 1a of this Article and to paragraph 4 of Article 2a, this Regulation shall apply to multimodal journeys, offered by carriers or intermediaries to passengers in the form of single multimodal tickets or combined multimodal tickets, where the following conditions are fulfilled:
 - (a) the journey is composed of transport services which all fall under the scope of the sectoral Union legislation on passenger rights referred to in the second subparagraph of this paragraph and none of which are covered by an exemption granted by Member States pursuant to Article 2(4) of Regulation (EU) No 1177/2010 or Article 2(2) of Regulation (EU) 2021/782. Where Member States have made use of an exemption pursuant to Article 2(5) of Regulation (EU) 2021/782 for rail services, Article 6 of this Regulation will not apply to the rail leg of the multimodal journey. Member States may exempt urban, suburban and regional rail passenger services, and international rail passenger services, of which a significant part, including at least one scheduled station stop, is operated outside the Union from the application of this Regulation, to the same extent they exempt the services from the application of Regulation (EU) 2021/782;
 - (b) where the journey involves a regular transport service by bus or coach within the meaning of Article 3, point (a), of Regulation (EU) No 181/2011, the scheduled distance of that transport service is 250 km or more; and
 - (c) the journey is composed of transport services having each a specified schedule communicated to the passenger prior to the purchase of the ticket for multimodal journey.

For the purpose of this Regulation, sectoral Union legislation on passenger rights includes, as relevant, Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782.

The condition set out in point (c) is not fulfilled where the passenger uses a travel pass or a season ticket for one or more transport services forming part of the journey, except in case the passenger made a reservation that explicitly indicates a specific schedule of all transport services forming part of that multimodal journey. Where one or more transport services forming part of the journey do not comply with the conditions set out in points (a), (b) and (c) of the first subparagraph, this Regulation shall apply to the parts of that journey consisting of at least two consecutive transport services of different modes of transport, that comply with those conditions.

- 1a. Provisions of this Regulation relating to terminals shall apply to those terminals located in the urban nodes listed in Annex II to Regulation (EU) No 2024/1679¹⁸, which fulfil all the following conditions:
- (a) the terminal serves as a connection point between transport services of at least two different modes of transport that comply with the conditions set out in paragraph 1, points (a) and (b), of this Article;
 - (b) the terminal has a terminal manager; and
 - (c) the terminal handles on average 10 000 passengers, or more, per day over a calendar year.

Member States may decide that the provisions of this Regulation relating to terminals also apply to terminals handling on average less than 10 000 passengers per day over a calendar year.

¹⁸ Regulation (EU) No 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulation (EU) 2021/1153 and Regulation (EU) No 913/2010 and repealing Regulation (EU) 1315/2013 (OJ L, 2024/1679, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1679/oj>).

Member States shall notify the Commission by ... [2 years from the date of entry into force of this Regulation] of the list of terminals on their territory to which this Regulation applies and provide the Commission with updates to that list as appropriate. Based on the information received from the Member States, the Commission shall publish the list of terminals to which this Regulation applies on its website.

2. This Regulation shall apply to carriers, intermediaries and terminal managers.

Article 2a

Relationship with other Union legal acts

1. This Regulation complements the protection offered by the sectoral Union legislation on passenger rights. Unless otherwise provided in this Regulation, this Regulation applies without prejudice to the relevant provisions of the sectoral Union legislation on passenger rights.
2. This Regulation applies without prejudice to the Union legislation on consumer protection.

For the purpose of this Regulation, Union legislation on consumer protection includes in particular Regulation (EU) 2017/2394 of the European Parliament and of the Council¹⁹, and Directives 2005/29/EC²⁰, 2011/83/EU²¹, 2013/11/EU²² and (EU) 2020/1828²³ of the European Parliament and of the Council and Council Directive 93/13/EEC²⁴.

3. This Regulation shall not apply to multimodal tickets where they are part of a package within the meaning of Directive (EU) 2015/2302.

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- ¹⁹ Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (OJ L 345, 27.12.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/2394/oj>).
- ²⁰ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') (OJ L 149, 11.6.2005, p. 22, ELI: <http://data.europa.eu/eli/dir/2005/29/oj>).
- ²¹ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64, ELI: <http://data.europa.eu/eli/dir/2011/83/oj>).
- ²² 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>).
- ²³ Directive (EU) 2020/1828 of the European Parliament and of the Council of 25 November 2020 on representative actions for the protection of the collective interests of consumers and repealing Directive 2009/22/EC (OJ L 409, 4.12.2020, p. 1, ELI: <http://data.europa.eu/eli/dir/2020/1828/oj>).
- ²⁴ Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29, ELI: <http://data.europa.eu/eli/dir/1993/13/oj>).

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘multimodal journey’ means a journey of a passenger between a point of departure and a final destination covering at least two transport services and at least two different modes of transport;
- (2) ‘carrier’ means a natural or legal person, other than an intermediary, offering transport services to the general public, namely:
 - (a) an operating air carrier as defined in Article 2, point (b), of Regulation (EC) No 261/2004;
 - (b) a railway undertaking as defined in Article 3, point (1), of Regulation (EU) 2021/782;
 - (c) a carrier as defined in Article 3, point (d), of Regulation (EU) No 1177/2010; and
 - (d) a carrier as defined in Article 3, point (e), of Regulation (EU) No 181/2011;
- (2a) ‘contracting carrier’ means a carrier which concludes a contract of carriage with a passenger in the form of a single multimodal ticket;
- (3) ‘intermediary’ means any natural or legal person, other than a carrier, who is acting, for purposes relating to their trade, business or profession, on behalf of a carrier or a passenger for the conclusion of transport contracts for multimodal journeys;
- (4) [...]
- (5) ‘ticket’ means valid evidence, regardless of its form, of the conclusion of a transport contract;
- (5a) ‘travel pass’ or ‘season ticket’ means a ticket for an unlimited number of journeys which provides the authorised holder with multimodal journey during a specified period;

- (5b) ‘reservation’ means an authorisation, on paper or in electronic form, giving entitlement to transportation subject to previously confirmed personalised transport arrangements;
- (5c) ‘full cost of the ticket’ means final price to be paid at the end of the reservation process that includes the fares for the transport services and all applicable taxes, charges, surcharges and fees paid for all optional and non-optional services included in the ticket, excluding intermediation fees, regardless of whether those extras and fees have been paid together with the fares for the transport service or separately at a later stage;
- (5d) ‘intermediation fee’ means any difference between the amount paid by the passenger and the amount received by the carrier for the same service, and which is collected by the intermediary;
- (5e) ‘durable medium’ means any instrument which enables the passenger to store information in a way accessible for future reference, for a period of time adequate for the purposes of the information and which allows the unchanged reproduction of the information stored;
- (6) ‘transport contract’ means a contract of carriage between a carrier and a passenger for the provision of one or more transport services;
- (7) ‘single multimodal ticket’ means a ticket for a multimodal journey, purchased by means of a single commercial transaction, representing a single transport contract and containing successive transport services, having each a specified schedule, operated by one or more carriers having concluded between them an agreement to offer those transport services as part of such a journey;
- (8) ‘combined multimodal ticket’ means a ticket or tickets for a multimodal journey representing separate transport contracts and containing successive transport services, having each a specified schedule, which are combined by a carrier or intermediary on its own initiative, and which are purchased by means of a single commercial transaction;
- (9) [...]

- (10) ‘transport service’ means a passenger transport service that operates between terminals or stops according to a timetable, including transport services offered for re-routing;
- (11) to (18) [...]
- (19) ‘terminal’ means an airport as defined in Article 2, point (j), of Regulation (EC) No 1107/2006, a railway station as defined in Article 3, point (22), of Regulation (EU) 2021/782, a port terminal as defined in Article 3, point (k), of Regulation (EU) No 1177/2010 or a bus or coach terminal as defined in Article 3, point (m), of Regulation (EU) No 181/2011;
- (20) ‘terminal manager’ means a managing body of the airport as defined in Article 2, point (f), of Regulation (EC) No 1107/2006, a railway station manager as defined in Article 3, point (3), of Regulation (EU) 2021/782, a port terminal operator as defined in Article 3, point (s), of Regulation (EU) No 1177/2010 or a bus terminal managing body as defined in Article 3, point (o), of Regulation (EU) No 181/2011;
- (21) [...]
- (22) [...]
- (23) ‘missed connection during a multimodal journey’ means a situation where a passenger misses one or more transport services in the course of a multimodal journey, as a result of the delay at departure or arrival, or cancellation of one or more preceding transport services, or of the departure of a transport service before the scheduled departure time, or of a denied boarding, as defined in Article 2, point (j), of Regulation (EC) No 261/2004;
- (24) ‘person with disabilities’ and ‘person with reduced mobility’ mean any person who has a permanent or temporary physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder his or her full and effective use of transport on an equal basis with other passengers or whose mobility when using transport is reduced due to age;

- (24a) ‘accessible format’ means a format that gives the person with disabilities or with reduced mobility an access to any relevant information, including allowing such person to have access as feasibly and comfortably as a person without any of the impairments or disabilities, and which meets accessibility requirements defined in accordance with the applicable legislation such Annex I to Directive (EU) 2019/882;
- (24b) ‘recognised assistance dog’ means a dog specifically trained to increase independence and self-determination of persons with disabilities, officially recognised in accordance with applicable national rules, where such rules exist.
- (25) [...]

Article 3a

Cooperation between terminal managers

Terminal managers of terminals referred to in Article 2(1b) shall cooperate with each other to fulfil their obligations under this Regulation and inform the passengers of the arrangements in place.

For that purpose, Member States may require terminal managers of terminals referred to in Article 2(1b) to adopt a cooperation agreement to determine their operational responsibilities and the reasonable and proportionate distribution of its financial consequences, or, in the absence of such an agreement, determine the cooperation rules applicable to the concerned terminal managers.

Article 3b

Processing of personal data

Carriers, intermediaries and terminal managers of terminals referred to in Article 2(1b) may only use personal data processed pursuant to this Regulation to the extent necessary for the purposes of fulfilling their obligations under this Regulation in respect of the passenger’s right to information, provision of assistance, re-routing and reimbursement, and complaint handling.

For the purposes of fulfilling their obligations in respect of the passenger's right to information, carriers, intermediaries, and terminal managers may keep such data for no longer than 72 hours after the completion of the multimodal journey.

For the purposes of fulfilling their obligations under this Regulation in respect of passengers' right to information related to a combined multimodal ticket under Article 4a(2), provision of assistance, re-routing and reimbursement, carriers, intermediaries and terminal managers may keep passengers' personal data for more than 72 hours after the completion of the multimodal journey to the extent strictly necessary to fulfil those obligations in accordance with the procedures laid down in the applicable Union law or national law.

CHAPTER II

TRANSPORT CONTRACTS AND INFORMATION

Article 4

Non-discriminatory contract conditions and tariffs

Without prejudice to social tariffs, carriers or intermediaries shall offer contract conditions and tariffs for multimodal journeys to the general public without direct or indirect discrimination on the basis of the passenger's nationality or of the place of establishment within the Union of the carrier or intermediary.

Information to passengers on their rights

1. When offering tickets for a multimodal journey and prior to the purchase, carriers and intermediaries shall inform passengers on the following:
 - (a) the type of ticket or tickets being offered, in particular whether the ticket or the tickets constitute a single multimodal ticket or a combined multimodal ticket;
 - (b) the general conditions applicable to the ticket;
 - (c) the rights and obligations, attached to the type of ticket, of the passenger, the carrier and the intermediary under this Regulation and relevant sectoral Union legislation on passenger rights, including information on the reimbursement process; and
 - (d) in the case of a single multimodal ticket, identification of the contracting carrier and its contact details.

In order to comply with the information requirement set out in point (c) of the first subparagraph, the carrier and the intermediary may use a summary of the provisions of this Regulation and of relevant sectoral Union legislation on passenger rights prepared by the Commission in all official languages of the Union and made available to the public.

2. An intermediary or a carrier which sells a combined multimodal ticket shall inform the passenger prior to the purchase, that the combined multimodal ticket consists of separate transport contracts with no rights under Articles 7, 8 and 9 to reimbursement, re-routing or assistance in the case of a missed connection. Such information shall be provided in a clear and accessible manner on a durable medium when selling the ticket.
- 2a. In the case of transfer of contracting carrier's obligations set out in Articles 7, 8 and 9 to another carrier, an intermediary which sells a single multimodal ticket or a contracting carrier shall inform the passenger of the identification of that carrier and its contact details. Such information shall be communicated prior to the purchase or as soon as it becomes available.

3. Carriers and intermediaries offering single or combined multimodal tickets shall also inform passengers in a clear and accessible manner of the contact details of the body or bodies designated by Member States pursuant to Article 20(1) and, where relevant, their respective responsibilities.
4. Carriers and intermediaries shall provide the information pursuant to this Article on a durable medium, including in accessible formats.
5. In the event of cancellation, denied boarding, missed connection or delay at departure or arrival, in the framework of multimodal journeys under a single multimodal ticket or combined multimodal ticket, carriers who sell the multimodal ticket and, to the extent possible, intermediaries shall indicate where the information referred to in paragraph 1 can be obtained.

Article 5

Travel information for passengers

1. [...]
2. Prior to the purchase, carriers and intermediaries offering tickets on behalf of one or more carriers for the purpose of a multimodal journey shall provide the passenger with the following:
 - (a) general guidance on minimum connecting times between the different types of transport services offered in the multimodal journey;
 - (b) time schedules and conditions for the fastest trip for the multimodal journey offered by the carrier or intermediary, including a specific schedule for all the transport services forming part of the multimodal journey;
 - (c) time schedules and conditions for all available fares for the multimodal journey offered by the carrier or intermediary, including a specific schedule for all the transport services forming part of the multimodal journey, highlighting the lowest fares.

- 2a. Intermediaries shall inform passengers, prior to the purchase, of the intermediation fees applied and of the amount of those fees that may be reimbursed pursuant to Article 8.
3. Terminal managers of terminals referred to in Article 2(1b) shall make publicly available information on minimum connecting times between the different types of transport services that operate at the terminal and comply with the conditions set out in Article 2(1), points (a) and (b).
4. Carriers and intermediaries offering tickets on behalf of one or more carriers for the purpose of a multimodal journey shall provide the passenger with the following information before the multimodal journey:
 - (a) to (c) [...]
 - (d) disruptions and delays affecting the multimodal journey, or indication where real-time information on disruptions and delays can be found; and
 - (e) procedures for the submission of complaints under Article 18.
5. Carriers, and, to the extent possible, intermediaries, offering single multimodal tickets and combined multimodal tickets shall provide the passenger during the journey with the following information:
 - (aa) in the case of a delay at arrival or departure, or cancellation of a service, the estimated departure time and estimated arrival time of the service or of the replacement service;
 - (a) [...]
 - (b) main connecting transport services; and
 - (c) security and safety issues occurring on board the transport service and at terminals that affect the journey in question.

6. The specific schedule for all the transport services forming part of the multimodal journey, referred to in paragraph 2, points (b) and (c), shall be indicated explicitly and clearly on a durable medium. Other information referred to in paragraphs 1 to 5 shall be provided in the most appropriate format, including by using appropriate communication technologies.

All information shall be provided in an accessible format.

7. Where information is provided by electronic means of communication, carriers and intermediaries shall ensure that any written correspondence, including the date and time of such correspondence, can be kept for further reference. The burden of proof concerning the questions as to whether and when they have provided the necessary information to passengers shall rest with carriers and intermediaries. All means of communication shall enable the passenger to contact the carriers and intermediaries quickly and to communicate effectively.

Article 5a

Liability for failure to provide information on the passenger rights related to a combined multimodal ticket

1. Where the passenger misses a connection of a subsequent transport service during a multimodal journey performed under a combined multimodal ticket, the intermediary or the carrier which sold the combined multimodal ticket, who fails to prove that the passenger was provided with the information referred to in Article 4a(2), shall be liable to reimburse the amount paid for that ticket in accordance with Article 7(1), point (a). The right to reimbursement shall be without prejudice to applicable national law granting passengers further compensation for damage.
2. The intermediary or the carrier which sold the combined multimodal ticket shall be responsible for handling requests and possible complaints of the passenger under paragraph 1.
3. The reimbursement referred to in paragraph 1 shall be paid within 30 days after the receipt of the request.

Article 5b

Transfer of information by the intermediary

Where the passenger does not acquire a single multimodal ticket directly from the carrier, but via an intermediary, this intermediary shall inform the contracting carrier at the time of booking about the fact that it has booked the ticket as an intermediary, and provide the contact details of the passenger and the booking details to the carrier. The intermediary shall also provide that carrier with its own postal and electronic contact details.

Article 6

Access to travel information for carriers and intermediaries

1. Carriers offering single multimodal tickets shall provide other carriers and intermediaries which sell their tickets on the basis of a contract or other arrangement between them with access to the travel information referred to in Article 5(2) to (5).
2. Carriers offering single multimodal tickets shall distribute this information and grant access in a non-discriminatory manner and without undue delay. A one-off request shall be sufficient to have continuous access to information. The carrier obliged to make available information in accordance with paragraph 1 may request the conclusion of a contract or other arrangement on whose basis information is distributed or access is granted. The terms and conditions of any contract or arrangement for the use of the information shall not unnecessarily restrict possibilities for its reuse. The terms and conditions shall not be used to restrict competition.
3. Information shall be distributed, and access shall be provided by appropriate technical means, such as application programming interfaces. It shall be ensured that these application programming interfaces are in compliance with the specifications laid down in the implementing acts adopted under Directive (EU) 2016/797.

4. Where the information referred to in paragraph 1 of this Article is provided in accordance with other Union legal acts, in particular delegated acts adopted pursuant to Article 6(8) of Directive 2010/40/EU of the European Parliament and of the Council²⁵, the obligations under this Article shall be deemed to be fulfilled with respect to the information in question.

CHAPTER III

MISSED CONNECTIONS DURING MULTIMODAL JOURNEYS PERFORMED UNDER A SINGLE MULTIMODAL TICKET

Article 7

Reimbursement and re-routing

1. Where a missed connection during a multimodal journey performed under a single multimodal ticket, occurs or is reasonably expected by the contracting carrier to occur, the contracting carrier shall immediately offer the passenger the choice between one of the following options:
- (a) reimbursement of the full cost of the ticket, under the conditions by which it was paid for the part or parts of his or her journey not made and for the part or parts already made if the journey is no longer serving any purpose in relation to the passenger's original travel plan, together with, when relevant, a return service to the first point of departure at the earliest opportunity;
 - (b) continuation or re-routing, under comparable transport conditions, to the final destination at the earliest opportunity;

²⁵ Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1, ELI: <http://data.europa.eu/eli/dir/2010/40/oj>).

- (c) continuation or re-routing, under comparable transport conditions, to the final destination at a later date at the passenger's convenience.

The contracting carrier shall make the arrangements necessary for the option chosen by the passenger. The contracting carrier may entrust another carrier with the processing of reimbursement or re-routing, provided that the passenger is informed about this transfer of tasks in accordance with Article 4a(1), point (d). The transfer of tasks to another carrier shall not affect legal responsibility of the contracting carrier.

2. Where, for the purposes of paragraph 1, points (b) and (c), comparable re-routing is operated by the same carrier or another carrier is commissioned to perform the re-routing, this shall not generate additional costs to the passenger. That requirement also applies where the re-routing involves the use of transport of a higher service class and alternative modes of transport. Carriers shall make reasonable efforts to avoid additional connections and to ensure that delay in the total travel time is as short as possible.
3. Re-routing transport service providers shall provide persons with disabilities and persons with reduced mobility with a level of assistance and accessibility comparable to the missed transport service when offering an alternative service. Re-routing transport service providers shall pay particular attention to provide persons with disabilities and persons with reduced mobility with alternative services which are appropriate to their needs, and which might differ from those offered to other passengers.
4. The reimbursement referred to in paragraph 1, point (a), shall be paid within 30 days after the receipt of the request. Member States may require contracting carriers to accept such requests by particular means of communication, provided that the requirement does not create discriminatory effects. The reimbursement may take the form of money, vouchers or the provision of other services provided that the terms of those vouchers and services are sufficiently flexible, in particular regarding the validity period and destination, and that the passenger expressly agrees to accept those vouchers and services. The reimbursement of the full cost of the ticket shall not be reduced by financial transaction costs linked to the reimbursement such as fees, telephone costs or stamps.

Reimbursement when the single multimodal ticket was booked through an intermediary

1. Where the passenger has booked the single multimodal ticket through an intermediary, the contracting carrier may make the reimbursement referred to in Article 7(1), point (a), through that intermediary. In such a case, the intermediary shall reimburse the passenger in accordance with paragraphs 3 and 5 of this Article.

Carriers shall state publicly, in a clear, comprehensible and easily accessible manner, whether they agree to process reimbursements through intermediaries, and with which intermediaries they accept to do so.

In the case the intermediary is not involved in the reimbursement process, Article 7(1), point (a), shall apply to the reimbursement.

2. The intermediary shall inform the passenger about the reimbursement process as provided for in this Article in a clear, comprehensible and easily accessible manner at the time of booking and on the booking confirmation.
3. Reimbursement through the intermediary shall be free of charge for passengers. The reimbursement shall not be reduced by financial transaction costs linked to the reimbursement such as fees, telephone costs or stamps.
4. [...]
5. The following rules shall apply in the case of reimbursement through intermediaries which have paid the contracting carrier for the single multimodal ticket from their own accounts:
 - (a) the contracting carrier shall reimburse the intermediary the amount it had received for the ticket from the intermediary within 15 days from the date that the contracting carrier received the passenger's choice of a reimbursement in accordance with Article 7(1), point (a), of this Regulation.

The intermediary shall reimburse the passenger the full cost of the ticket and the intermediation fees reimbursable in accordance with Article 5(2a), via the original payment method which was used by, or on behalf of, the passenger at the time of the booking of the transport service, at the latest within a further 15 days, and inform the passenger and the contracting carrier thereof. If that payment method is no longer available, the intermediary shall contact the passenger to obtain the payment details;

- (b) if the passenger does not receive the reimbursement within 30 days from the date of choosing a reimbursement in accordance with Article 7(1), point (a), the contracting carrier shall contact the passenger at the latest on the day following the expiry of the 30-day period in order to receive the payment details for the reimbursement. Upon receipt of these payment details, the contracting carrier shall reimburse the passenger the full cost of the ticket and the intermediation fees reimbursable in accordance with Article 5(2a), unless those fees have been charged without the knowledge of the contracting carrier. The contracting carrier shall reimburse the passenger within 30 days and inform the passenger and the intermediary thereof.

The contracting carrier may entrust another carrier with the processing of reimbursement, provided that the passenger is informed about this transfer of tasks in accordance with Article 4a(1), point (d). The transfer of tasks to another carrier shall not affect legal responsibility of the contracting carrier.

Article 9

Assistance

1. In the case of a missed connection during a multimodal journey, performed under a single multimodal ticket, the contracting carrier shall offer the passengers the following free of charge:
 - (a) meals and refreshments in reasonable relation to the waiting time, if they are available on the transport service or in the terminal, or can reasonably be supplied, taking into account criteria such as the distance from the supplier, the time required for delivery and the cost;

- (b) hotel or other accommodation, and transport between the terminal and place of accommodation, in cases where a stay of one or more nights becomes necessary, where and when physically possible. In cases where an additional stay is necessary due to weather conditions endangering the safe operation of the transport service or to extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken, the contracting carrier may limit the duration of accommodation to a maximum of three nights.
2. In applying paragraph 1, particular attention shall be paid to the needs of unaccompanied children, persons with disabilities and persons with reduced mobility, as well as to those of any accompanying persons and recognised assistance dogs.
3. The contracting carrier may entrust another carrier with the processing of assistance under this Article, provided that the passenger is informed about this transfer of tasks in accordance with Article 4a(1), point (d). The transfer of tasks to another carrier shall not affect legal responsibility of the contracting carrier.

Article 10

[...]

Article 11

Submission of reimbursement requests

0. Carriers and intermediaries shall clearly inform the passenger of information to be provided when requesting reimbursement under Articles 5a, 7 and 8.
- 0a. Passengers shall have the right to submit their requests for reimbursement using the common form referred to in paragraph 1, the form provided by the carrier or intermediary in accordance with paragraph 3 or by other means. Carriers and intermediaries shall not reject a request for reimbursement on the grounds that the passenger has not used the form provided by the carrier or intermediary or the common form referred to in paragraph 1 or has sent the form by other means than electronic means referred to in paragraph 3.

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 or the intermediary shall ask the passenger to clarify and complete the request.

1. The Commission shall adopt an implementing act establishing a common form for reimbursement requests under this Regulation. That common form shall be established in accessible formats. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 26(2).

The Commission shall make the common form available in all official languages of the Union on its website.

2. [...]
3. Carriers and intermediaries shall, where possible and without undue delay, establish and transmit to passengers a form for reimbursement requests under Articles 5a, 7 and 8, or provide a link allowing a direct access to that form or to the common form referred to in paragraph 1 of this Article.

Carriers and intermediaries shall provide details on their website such as an e-mail address to which reimbursement requests may be sent by electronic means. That requirement shall not apply where other electronic means of communication allowing passengers to request reimbursement exist, such as the form referred to in the first subparagraph of this paragraph available on a website or mobile applications, provided that such means offer, in an accessible format, the choice and information set out in the common form referred to in paragraph 1 and are available in at least the language of the booking.

4. [...]

Article 11a

Relationship with sectoral Union legislation on passenger rights in relation to reimbursement, continuation of the journey, re-routing and assistance

In the case of a missed connection during a multimodal journey performed under a single multimodal ticket, Articles 7, 8, 9 and 11 of this Regulation shall apply to the reimbursement, continuation of the journey, re-routing and assistance. In such a case, Articles 8 and 9 of Regulation (EC) 261/2004, Articles 17 and 18 of Regulation (EU) No 1177/2010, Articles 19 and 21 of Regulation (EU) 181/2011, insofar as they relate to reimbursement, continuation of the journey, re-routing and assistance, and Articles 18 and 20 of Regulation (EU) 2021/782, shall not apply. The application of Articles 7, 8, 9 and 11 of this Regulation is without prejudice to the right to seek compensation under the relevant provisions of the sectoral Union legislation on passenger rights.

CHAPTER IV

PERSONS WITH DISABILITIES AND PERSONS WITH REDUCED MOBILITY

Article 12

Right to transport

1. Carriers offering single multimodal tickets and terminal managers of terminals referred to in Article 2(1b) shall establish non-discriminatory access rules for the transport of persons with disabilities and the transport of persons with reduced mobility. Those rules shall comply with the rules set out in this Regulation, the relevant provisions on the limitation of transport of persons with disabilities and persons with reduced mobility in the sectoral Union legislation on passenger rights, as well as the Union law on the accessibility requirements.

- 1a. The access rules referred to in paragraph 1 shall be established with the active involvement of representative organisations for persons with disabilities and persons with reduced mobility and, where relevant, representatives of persons with disabilities and persons with reduced mobility.
- 1b. Carriers offering single multimodal tickets and terminal managers shall publish the access rules referred to in paragraph 1 and provide them in accessible format.
2. Reservations and tickets for multimodal journeys, whether in the form of a single multimodal ticket or a combined multimodal ticket, shall be offered to persons with disabilities and persons with reduced mobility at no additional cost.

A carrier or intermediary may not refuse to accept a reservation from, or to issue a ticket to, a person with disabilities or a person with reduced mobility or, in case of a carrier, refuse to embark or require that such person be accompanied by another person, unless this is strictly necessary in order to comply with the access rules referred to in paragraph 1.
3. [...]
4. [...]
5. Where a carrier requires that a person with disabilities or a person with reduced mobility be accompanied by another person who is capable of providing the assistance required in accordance with paragraph 2, second subparagraph, the conditions for the carriage of the accompanying person shall comply with the provisions of the sectoral Union legislation on passenger rights. The carrier shall allow the person with disabilities or the person with reduced mobility to modify the name of the accompanying person required without any charge and up to 48 hours before the departure of the journey.

6. When a carrier or intermediary refuses to accept a reservation from, or to issue a ticket to, a person with disabilities or a person with reduced mobility or, in case of a carrier, refuses to embark or requires that such person be accompanied by another person in accordance with paragraph 2, second subparagraph, it shall immediately inform the person with disabilities or person with reduced mobility concerned of the reasons thereof. This information shall be provided in an accessible format and, upon request from the person concerned, in writing. The carrier or intermediary shall make reasonable efforts to propose acceptable alternative transport to the person in question taking into account his or her accessibility needs.
7. Carriers offering multimodal tickets and terminal managers of terminals referred to in Article 2(1b) shall establish and make publicly available service quality standards covering at least the items listed in Annex II. They shall monitor their performance with the provisions in this article and shall upon request share information on their performance with the national enforcement body or bodies.

Article 13

Information on accessibility to persons with disabilities and persons with reduced mobility

Carriers and intermediaries offering tickets for multimodal journeys on behalf of one or more carriers, and terminal managers, shall provide persons with disabilities and persons with reduced mobility with information on the accessibility of the terminal and associated facilities and of services. This information shall be provided in accessible format.

Assistance to persons with disabilities and persons with reduced mobility

1. In the context of single multimodal tickets, carriers, terminal managers and intermediaries shall cooperate to provide assistance to persons with disabilities and persons with reduced mobility, in accordance with this Article and the access rules referred to in Article 12(1). Carriers, terminal managers and intermediaries shall cooperate to offer a single notification mechanism for the assistance requests.
2. Assistance to persons with disabilities and persons with reduced mobility to be provided by each carrier, terminal manager or intermediary for each transport service involved in the multimodal journey shall be defined in accordance with this Article and, for aspects not covered by this Article, by the relevant sectoral Union legislation applicable to such transport service.
3. Assistance to persons with disabilities and persons with reduced mobility shall be provided free of charge.

A recognised assistance dog shall be permitted to accompany a person with disability or person with reduced mobility free of charge, without prejudice to Regulation (EU) No 576/2013 of the European Parliament and of the Council²⁶ and to applicable national law, and provided that the safety and security of other passengers and crew are maintained.
4. Assistance shall be provided where the contracting carrier, the intermediary with which the single multimodal ticket was purchased, the terminal manager or the single point of contact referred to in Article 15, where applicable, is notified of the passenger's need for such assistance at least 48 hours before the assistance is needed.

²⁶ Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003 (OJ L 178, 28.6.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/576/oj>).

Only a single notification per journey may be required. That notification shall be forwarded to all carriers, intermediaries, terminal managers and single points of contact involved in the journey at least 36 hours before the assistance is needed.

5. The notification referred to in paragraph 4 shall be accepted without additional costs, irrespective of the means of communication being used.
6. Carriers and intermediaries or, where applicable, terminal managers and single points of contact shall take all measures necessary for the reception of notifications; where carriers or intermediaries are unable to process such notifications, they shall indicate without delay alternative means to make the notification.
7. If the notification referred to in paragraph 4 is made within the time-limit set out in that paragraph, carriers and, where applicable, terminal managers shall provide assistance in such a way that the person is able to take the transport services for which he or she holds a ticket.
8. If that notification is not made within that time-limit, or if no such notification has been made, the carriers and, where applicable, terminal managers shall make all reasonable efforts to provide assistance in such a way that the person with disabilities or person with reduced mobility may travel.

Article 15

Single points of contact for coordination of information and assistance

1. Member States may require, for any multimodal journey, that terminal managers of terminals referred to in Article 2 (1b) and carriers cooperate to establish on their territory and to operate, in accordance with paragraph 2, single points of contact for persons with disabilities and persons with reduced mobility.

- 1a. In cases where Member States make use of the possibility foreseen in paragraph 1 of this Article, the terms for the operation of the single points of contact shall be established in the access rules referred to in Article 12(1) and those single points of contact shall have the responsibility to:
 - (a) accept requests for assistance at terminals;
 - (b) communicate individual requests for assistance to terminal operators and carriers.
2. [...]
3. In cases where Member States make use of the possibility foreseen in paragraph 1, they may allow terminal managers and carriers to decide whether to provide physical, digital or telephone single points of contact, provided that those points of contact are accessible and allow the passenger to contact them, when needed.

Article 16

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

1. Where terminal managers assisting persons with disabilities and persons with reduced mobility from one transport service to a connecting transport service, in the context of a single multimodal ticket, cause, during the period within which the terminal manager is in charge of assisting the persons concerned, 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 those persons, they shall be liable for that loss, damage or injury, and 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;

- (b) the cost of replacement or the treatment of the injury of a recognised assistance dog that was lost or injured;
- (c) reasonable costs of temporary replacement for mobility equipment, assistive devices or recognised assistance dogs where such replacement is not provided, by the carrier or terminal manager in accordance with paragraph 2.

Article 12 of Regulation 1107/2006, Article 15 of Regulation (EU) No 1177/2010, Article 17 of Regulation (EU) 181/2011 and Article 25 of Regulation (EU) 2021/782 shall not apply.

- 1a. Where carriers assisting persons with disabilities and persons with reduced mobility from one transport service to a connecting transport service, in the context of a single multimodal ticket, cause, during the period within which the carrier is in charge of assisting the persons concerned, 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 those persons, the liability of those carriers shall be determined in accordance with the provisions applicable to such loss, damage or injury in the context of a single transport service as laid down in the sectoral Union legislation on passenger rights for the mode of transport concerned or, where applicable, in Regulation (EC) No 2027/97 and Regulation (EC) No 392/2009. Those provisions shall apply *mutatis mutandis* to such situation.
- 2. Where paragraphs 1 and 1a apply, the carriers and terminal managers referred to in those paragraphs shall rapidly make all reasonable efforts to provide immediately needed temporary replacements for mobility equipment or assistive devices. The person with disabilities or the person with reduced mobility shall be permitted to keep that temporary replacement equipment or device until the compensation referred to in paragraph 1 or, where applicable, provided for in the sectoral Union legislation on passenger rights and Regulations (EC) No 2027/97 and (EC) No 392/2009, has been paid.

3. Paragraphs 1 and 1a are without prejudice to the right of the carrier or terminal manager to seek redress from any third parties which contributed to the event triggering the compensation under those paragraphs, in accordance with the applicable law.

CHAPTER V

COMPLAINTS

Article 17

[...]

Article 18

Complaints to the carriers, intermediaries and terminal managers

1. Each carrier offering single multimodal tickets or combined multimodal tickets, each intermediary offering combined multimodal tickets and each terminal manager of a terminal referred to in Article 2(1b) shall set up a complaint-handling mechanism for the rights and obligations covered by this Regulation in their respective fields of responsibility. They shall make their contact details and working language, or languages, widely known to passengers, including in accessible format.
2. Details of the complaint-handling procedure shall be accessible to the public, including to persons with disabilities and to persons with reduced mobility. That information shall be available in the official language or languages of the Member State in which the carrier, intermediary or terminal manager is operating.
3. When passengers submit a complaint using the mechanism referred to in paragraph 1, such a complaint shall be submitted within three months of the occurrence that it concerns. Within one month of receiving the complaint, the addressee shall either provide a reasoned reply or, in duly justified cases, inform the passenger that he or she will receive a reply within a period of less than three months from the date of receipt of the complaint.

CHAPTER VI

ENFORCEMENT

Article 19

[...]

Article 20

National enforcement bodies

1. Each Member State shall designate a body or bodies responsible for the enforcement of this Regulation. To this effect, Member States may designate a body which is already responsible for the enforcement of the Union law on passenger rights. Each body shall take the measures necessary to ensure that the rights of passengers are respected.
2. Member States shall inform the Commission of the body or bodies designated in accordance with this Article and of its or their respective responsibilities. The Commission and the bodies designated shall publish that information on their websites.
3. By 1 June ... [4 years from the date of entry into force of this Regulation] and every 2 years thereafter, the body or bodies designated in accordance with this Article shall publish on their website a report on their activity in the previous 2 calendar years, containing in particular a description of actions taken in order to enforce this Regulation and statistics on complaints and penalties applied. For that purpose, they may use a model activity report referred to in paragraph 4 of this Article.
4. By ... [XX months from the date of entry into force of this Regulation], the Commission shall adopt an implementing act establishing a model activity report, in order to ensure uniform implementation of paragraph 3 of this Article and harmonisation of statistical data to be provided by Member States. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 26(2).

Complaint handling by national enforcement bodies and other bodies

1. Member States shall designate the national enforcement body or any other body as the entity responsible for the handling of complaints under this Article.
2. Where different bodies are designated under paragraph 1 of this Article and Article 20(1), those bodies shall ensure the exchange of information between them in order to help the national enforcement body to carry out its tasks of supervision and enforcement, and in order to enable the complaint-handling body designated under paragraph 1 to collect the information necessary to examine individual complaints.
3. Without prejudice to the possibility for consumers to seek alternative redress pursuant to Directive 2013/11/EU of the European Parliament and of the Council²⁷, after having complained unsuccessfully to the carrier, intermediary or terminal manager pursuant to Article 18 of this Regulation, passengers may submit a complaint to the body designated under paragraph 1 of this Article.

Such a complaint shall be submitted within three months from the notification to the passenger of the decision of the carrier, intermediary or terminal manager dismissing entirely or partly the complaint submitted pursuant to Article 18.

Where no such notification is received within the time-limits set out in Article 18(3), the passenger shall have the right to submit a complaint under this Article within three months as of the date of expiration of those time-limits.

- 3a. Where necessary, the body to which the passenger submits a complaint in accordance with paragraph 3 of this Article, shall inform the complainant about his or her right to approach alternative dispute resolution bodies to seek individual redress.

²⁷ 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>).

This obligation may be fulfilled by referring the passenger to the interactive tool [list of notified ADR entities] maintained by the Commission pursuant to Article [20] of Directive 2013/11/EU⁺, or, where appropriate, to the designated ADR contact points notified to the Commission under Article [24] of that Directive.

- 3b. The body designated under paragraph 1 of this Article shall acknowledge receipt of the complaint within two weeks of receiving it. It shall decide on the complaint and notify its decision to the passenger concerned within three months from the date of receipt of the complaint. For complex cases, that body may extend that period to six months from the date of receipt of the complaint. In such a case, it shall inform the passenger of the reasons thereof. Where that body is also an alternative dispute resolution body within the meaning of Directive 2013/11/EU, the time limits laid down in that Directive shall apply.
4. Without prejudice to the directive 2013/11/EU, Passengers' complaints about a carrier or an intermediary shall be handled by the body designated under paragraph 1 by the Member State where that carrier or intermediary is established. If that carrier or intermediary is established outside of the Union, the complaints shall be handled by the body designated under paragraph 1 by the Member State where the multimodal journey ends or, in the case of journeys ending in a third country, where it starts.
5. [...]
6. [...]
7. Where a complaint relates to a terminal manager of a terminal referred to in Article 2(1b), the complaint shall be handled by the body, designated under paragraph 1 of this Article, by the Member State on whose territory the terminal is located.

⁺ Directive 2013/11/EU to be amended (cf. document 13925/24, interinstitutional file 2023/0376(COD)). References to Articles to be checked upon adoption of the amending Directive.

8. A passenger shall not be prevented from lodging a complaint against an intermediary on the ground that he or she already lodged a complaint against a carrier, or from lodging a complaint against a carrier on the ground that he or she already lodged a complaint against an intermediary under this Article.

Article 21a

Legal representatives of third country intermediaries

1. Intermediaries which do not have an establishment 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 they offer their services. For intermediaries covered by Regulation (EU) 2022/2065 of the European Parliament and of the Council²⁸, the legal representative designated pursuant to that Regulation may also act a legal representative pursuant to this Regulation.
2. These intermediaries shall mandate their legal representatives for the purpose of being addressed in addition to or instead of such intermediaries, by the bodies designated under Article 20(1) and Article 21(1), on all issues necessary for the receipt of, compliance with and enforcement of decisions issued in relation to this Regulation. Intermediaries shall provide their legal representatives with necessary powers and sufficient resources to guarantee their efficient and timely cooperation with those bodies, and to comply with such decisions.
3. It shall be possible for the designated legal representative to be held liable for non-compliance with obligations under this Regulation, without prejudice to the liability and legal actions that could be initiated against the intermediary.

²⁸ 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>).

4. Intermediaries shall notify the name, postal address, email address and telephone number of their legal representative to the bodies designated under Article 20(1) and Article 21(1) by the Member State where that legal representative resides or is established. They shall ensure that that 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.

Article 22

[...]

Article 23

Sharing of information with national enforcement bodies

The national enforcement bodies may request carriers, intermediaries and terminal managers to provide documents and information that are relevant for the purposes of carrying out their function. Such documents and information shall be provided within one month from the receipt of the request, unless specified otherwise.

Article 24

[...]

CHAPTER VII

FINAL PROVISIONS

Article 25

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.

Article 26

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council²⁹.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

²⁹ 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>).

Article 27

Report

By ... [7 years from the date of entry into force of this Regulation], the Commission shall report to the European Parliament and the Council on the implementation and the results of this Regulation.

The report shall be based on information to be provided pursuant to this Regulation.

Article 28

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 ... [2 years from the date of entry into force of this Regulation].

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

Done at Brussels,

For the European Parliament

The President

For the Council

The President

ANNEX I

[...]

ANNEX II

MINIMUM SERVICE QUALITY STANDARDS

Information on safety provisions and restrictions applied

Information on the rights under Chapter IV (in a transparent, accessible, non-discriminatory, effective, and proportionate manner):

- requirements regarding accompanying recognised assistance dogs (in case of carriers)
- conditions under which an accompanying person is required
- the accessibility of the means of transport used
- the accessibility of the terminal (in case of terminal managers)
- general guidance on minimum presentation time at points within the terminal and general guidance on minimum connecting times between terminals
- the transport of mobility equipment
- the complaints and compensation procedure for damaged equipment
- training of staff on the rights of passengers with disabilities and assistance procedures.