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#### WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	ST 12442/17 + ADD 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council on rail passengers' rights and obligations – Analysis of the four-column document

Delegations will find, attached, in view of the Working Party on Land Transport on 29 January 2020, an analysis by the Presidency regarding the first steps of the negotiations. Delegates will be invited to comment on the approach.

In pursuit of a compromise with the Parliament, the Presidency proposes to open the discussions on the following list of topics. The line numbering is based on doc. 5520/20.

**1. Article 7 - Exclusion of waiver and stipulation of limits, lines 182-186**

The Presidency suggests to **accept AM 57** (line 184) **if an agreement is found on AM 58** (186). The agreement on line 186 could include adding at the end of the general approach the following sentence: "**Tour operators or ticket vendors may offer other contract conditions than those relating to transport that are more favourable than specified in this Regulation.**".

**2. Article 18 - Assistance, lines 286-300**

The suggestion of the Presidency is as follows:

- line 288: **merge** AM 83 with the general approach;
- line 289: **take general approach** which is more operative;
- line 292: **accept AM 84**, on the condition to possibly revise '*service animals*' to '*assistance dogs*' once that question is agreed upon;
- line 294: **take general approach** which is more operative;
- line 296: **merge** AM 85 with the general approach, by leaving the means of certification open and accepting other parts of the amendment;
- line 298: **clarify** the situation on '*service animals*', does any Member State formally acknowledge other animals than dogs? Based on that, align lines 292, 298, 307, 358, and 360;
- line 300: **merge** AM 87 with the general approach, by taking the general approach text and adding to its end the following sentence: "**Such contingency plans shall include requirements for the accessibility of alert and information systems.**".

3. *Article 25 - Compensation in respect of mobility equipment, ..., lines 356-361*

The Presidency suggests as follows:

- line 358: **align** 'service animals' with the agreed common solution. Merge 'as soon as possible' (, or 'without undue delay', used in other legislation) into the general approach;
- line 360: **merge** the last sentence of AM 104 at the end of the GA;
- line 361: take the **general approach text**.

4. *Article 28(4a) - Union complaint form, lines 383*

The Presidency suggests to **accept AM 111**, line 383.

5. *Article 30 - Information to passengers about their rights, lines 391-395*

The Presidency suggests as follows:

- line 393: **merge** AM 393 with the general approach, by changing 'a notice on the ticket' to 'information' in the general approach and keeping the general approach otherwise as it is;
- line 395: **accept** AM 114.

6. *Article 31 - Designation of national enforcement bodies, lines 396-401*

The Presidency suggests to **accept AM 115**, line 400, **on the condition that the general approach on line 401** is maintained.

7. *Article 34 - Exchange of information and cross-border cooperation between national enforcement bodies, lines 424-427*

The Presidency suggests **maintaining the general approach**, which is identical in its provisions to the Commission proposal and the Parliament position. It, however, avoids the discussion on delegated or implementing acts by moving the text into the articles. This was the preferred approach of the Parliament recently on the Electronic Tolling proposal and should therefore be acceptable also this time.

8. *Article 37a - Committee procedure, lines 445-447*

The Presidency suggests to **accept AM 124**, lines 445-447.

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