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From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
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Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782 as regards enforcement of passenger rights in the Union - Presidency non-paper - Comments from Spain

Delegates will find attached comments from **Spain** on the subject above.

ES comments on CY PCY proposal on Service Quality Standards (wk798/2026). Enforcement Passenger Rights Regulation

Spain strongly supports the reintroduction of an ambitious system of Service Quality Standards (SQS). While Spain welcomes the proposal to reintroduce SQS, it considers it insufficient to limit them exclusively to passengers with disabilities or reduced mobility (PRM). Spain advocates for a broader approach covering all significant elements of passenger rights, including delays, complaints handling, compensation and enforcement-related aspects.

Spain considers that SQS constitute a valuable tool both for managing passenger expectations and for objectively assessing the level of compliance with passenger rights regulations. Although their implementation may entail a certain administrative burden, the added value of such standards clearly justifies the effort required.

Aviation

Spain supports the introduction of a quality system for airlines and airports in order to assess their performance in implementing Regulation (EC) No 261/2004. The proposed applicability thresholds for aviation are considered reasonable, namely the obligation for airlines carrying more than 100,000 passengers and airports handling more than 150,000 passengers in the previous year.

However, Spain considers that some of the indicators set out in the Annex are overly specific in form but insufficiently focused on assessing actual compliance. The SQS should include, i.e., data on the volume and percentage of delays that generate passenger rights (e.g. delays exceeding specific time thresholds); more detailed information on complaints handled by air carriers, including their nature, processing and outcomes.

Overall, Spain believes that aviation SQS should be more clearly oriented towards the key events and obligations protected by the Regulation.

Rail

As a general remark, and in the interest of harmonisation, Spain considers it advisable to align the relevant annex of the Regulation on rail passengers' rights with the SQS framework proposed in this file. Otherwise, rail transport would remain the only mode with a divergent approach. Spain also considers that the annex should be adjusted to reflect the final outcome of the legislative negotiations.

Bus and coach transport

Spain raises several points of concern regarding the SQS proposed for bus and coach transport:

- The reference to “severe weather conditions or major natural disasters” is not used elsewhere in the Regulation and appears inconsistent. Spain considers that clarification is needed as to its relevance and added value.

- The proposal to impose SQS on all bus terminals appears inconsistent with the approach taken in aviation, where minimum annual traffic thresholds apply. Spain therefore considers that minimum passenger thresholds should also be defined for bus terminals.
- With regard to complaints and compensation for persons with disabilities or reduced mobility in bus terminals, Spain considers that these should be related to the cases covered by Article 17 of the Regulation (compensation related to wheelchairs and other mobility equipment). Since assistance obligations under Articles 13 and 14 apply only to terminals designated under Article 12, complaints related to such assistance should not apply to all terminals.

SMEs

Spain supports the introduction of exemptions for SMEs, acknowledging the need to ensure proportionality and avoid undue administrative burdens. However, Spain considers that such exemptions should not undermine the overall effectiveness and ambition of the SQS framework.