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From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on multimodal booking and repealing Regulation (EC) No 80/2009 - Presidency Steering Note

Delegations will find attached the Presidency Steering Note on the Regulation on Multimodal Booking (RMB).

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Regulation on Multimodal Booking: Presidency Steering Note

Intermodal WP

18 September 2026

1. Introduction

Following discussions at WP in July on the Regulation on Multimodal Booking (RMB) and MS comments, the Presidency has circulated a first compromise text. The first compromise text largely seeks to clarify the existing text while also suggesting some additions for completeness. From initial analysis and feedback, it is clear that further discussions and analysis of the existing text is required across a number of key areas such as:

- Clarifying scope, thresholds and delegation of powers
- Description of fair, reasonable and non-discriminatory (FRAND) principles
- Protections for commercially sensitive data
- Neutral ranking and display
- The role and powers of NEBs and the Commission

All MS comments received are being analysed and considered for inclusion. While that work is ongoing and in recognition of some of the diverse views expressed , the Presidency view is that it would be useful to seek a policy direction on some key issues identified from MS and Presidency analysis. Building on both of these streams of work, the Presidency will seek to publish a more comprehensive compromise text in early to mid-October.

In recognition of some of the diverse views and queries received from MS, the Presidency view is that it would be useful to seek a policy direction on some key issues identified from MS and Presidency analysis. To that end, this steering note identifies a select few key policy items in the text for which the Presidency seeks a direction from delegations on potential ways forward through the five questions outlined below. Building on this feedback, the Presidency will seek to publish a more comprehensive compromise text in early to mid-October.

2. Key Policy Questions for discussion

Scope, Thresholds and delegation of powers [Article 4, Article 16]

Several delegations have raised questions seeking clarity about operators, authorities or platforms

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Article 16 confers the power to adopt delegated acts to the Commission in relation to Article 4(9) which provides for the amendment the thresholds outlined in Annex 1.

The conferral of power to adopt delegated acts is only appropriate in cases where it does not amend an essential part of the act. The initial view of the Presidency is that the thresholds set out in Annex 1 constitute an essential part of the act as an amendment of any of the thresholds at Union or national level defines the number of MDMS subject to Article 5 of this regulation. In other words, this delegated act empowerment affects the scope of the proposed regulation. Moreover, the thresholds outlined in Annex 1 are not subject to any fixed criteria in the legal text and therefore amendments under Article 4(9) could be undertaken based on any criteria.

To that end, the initial Presidency view is to amend or remove the existing delegation provisions and seek a more clearly defined and legally sound means of ensuring the thresholds referred to in Annex 1 are set at appropriate levels.

Q1: Do delegations agree with the Presidency approach to the delegated act outlined above?

Definition of fair, reasonable and non-discriminatory criteria [Articles 5 and 6]

Articles 5 and 6 outline the conditions for commercial agreements between B2C MDMS providers and B2B MDMS providers and transport operators, and between B2B MDMS providers and business users. These Articles repeatedly underscore the importance of the application of fair conditions.

Based on the feedback received from some delegations, the initial Presidency view is that the proposed FRAND conditions in these Articles, as well as the benchmarks outlined in recital 12, may not provide sufficient clarity for providers, operators, business users or NEBs (who will rely on these conditions for enforcement). Therefore, the Presidency sees merit in potentially seeking to further define the conditions outlined in both Articles where appropriate.

Conversely, it can be argued that not defining fair, reasonable and non-discriminatory criteria allows commercial freedom for providers, operators and users so long as the principles are respected.

Q2: Do delegations agree that the Presidency should seek to more clearly define the fair reasonable and non-discriminatory criteria provided for in Articles 5 and 6?

Protections for commercially sensitive data [Articles 8 and 10]

Article 8 enables transport operators to request that a B2C or B2B MDMS provider with which it has a commercial agreement shall make available marketing, booking or sales data. If so, that data must be made available to all other transport operators with which the MDMS provider has commercial agreements. The data must be anonymised and aggregated, and transport users may not use it to identify and influence the choice of end users or business users.

Additionally, Article 10 requires B2C MDMS providers to transmit passenger volumes data to a requesting public transport authority, under specified conditions. Also here, the data must be anonymised and aggregated.

Some delegations have questioned whether these provisions ensure an adequate protection of commercial sensitive data. The provisions included in the proposal are accompanied by a requirement for B2C providers to incur one off and recurring costs to ensure data anonymisation meets data protection requirements in line with the horizontal EU framework. It is important to note here that enhancements in data protection requirements in addition to those outlined in the proposal may incur additional costs.

Q3: Are delegations comfortable with the unchanged data sharing provisions in the text or is it crucial that the provisions for data protection are enhanced for both sharing and requesting platforms?

Neutral ranking and display [Article 7]

Article 7 of the regulation outlines display and advertising requirements on all B2C and B2B MDMS providers. This Article defines the only criteria that can be used for default ranking and provides for paid prominence when it is explicitly consented to by the end user. Some MS feedback has supported the provisions in the Article. Others have expressed doubt about the effects of such (which go beyond similar criteria laid down in other EU legislation) and could have a significant effect on the commercial freedom of B2C and B2B MDMS providers.

The initial Presidency view is that the working party should explore alternatives that move closer to existing models for online display criteria.

Q4: Do delegations agree with the Presidency exploring alternatives to the provisions currently proposed in Article 7 as outlined above, or should these provisions remain unchanged?

Role of National Enforcement Bodies (NEBs) [Articles 12 and 13]

Articles 12 and 13 outline the role and tasks of NEBs. The proposed regulation gives a range of tasks to NEBs including designation of B2C MDMS providers of significant market presence, ongoing oversight, imposition of penalties and complaint handling. Some

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delegations have sought clarity on the tasks given to NEBs and others have questioned the potential administrative burden on NEBs.

With a view to ensuring that the role of NEBs is clear and aligned with existing legislation (where appropriate) and to ensuring that the administrative burden on NEBs is minimised, the Presidency's initial view is that we should explore amendments to clarify the responsibilities and tasks of NEBs to ensure that only those absolutely necessary to the functioning of the regulation are included.

Q5: Do you agree that the Presidency should explore amendments to the proposal with a view to minimising the administrative burden as outlined above?