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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
Subject:	Passenger Package questions from Portugal– Intermodal WP 09.07.2026

Delegations will find attached the written questions from **Portugal** on the above subject.

Questions from Portugal

regarding the Passenger Package

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Proposal for a Regulation of the European Parliament and of the Council on multimodal booking

- Recital 16 states that “Optional price supplements are to be communicated in a clear, transparent and unambiguous way at the start of any booking process.”. However, all the references and cross-references contained in this recital relate to air transport. Is it the Commission's intention that this requirement ("are to be communicated") should apply only to air transport, or also to other modes of transport?

- Who is responsible for the enforcement of the Regulation in the case of a B2C MDMS provider that has been designated as a "B2C MDMS provider with significant market power at Union level"? Is it the Commission? Recital 23 appears to point in that direction, but the operative provisions do not make this sufficiently clear.

- Article 1 refers to the “(…) deployment and use (…) of business-to-business **digital mobility** services (…)”, whereas point (b) of Article 2 refers to “Providers of business-to-business **multimodal digital mobility** services (…)”, and point (3) of Article 3 defines a “business-to-business **multimodal digital mobility** service”. We would like to clarify whether the omission of the term “**multimodal**” in article 1 was intentional and, if so, whether there is a specific reason for this. Or is this simply an oversight?

- How does the Commission intend to operationalise Article 12(6) in order to avoid multiple NEBs being competent to enforce the Regulation in respect of the same B2C MDMS / B2B MDMS provider?

- Does the Commission confirm that, in the columns headed “Transport products sold annually" in Annex I, the relevant unit is the number of products sold per year?

- Clarification is requested regarding the data supporting the thresholds established in Annex I. Could Portugal be granted access to the data used to establish the thresholds set out in Annex I for the air, rail, road and waterborne transport modes?

Proposal for a Regulation of the European Parliament and of the Council on rail ticketing

- Considering the ongoing revision of the structure and functioning of the ENRRB, how will the cooperation provided for in Article 10(6) of this Regulation be organised in practice? Will a new group be established within the ENRRB? What role will the European Commission play?

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2021/782 as regards the protection of passengers with single tickets

- With reference to the proposed amendments to Article 12 of Regulation (EU) 2021/782, what exactly should be understood by "*necessary, appropriate and reasonable costs*" in paragraph 5(b)?

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General questions / Other questions

- How does the European Commission intend to ensure that the proposed obligations concerning the provision, display, and distribution of transport products to third-party platforms do not compromise the integrity of national public fare schemes and intermodal ticketing products that benefit from public funding or financial compensation mechanisms (such as metropolitan travel passes)?

- Could the Regulation include a provision clarifying that national public fare schemes and intermodal ticketing products that benefit from public funding or financial compensation mechanisms, and which are therefore subject to strict public expenditure control, audit and accounting requirements, are excluded from any automatic and unconditional right of access by third-party commercial operators?

- Will the proposals explicitly safeguard that any eventual integration or making available of publicly funded ticketing products to third-party platforms will remain strictly conditional upon, and subject to, full compliance with all regulatory requirements laid down by the competent Transport Authorities, including fare setting, passenger eligibility criteria, physical and digital validation architecture, data reporting, fraud prevention, and liability for improper or unauthorised sales?