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EUROPEAN COMMISSION

Brussels, 23.9.2010
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[2008/0246 \(COD\)](#)

OPINION OF THE COMMISSION

**pursuant to Article 294, paragraph 7, point (c) of the Treaty on the Functioning of the
European Union,
on the European Parliament's amendment
to the Council's position regarding the
proposal for a**

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**concerning the rights of passengers when travelling by sea and inland waterway and
amending Regulation (EC) No 2006/2004**

AMENDING THE PROPOSAL OF THE COMMISSION
pursuant to Article 293, paragraph 2, of the Treaty on the Functioning of the European Union

OPINION OF THE COMMISSION

**pursuant to 294, paragraph 7, point (c) of the Treaty on the Functioning of the
European Union
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

**REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL**

**concerning the rights of passengers when travelling by sea and inland waterway and
amending Regulation (EC) No 2006/2004**

1. BACKGROUND

Date on which the proposal was sent to Parliament and the Council:	5 December 2008
Date of Parliament's opinion at first reading:	23 April 2009
Opinion of the Economic and Social Committee:	16 July 2009
Date of unanimous adoption of the Council position:	11 March 2010
Date of COREPER agreement on the second reading compromise:	23 June 2010
Date of Parliament's opinion at second reading:	6 July 2010

2. PURPOSE OF THE PROPOSAL

The legislative proposal aims at establishing sets of rights for passengers using waterborne transport on both domestic and international routes. These rights include minimum rules on information for all passengers before and during their journey, assistance and compensation in the event of interruptions of journeys, measures in the event of delay and specific assistance for persons with reduced mobility. As in existing legislation for the air and rail sectors, the proposal foresees independent national bodies for settlement of disputes.

**3. OPINION OF THE COMMISSION ON THE AMENDMENT BY THE EUROPEAN
PARLIAMENT**

The European Parliament's opinion at second reading of 6 July 2010, has brought the Council position closer to that of the Commission's proposal in terms of broadening of the scope (exclusion limited to vessels carrying up to 12 passengers rather than 36 passengers), as improving the protection of the rights of passengers with reduced mobility and disabled passengers (accessible formats, reducing exceptions to the right to travel, shortening notification periods) as well as raising the level of protection of passengers travelling by sea

and inland waterways in general (lowering compensation thresholds, raising levels of assistance).

The Parliament's position is a result of a compromise obtained at the last informal trialogue held on 15 June 2010 and which was discussed and approved on 23 June 2010 in Council.

4. CONCLUSION

Pursuant to Article 293(2) of the Treaty on the Functioning of the European Union, the Commission accepts the modification of its proposal according to the above described compromise text of the Council and the Parliament.