

..in five minutes..

11 March – 26 April 2013

The uncertainty surrounding a potential publication of a revised package travel Directive is finally over. Multiple sources seem to indicate that the Commission is working on finalizing a proposal, to be published in July. However, the content of this proposal still needs to be assessed. Due the difficulties to capture the fast changing internet business models, will the Directive be able to encompass all types of combinations of travel services, ensuring a true level playing field? Will the low cost airlines' websites be included or will they be able to escape through a disclaimer informing the consumer that they are not buying a package? What will be the new obligations on the tour operators? Let's hope the consumer will not be entitled to cancel a package in case of *force majeure*!

The only one sure thing right now is we will keep you informed.

*Benoit Chantoin*

#### **IATA: Travel agents' participation in the development of a Global Industry Settlement System**

IATA is in the process of developing a Global Industry Settlement System. The project aims at developing a harmonized software for the use of all Data Processing centres. As part of the project, IATA is reviewing the outputs (i.e. data retrieved from the program) of the different settlement system software applications. IATA is inviting interested agents to participate in the review process and in the testing of the new outputs. Feedback welcome until 30 April.

For more details, see e-mail sent on 16 April 2013

#### **IATA: NDC on the American front**

IATA has filed an application with the U.S. Department of Transportation (DOT) for approval of its Resolution 787, which includes a new worldwide business model for the pricing and sale of airline tickets. Industry and airline customers can send their comments to the DOT until 1 May 2013. ASTA/BCD will hold a free webinar on 26 April 2013 to explore IATA's Resolution 787 and IATA's planned New Distribution Capability (NDC) for airline tickets.

For more details, see e-mails sent on 15 March and 12 April 2013. See [DOT consultation](#) or sign up to the ASTA [webinar](#).

#### **IATA: Model letter for withdrawing consent for identification in IATA's PaxIS and DDS Products**

Travel Agents, whose agent identity is currently revealed in PaxIS and DDS products, but who wish not to be identified in the future, need to inform IATA of their decision to opt out by 31 May 2013. Otherwise, their identification agreement will be automatically renewed for subsequent periods of one year. Agents can use the model letter provided by the ECTAA Secretariat.

For more details, see e-mail and model letter sent on 9 April 2013

#### **IATA: Report on PAPGJC/18 of 20 March 2013**

IATA will finalise the review of the ADM-related BSPLink features by summer 2013 and is in the process of preparing ADM guidelines to airlines. ECTAA raised the main issues identified by ECTAA Members on the ADM dispute procedure. As regards NDC, IATA is keen to increase agents' involvement in the NDC pilots and is preparing amendments to the Passenger Agency Programme Resolutions to make them NDC-fit.

For more details, see e-mails sent on 4 April on PAPGJC meeting and 18 March regarding key concerns relating to ADMs

#### **IATA: Airline bankruptcies is an increasing concern for IATA as well**

IATA is also concerned about the increasing number of suspended airlines (23 in 2011, 28 in 2012 and 5 in the first quarter of 2013). ECTAA raised the problem that the recent changes to Resolution 866 and 850 attachment F have a retroactive effect on agents' request for refunds prior to an airline's suspension in BSP. IATA is prepared to consider proposals of agents to address this problem.

For more details, see e-mail sent on 4 April 2013

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### **Dispute settlement: EP formalises adoption of ADR and ODR legislation**

Following the compromise reached by Parliament and Council, the European Parliament adopted two reports on alternative dispute resolution (ADR) and online dispute resolution (ODR) on 12 March. ADR mechanisms are in principle done on a voluntary basis. Nevertheless Member States are authorised to go further in the implementation of the Directive and more stringent provisions can be adopted for specific sectors. An online single platform (on [www.youreurope.eu](http://www.youreurope.eu)) will permit an easy access for traders and consumers to information to facilitate the proceeding of ADR mechanisms.

For more details, see e-mail sent on 15 April 2013

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### **Insurance mediation: ECTAA still pursuing exclusion of insurance mediation**

The various parliamentary Committees are still working on the proposal to revise the insurance mediation Regulation. While the lead Committee (ECON) has yet to vote in May, ECTAA has managed to slip a favourable amendment in the JURI opinion for the exclusion of travel insurance from the scope. Unfortunately, the IMCO committee, in a very consumer friendly opinion, is more willing to put travel agents under the very burdening regime of the directive. The debate is far from being closed.

For more details, see e-mail sent on 2 April 2013

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### **Internal Market: Is legislation necessary to prevent unfair trading practices?**

The European Commission is currently in the process of assessing the possible need to develop legislative proposals in the area of unfair trading practices. As many trading practices that are considered unfair by agents do not fall within the scope of competition rules at the EU level or in most Member States, it is important to use this opportunity to bring our concerns to the agenda of EU policy makers. Members' input was welcome until 17 April.

For more details, see e-mail sent on 4 April 2013

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### **PNR: EP rejects PNR transfer proposal**

The European Parliament's Civil Liberties, Justice, and Home Affairs Committee rejected the European Commission's proposal for a European PNR Directive. Due to procedural disagreement among the political groups, it is at the moment unclear whether the European Parliament's Plenary will also vote on the proposal. The Commission is expected to prepare a new proposal.

For more details, see e-mail sent on 24 April 2013

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### **Air Transport: Communication on passenger protection against airline failures – another wasted opportunity**

The Communication adopted by the Commission on 18 March indicates that the Commission is currently not in a political position to add legislative burdens on the airline industry in the light of the difficult situation of the airline industry in Europe. However, while the Communication does not include any plans for legislative proposals in this area, it proposes a number of non-legislative measures to better protect passengers, which will be reviewed in 2015 for their effectiveness.

For more details, see e-mail sent on 19 March 2013 or view [Communication](#)

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### **Air transport: Commission adopts air passenger rights proposal – MEPs want to close all loopholes**

On 13 March the Commission has adopted a proposal revising Regulations 261/2004 and 2027/2009 on luggage incidents. The aim is to clarify provisions, extend rights, ensure better enforcement and limiting disproportionate financial burdens on airlines, notably as regards unlimited obligation to

provide care in exceptional circumstances and paying delay compensation after 3 hrs. The proposal was presented to the EP TRAN Committee, which expressed reluctance to reduce existing passenger rights. ECTAA finalised its position after consulting Members, the various Committees and GEBTA.

For more details, see e-mails sent on 14 March as well as 12 and 24 April 2013 and/or consult [Regulation proposal](#)

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### **Visa: Towards improving the Schengen visa application procedure**

ECTAA has been invited to contribute to the impact assessment study on the review of the EU visa policy with a view to facilitating legitimate travelling to Europe. In its response, ECTAA has highlighted issues / problems identified by ECTAA and WTAAA Members (South Africa) with the visa application process, provided some examples of good practices and expressed supports for all proposed measures that would make the visa process less costly and burdensome.

For more details, see e-mails sent on 27 March and 12 April 2013

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### **Destinations: Meeting with the Greek Minister for Tourism**

Members have been invited to inform ECTAA of any issues / questions / problems they would like ECTAA's Destination and Sustainability Committee to raise at a meeting scheduled with the Greek Minister of Tourism in relation to outgoing tourism to Greece. Unfortunately the meeting was rescheduled to a later date, so the issues are still pending.

For more details, see e-mail sent on 28 March 2013

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## **Other News in Brief**

- [Eurostat publication](#): Tourism in the EU27 - Spain, Italy and France are top destinations for holiday trips abroad of EU27 residents in 2011
- [Eurostat publication](#): Occupancy rates in hotels and similar establishments in 2012

## **Calendar of ECTAA meetings**

29-31 May 2013

ECTAA bi-annual meeting, Porto

June 2013

Destination and Sustainability Committee (to be confirmed)

## **EU consultations / ECTAA surveys**

- [EU consultation on the Green Paper on unfair trading practices in the B2B supply chain](#), open until 30 April 2013
- [EU consultation on improving procedures for obtaining short-stay Schengen visas](#), open until 17 June 2013
- Results of ECTAA survey – Key concerns relating to ADMs, see e-mail of 18 March
- Results of ECTAA survey – Invoicing of air fare and travel agent's transaction fees, see e-mail of 20 March 2013
- ECTAA survey – BSP remittance and settlement periods, see e-mails of 13 and 26 March 2013
- ECTAA survey – Participation of associations in the APJC as Observers and Vice-chairmanship of APJCs, see e-mail of 26 March 2013