

. . in five minutes . .

7 February 2012

Another two airlines exit the aviation market: The Spanish airline SPANAIR suspended its flights on 28 January 2012 and subsequently filed bankruptcy, leaving 22.000 passengers with unflown tickets, either unable to start their journey or stranded at destination. The Hungarian airline MALEV joined shortly afterwards suspending its flights on 3 February 2012, leaving another 700.000 passengers or so stuck with unflown tickets.

The lack of adequate passenger protection against airline failures is of course a major problem for passengers, but it also a source of problems for travel agents. ECTAA regrets that instructions from IATA to agents on BSP settlement and refund procedures were late and to some extent imprecise.

ECTAA will continue to demand the EU to introduce passenger protection against airline bankruptcy and keep the media alerted on this matter. We will also keep you informed of the bankruptcy proceedings.

Michel de Blust

IATA: the PAPGJC working group on fraud prevention is struggling to start work

The group has discussed its general setting and objectives in the absence of airline representatives, who were unable to attend the first two conference calls. Its scope may cover all types of electronic frauds, including credit card fraud, internet fraud and possibly bust outs. Its actions may be in the range of communications to raise awareness of agents and airlines, as well as standards and resolutions, especially where GDSs need to be involved. The next conference call will take place on 23 February.

For more details, see e-mail sent on 18 January 2012

Air transport: Is the Commission going to act on airline insolvency, asks the EP

7 MEPs have filed a parliamentary question to the European Commission inquiring on its intentions to deal with passenger protection against airline failure. ECTAA has reported to the European Commission changes in the IATA Agency Programme limiting the possibility to process refunds through BSP in case of airline insolvency. The European Commission is taking up this development with IATA.

For more details, see e-mail sent on 6 January 2012

Air transport: European Court finds ETS is legal

The ECJ ruled that the inclusion of air transport in the emission trading scheme is valid and infringes neither international conventions nor the principles of customary international law.

For more details, see e-mail sent on 5 January 2012 or consult [ECJ judgement](#)

Air transport: Airlines condemned by French court to refund ADMs concerning access to fares depending on the point of sale

The Paris Court of Appeal ruled on the basis of European competition law that the term in BA's and Emirates' conditions of sales, obliging agents to apply the fare applicable in the country of sale, is null and void. The airlines were condemned to refund ADMs and pay damages to the travel agent.

For more details, see e-mail sent on 18 January 2012

Transport: Smartphone application to raise awareness on passenger rights

ECTAA has been invited to comment on the content of a Smartphone application developed by the Commission aimed at providing information on the rights of passengers and package travel customers travelling by air and rail. ECTAA transmitted the comments received from its Members.

For more details, see e-mail sent on 9 January 2012

Consumer protection: International standards on the protection of tourists

The UNWTO has presented a draft Convention on the protection of tourists and tourism service providers, based on standards and recommended practices. It covers many aspects already covered by the European package travel Directive, such as obligations on information, failure of performance or improper performance, protection against supplier insolvency, etc. Some of the proposed measures go beyond the European legislation. Members have been invited to comment.

For more details, see e-mail sent on 19 January 2012

Directive on professional qualifications: The Directive on professional qualifications comes under review

The Commission has published a proposal to amend the Directive on the recognition of professional qualifications. It foresees the introduction of a European Professional Card at the request of a specific profession. The requirement of a professional experience of 2 years is waived for professionals accompanying service recipients from their Member State of establishment to another Member State. Members were invited to provide their comments.

For more details, see e-mail sent on 22 December 2011 or consult the [Directive proposal](#)

E-commerce: Commission sets priorities and list of actions

In its Communication on electronic commerce aimed at fostering the growth of e-commerce in the EU, the Commission sets out 5 priorities and a list of actions. Among the priorities will be developing the legal and cross-border offer of online products and services, improving operator information and consumer protection as well as ensuring a reliable and efficient payment and delivery systems.

For more details, see e-mail sent on 13 January 2012 or consult the [Communication](#)

Payment: How to improve the European market of card, internet and mobile payments

The Commission has published a Green Paper on a European market for card, internet and mobile payments, which presents current issues (barriers to integration, high costs) and possible tracks for improvements. Some issues in regard of card payments are of particular interest concerning payment practices in air transport distribution. Members are invited to comment on the Green Paper by 30th of March.

For more details, see e-mail sent on 13 January 2012 or consult the [Green Paper](#)

Tourism: Quality Label for Tourism paves itself into European legislation

By the end of 2012 the European Commission will propose a Regulation proposal on a European Tourism Quality Label, which will be a voluntary umbrella scheme assessing and recognizing existing quality systems.

For more details, see e-mail sent on 26 January 2012

Standards: The EP supports a market-driven standardisation process

The draft report from the EP IMCO Committee on the Regulation proposal on European standardisation contains many positive points, such as stressing the need for participation and consultation of SMEs and stakeholders, a market-driven process, etc. However, it supports the Commission proposal of including services in the scope of the Regulation. ECTAA Members have been invited to comment on the draft model letter for MEPs.

For more details, see e-mail sent on 12 January 2012 or consult the [draft report](#)

Other News in Brief

- UNWTO Barometer January 2012: [International tourism to reach 1 billion in 2012](#)
- Eurostat publication January 2012 : [Record number of nights spent in hotels in the EU27 in 2011](#)
- VisitEurope publication Q4/2011 : [European Tourism in 2011 : Trends and Prospects](#)