



Rachel Maclean MP
Parliamentary Under Secretary of State
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

19 May 2020

Dear Rachel,

6913/20: COMMUNICATION FROM THE COMMISSION Commission Notice Interpretative Guidelines on EU passenger rights regulations in the context of the developing situation with Covid-19

Thank you for your Explanatory Memorandum (EM) dated 9 April 2020 on the above proposal. The EU Goods Sub-Committee considered the EM at its meeting on 18 May 2020.

We are very grateful for the comprehensive information you have provided on the detail of the Commission Communication. There are, however, a number of areas that the Committee would like to request further information on.

First, we would be grateful if you could spell out the Government's position on the desirability of airlines offering credit vouchers instead of refunds to passengers who have had their flights cancelled as a result of the COVID-19 pandemic. In this context, we note efforts by some EU Member States ahead of the last informal meeting of transport ministers to persuade the Commission to introduce a temporary rule that would allow for the provision of vouchers instead of refunds.

Second, the Commission has just recommended that vouchers should, if offered, be guaranteed against the carrier's insolvency and should be valid for at least 12 months. What steps is the UK Government taking to ensure that UK airlines follow a consistent minimum standard when offering credit vouchers to their customers?

Third, we note that the Communication does not cover the scenario where passengers are prevented from travelling by national authorities, but their flight/train/coach/vessel is still operational. This was particularly the case at the start of the pandemic and will likely affect a significant number of passengers. What is the UK Government's assessment of who should carry liability in this case—the transport operator, or the relevant national authority?

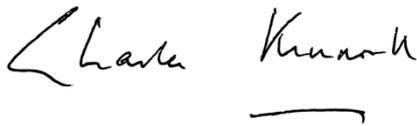
Fourth, what steps is the UK Government taking to make sure that insurance companies do not renege on their responsibilities and support transport operators and passengers through this crisis?

Finally, your EM helpfully points out that the air passenger rights regulation is suspended in Gibraltar. Please clarify what this means for the rights of passengers travelling through Gibraltar's International Airport.

The Committee continues to take an active interest in these matters and will hold this item under scrutiny. We look forward to receiving your reply within 10 working days.

I am copying this letter to Sir William Cash MP, Chair of the Commons European Scrutiny Committee, Jessica Mulley, Clerk of the Commons European Scrutiny Committee, Les Saunders, Cabinet Office; Margaret Browne, Departmental Scrutiny Coordinator, Department for Transport.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Lord Kinnoull". The signature is written in a cursive style with a horizontal line underneath the name.

Lord Kinnoull
Chair of the European Union Committee