

COMP 9 on Reimbursement and Rerouting (Article 16)

Article 16 (AM 29, 341, 342, 347, 349, 350, 351, 354, 355)

*Text proposed by the Commission*

*Amendment*

1. Where it is **reasonably** to be expected , either at departure or in the event of a missed connection in the course of a journey with a through-ticket, that arrival at the final destination under the transport contract will be subject to a delay of more than 60 minutes, the passenger shall immediately have the choice between one of the following :

(b) continuation or re-routing, under comparable transport conditions, to the final destination at the earliest opportunity;

(c) continuation or re-routing, under comparable transport conditions, to the final destination at a later date at the passenger's convenience.

1. Where it is expected, either at departure or in the event of a missed connection in the course of a journey with a through-ticket, that arrival at the final destination under the transport contract will be subject to a delay of more than 60 minutes **or cancelled**, the passenger shall immediately have the choice between one of the following:

(b) continuation or re-routing, under comparable transport conditions **and at no additional costs**, to the final destination at the earliest opportunity, **including in the event of a missed connection due to delay or cancellation of the passengers' earlier leg in the course of a single journey, under a through-ticket. In such case, the passenger shall be allowed on the next service available that will get him or her to the final destination even if there is no specific reservation and/or the next train is operated by another railway undertaking;**

(c) continuation or re-routing, under comparable transport conditions, to the final destination at a later date at the passenger's convenience **but no later than 72 hours after the reestablishment of service.**

2. For the purposes of point (b) of paragraph 1, comparable re-routing may be operated by any railway undertaking and may involve the use of transport of a higher class and alternative modes of transport without generating additional costs to the passenger. Railway undertakings shall make reasonable efforts to avoid additional connections. The total travel time when using an alternative mode of transport for the part of the journey not completed as planned shall be comparable to the scheduled travel time of the original journey. Passengers shall not be downgraded to transport facilities of a lower class unless such facilities are the only re-routing means available.

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3. Re-routing transport service providers shall pay particular attention to providing persons with disabilities and persons with reduced mobility with a comparable level of accessibility to the alternative service.

3. Re-routing transport service providers shall pay particular attention to providing persons with disabilities and persons with reduced mobility with a comparable level of accessibility to the alternative service. ***This alternative service may be common to all passengers or it may, upon decision of the carrier, be an individual means of transport adapted to the specific needs of certain persons with disabilities or with reduced mobility.***