



August 2024

What's happening in Brussels

Commission enforces temporary restrictions on liquid screening at certain EU airports

The European Commission will temporarily enforce restrictions on liquid screening at EU airports utilising Explosive Detection Systems for Cabin Baggage (EDSCB). These systems, installed in certain EU airports, currently allow passengers to carry liquid containers exceeding 100 ml. However, effective from 1 September 2024, the maximum allowed size for individual liquid containers will revert to the standard 100 ml for airports operating this type of equipment. Airports that already limit liquids to 100 ml or that have not deployed EDSCB equipment will not be affected by this change. This precautionary measure is not in response to any new threat but addresses a temporary technical issue, undertaken in alignment with the EU's international partners. See more details in the [press release](#).

Making cross-border car rental easier

The Commission has launched a [public consultation](#) to address the challenges in cross-border car rental services, where current national car registration rules create obstacles for rental companies when moving vehicles between countries. These rules often require immediate re-registration or return of rental cars to their country of origin, leading to additional costs that are passed on to consumers. To reduce these barriers, the Commission is planning a legislative initiative aimed at establishing minimum requirements for the registration, rent, and use of rented cars across borders. The initiative seeks to make cross-border car rentals more affordable and efficient, improve fleet management for rental companies, and provide customers with viable alternatives to using their own vehicles when traveling internationally. In view of this legislative initiative, the Commission is inviting interested stakeholders to provide their views on the issues, benefits and impact of such an initiative by 23 September 2024.

Consumers can bring suit against tour operator before courts where consumers reside

On 29 July 2024 the European Court of Justice handed down a [ruling in the case C-774/22](#). A consumer in Nuremberg, Germany, filed a lawsuit against the tour operator FTI Touristik for inadequate information regarding entry conditions and necessary visas for a trip abroad. The tour operator argued that the Local Court in Nuremberg lacked territorial jurisdiction, citing the 'Brussels Ia' Regulation (Regulation (EU) No 1215/2012, known as "Brussels I recast"), which they claimed was inapplicable since both parties are domiciled in Germany. However, the Court of Justice ruled that the regulation applies even when both parties are from the same Member State if the trip involves an international destination. Nonetheless, in relation to actions brought by a consumer against his or her contracting partner, that regulation is not limited to determining international jurisdiction. It also determines territorial jurisdiction in that it directly confers that jurisdiction on the court for the locality of the consumer's domicile.

Consumers are entitled to a refund from insolvent tour operator, even if they cancelled the trip before insolvency

The Court of Justice ruled in the [joined cases C-771/22 and C-45/23](#) that the security against a travel organiser's insolvency, as outlined in the Package Travel Directive, applies even when a traveller cancels their trip due to unavoidable and extraordinary circumstances like the Covid-19 pandemic, and the organiser subsequently becomes insolvent. The Court emphasized that the purpose of the Directive is to ensure that travellers are protected in situations where they are entitled to a refund, and that this protection should not be undermined simply because the cancellation occurred before the organiser's insolvency. The Court clarified that there is no justification for treating travellers differently based on whether the trip was cancelled by the organiser due to insolvency or by the traveller due to extraordinary circumstances. In both scenarios, the Directive guarantees a full refund of any payments made, and this right would be rendered ineffective if the security against insolvency did not extend to cases where the organiser becomes insolvent after the traveller's cancellation.

Travel agents making flight-only supplies in their own name are subject to the margin scheme

On 25 July 2024 the European Court of Justice handed down a [decision in the case C-763/23](#) Dragoram Tour (currently only available in Romanian and French). The main dispute in the case concerns the VAT rules applicable to Dragoram Tour, a Romanian travel agency. The agency resells airline tickets for EU destinations to natural persons with a mark-up and accounts for VAT under the normal VAT rules, in accordance with the opt-out granted to travel agents for (international) flight-only sales under Romanian VAT legislation. However, the tax authorities considered that the resale of tickets, including a mark-up, falls under the special regime for travel agencies, which would mean that Dragoram Tour does not benefit from the right to opt for the normal VAT regime. The Court referred the case to the European Court of Justice, which concluded that travel agents purchasing airline tickets and reselling them to natural persons at a price that includes a mark-up is subject to the special VAT scheme for travel agents. The opt-out from the special scheme granted to travel agents for international flight-only supplies contained in the Romanian VAT legislation is not in conformity with the EU VAT Directive.

Commission clarifies rules for assistance of PRMs when travelling by air

The European Commission published on 22 July 2024 the [revised Interpretative Guidelines on Regulations 1107/2006](#) on the rights of persons with disabilities and persons with reduced mobility (short 'PRMs') when travelling by air. The Interpretative Guidelines aim to clarify the provisions of Regulation 1107/2006 and to promote best practices in order to ensure a better application and a more effective and consistent enforcement of the provisions of Regulation 1107/2006. They are however not legally binding. The Regulation contains a number of provisions and obligations for travel agents and tour operators as well.

Sustainability Corner

Help shape the future global ESG framework

The UN Tourism and the University of Oxford SDG Impact Lab are collaborating to develop a standardized ESG Framework for Tourism Businesses to improve consistency and reliability in measuring and reporting sustainability efforts. This initiative addresses the need for more comparable and scalable ESG reporting across the tourism sector, which has faced increasing pressure to disclose environmental, social, and governance impacts. To support the framework's development, a global survey is being conducted to gather input from tourism companies, with pilot testing already underway in the hospitality and travel agents' sectors. Interested in contributing to this work? Then we invite you to complete the [short survey](#) (approx. 20-25 minutes) until 30 August.

Clarification of the sustainability reporting requirements

The European Commission published a set of [frequently asked questions](#) (FAQs) to support stakeholders in the implementation of the EU Corporate Sustainability Reporting Directive rules. The FAQs cover issues such as the scope of the rules, application dates, and exemptions. For example, they clarify when companies may use estimates rather than having to collect value chain information from suppliers or partners.

Publication

Air passenger volumes above pre-pandemic levels in the first half of 2024

According to [the press release of ACI](#) of 31 July 2024, passenger traffic across the European airport network increased by +9% in H1 compared to the same period last year, with the pace of growth in Q2 (+8%) remaining very dynamic – although easing somewhat compared to Q1 (+10.2%). International traffic kept being the main growth driver in H1 (+10.3%), expanding at more than twice the rate of domestic traffic (+4.2%). This brought H1 passenger volumes at +0.4% above H1 2019 levels.

European tourism is thriving

Europe's tourism industry continued its recovery in the second quarter of 2024. Foreign arrivals (+6%) and overnights (+7%) surpassed 2019 figures, reflecting a year-on-year increase of 12% and 10%, respectively. The growth is propelled by robust intra-regional travel from Germany, France, Italy, and the Netherlands. This is according to the latest edition of the '[European Tourism Trends & Prospects](#)' quarterly report released on 11 July 2024 by the European Travel Commission (ETC). The report monitors the performance of European tourism in the second quarter of 2024, providing a comprehensive analysis of the region's latest tourism and macroeconomic developments.

Tourism newsletter

The European Commission, together with stakeholders from the tourism ecosystem, published a Transition Pathway for Tourism in February 2022. This is a roadmap to support the green and digital transition of the tourism ecosystem, while improving its resilience. The Commission will soon launch an online portal, where interested stakeholders can obtain access to the resources that support them in their transition towards more green and innovative services. It has also launched a newsletter, with various articles, knowledge and learning resources as well as information on funding EU opportunities. If you are interested in the newsletter, you can subscribe [here](#).

CLIA Summer 2024 Toolkit

CLIA – the Cruise Lines International Association – has put together a [toolkit](#) with information and messaging resources to help share how the cruise industry is sailing to a better future by pursuing net zero emissions by 2050. You will also find within this toolkit data and information about the cruise industry on key topics, as well as the latest cruise trends.

Travel Industry Ambassador Programme

In the frame of the ECTAA Travel Industry Ambassador Programme, we are happy to introduce:

Joeri VAN ANDEL, Legal Counsel Sunweb Group

Joeri joined Sunweb in February 2020, just one month before the pandemic led to lockdowns and travel bans. With a background as a company lawyer in telecommunications and media, Joeri made a significant career shift into the travel industry.

Despite the unprecedented challenges brought on by the global crisis, Joeri found the experience invigorating and rewarding. "I had to find my way with seven legal regimes, finding a network in a new environment. So yeah, that was nice. I had to adapt and adjust really quickly," he recalls. Navigating new legal environments across seven countries and rapidly adapting to the complexities of the travel industry, Joeri's journey showcases the resilience and dynamic opportunities within the sector. His quick adaptation and proactive approach highlight the crucial role of legal expertise in ensuring compliance and fostering growth in the travel industry.

On the other hand, about ECTAA's travel industry ambassador program Joeri shares his enthusiasm, " I like it a lot. It is a bit out of my comfort zone, different than my standard operating way. In the legal world, you're either defensive or trying to convince about your individual position in short term conflicts. For ECTAA that's also similar, but now it's for a wider group and you have to understand the different interests and over a longer period".



Events

Webinar "Unlocking Bulgaria's Heritage: A Deep Dive into Culture, Wine, and Culinary Excellence"

Home to one of the oldest cultures in Europe with evidence of wine production dating back to 4000 BCE, Bulgaria is a lively blend of millennium-old folk traditions and rich culinary legacy. The beauty of this country is unspoiled and waiting to be discovered.

ECTAA

Unlocking Bulgaria's Heritage:

"A Deep Dive into Culture, Wine, and Culinary Excellence"

 Friday 20 September 2024  10:00 CEST

[Join the webinar](#)



Mr. Stefan Bozadzhiev
From the Association of the
Bulgarian Tour guides



Mrs. Ekaterina Hristova
From the Association of wine
professionals of Bulgaria



Save the Date

16-17 September: IATA PAPGJC, Geneva

20 September: Webinar: Unlocking Bulgaria's Heritage

8-10 October: World Aviation Festival, Amsterdam

24-25 October: 129th ECTAA semi-annual meeting, Sofia/Bulgaria

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