

INFORMATION OBLIGATIONS OF TRAVEL AGENTS: LEGAL REQUIREMENTS UNDER EU LEGISLATION

Travel agents are required to provide the following information under EU legislation depending on the type of travel and mode of transport.

PACKAGE TRAVEL:

Package travel:

- Obligation to provide consumers with (i) pre-contractual information, such as passport and visas requirements as well as health formalities required for the journey and (ii) information before the journey, such as times and places of intermediate stops and transport connections, contact details of the organiser's local representative, etc.
- Obligation to notify customers if there are significant alterations of essential elements of the contract before departure.

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TRANSPORT BY AIR:

Identity and safety of operating carrier

Obligation to inform passengers of the identity of the operating carrier and bringing to their attention the list of carriers, which are subject to a Community-wide operating ban for safety reasons

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Price of seat only tickets

Obligation to indicate, among other, the final price of the fare, including taxes, charges and surcharges

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Rights of disabled persons and persons with reduced mobility

Obligation to make available¹ safety rules applicable to and any restrictions on the carriage of disabled persons and persons with reduced mobility

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Transfer of PNR data to US authorities

Obligation of travel agents to inform passengers flying to, from or through the United States of America about the transfer of PNR data to US authorities

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Data processed by Computerised Reservation Systems

- Obligation to make available¹ agreements concluded between a travel agent and a CRS on the agent's identification in Marketing Information Data Tapes (MIDTs)

– Obligation to inform customers, upon request, of the purpose of the data processing and the duration of the retention of the personal data

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Personal consignment of products of animal origin

Obligation to draw customers' attention to the rules concerning the introduction into the Community of personal consignments of products of animal origin, in particular by providing the notice or leaflet prepared by the EU

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Prohibition to carry certain items in hold luggage

Obligation to make available¹ to the public the list of articles prohibited in the hold luggage, such as explosives, inflammable liquids, toxic or infectious substances, etc.

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TRANSPORT BY RAIL:

Ticket information and rights of passengers

- Obligation to provide, upon request, pre-journey information, including general contract conditions, time schedules and conditions for the fastest trip / lowest fare, etc.
- Obligation to provide, upon request, information to disabled persons and persons with reduced mobility on accessibility of rail services, access conditions of rolling stock and the facilities provided on board.
- Obligation (of tour operators) to inform passengers about their rights and obligations.

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Data processed by Computerised Reservation Systems

- Obligation to make available¹ agreements concluded between a travel agent and a CRS on the agent's identification in Marketing Information Data Tapes (MIDTs)
- Obligation to inform customers, upon request, of the purpose of the data processing and the duration of the retention of the personal data

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Personal consignment of products of animal origin

- Obligation to draw customers' attention to the rules concerning the introduction into the Community of personal consignments of products of animal origin, in particular by providing the notice or leaflet prepared by the EU

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MARITIME TRANSPORT:

Information on rights of passengers travelling by sea in the event of accidents

- Obligation to provide at point of sale a summary of the rights of passengers in the event of accidents (summary to be provided by the EU, not yet available).

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Personal consignment of products of animal origin

- Obligation to draw customers' attention to the rules concerning the introduction into the Community of personal consignments of products of animal origin, in particular by providing the notice or leaflet prepared by the EU

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OPTIONAL GENERAL TRAVEL INFORMATION:

Travel agents have to option to provide additional information concerning the travellers' rights and obligations under EU legislation.

Cash declarations

Travellers entering or leaving the EU and carrying €10.000 or more in cash (or equivalent) have to make a declaration to the customs authorities. Money that has not been declared can be detained by the European customs authorities.

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Customs and tax allowances for travellers

Travellers entering the EU from a non-EU country can import certain goods (such as tobacco products, alcohol beverages, etc.) having no commercial character in their personal luggage free of customs duties, VAT and excise duties within a certain specified limit.

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Travelling with pets

Dogs, cats or ferrets travelling between Member States or from a third country into the EU have to (i) be identified through a clearly readable tattoo or an electronic identification system and (ii) be in a possession of a passport issued by an authorized veterinarian certifying valid vaccinations.

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Items prohibited onboard an aircraft

Air passengers may not take certain items, such as weapons, explosives, liquids, etc., into a security-restricted area or into the aircraft cabin. Certain exceptions exist for liquids.

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Rights of passengers travelling by air

Air passengers enjoy a number of rights, such as free assistance to disabled persons and persons with reduced mobility, information on the identity of the operating carrier, liability of carriers for damages resulting from delays and for damage to and loss of

luggage and for injury or death in accidents. Air Passengers also have rights when they have been denied boarding or their flight has been delayed or cancelled.

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Right to consular protection

EU citizens travelling to a third country, in which the Member State of which he is a national does not have an embassy or a consular post, is entitled to protection by the authorities of any Member State represented on the spot. Such protection includes, among other, assistance in the event of death, serious accident or illness, arrest or detention, loss of passport, etc.

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1 Please note that a distinction should be made between “shall inform” and “shall make available”. ECTAA's Legal Committee has pointed out (FP09-083/4409) that “one element that may clarify the requirement of making information available to the public can be found in the Service Directive 2006/123. Article 22 deals with information on providers and their services, which must be made available to the service recipient. It enumerates various means to make information available,μ according to the provider's preference:

- The information is supplied by the provider on his own initiative; or
- The information is easily accessible to the recipient at the place where the service is provided or the contract concluded, or
- The information can be easily accessed by the recipient electronically by means of an address supplied by the provider; or
- The information appears in any information documents supplied to the recipient by the provider which set out a detailed description of the service he provides”.

Information obligations under the Package travel directive

The organiser and/or the retailer shall provide the consumer, in writing or any other appropriate form, before the contract is concluded, with general information on passport and visa requirements applicable to nationals of the Member State or States concerned and in particular on the periods for obtaining them, as well as with information on the health formalities required for the journey and the stay.

The organizer and/or retailer shall also provide the consumer, in writing or any other appropriate form, with the following information in good time before the start of the journey:

- times and places of intermediate stops and transport connections as well as details of the place to be occupied by the traveler, e.g. cabin or berth on ship, sleeper compartment on train;
- the name, address and telephone number of the organizer's and/or retailer's local representative or, failing that, of local agencies on whose assistance a consumer in difficulty could call.
- where no such representatives or agencies exist, the consumer must in any case be provided with an emergency telephone number or any other information that will enable him to contact the organizer and/or the retailer;
- in the case of journeys or stays abroad by minors, information enabling direct contact to be established with the child or the person responsible at the child's place of stay;
- information on the optional conclusion of an insurance policy to cover the cost of cancellation by the consumer or the cost of assistance, including repatriation, in the event of accident or illness.

If the organizer finds that before the departure he is constrained to alter significantly any of the essential terms, such as the price, he shall notify the consumer as quickly as possible in order to enable him to take appropriate decisions and in particular:

- either to withdraw from the contract without penalty,
- or to accept a rider to the contract specifying the alterations made and their impact on the price.

The consumer shall inform the organizer or the retailer of his decision as soon as possible.

Legal reference: Art. 4 of Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31990L0314:EN:HTML>

Identity and safety of operating carrier

The ticket seller shall inform the passenger, upon reservation, of the identity of the operating air carrier or carriers, whatever the means used to make the reservation.

Where the identity of the operating air carrier or carriers is not yet known at the time of reservation, the ticket seller shall ensure that the passenger is informed of the name or names of the air carrier or carriers that is or are likely to act as operating air carrier or carriers on the flight or flights concerned and inform the passenger as soon as the identity of the operating air carrier.

Whenever the operating air carrier or carriers is or are changed after reservation, the ticket seller shall, irrespective of the reason for the change, inform the passenger as soon as possible. In all cases, passengers shall be informed at check-in, or on boarding where no check-in is required for a connecting flight.

The air carrier or the tour operator, as the case may be, shall ensure that the relevant ticket vendor is informed of the identity of the operating air carrier or carriers as soon as this is known, in particular in the event of a change of such identity.

If a ticket seller has not been informed of the identity of the operating air carrier, it shall not be responsible for not complying with the obligations provided for in this Article.

The obligation of the ticket vendor to inform passengers of the identity of the operating air carrier or carriers shall be specified in the general terms of sale applicable to the contract of carriage.

In cases where:

- (a) the operating air carrier notified to the passenger has been entered on the Community list and is subject to an operating ban which has led to the cancellation of the flight concerned, or which would have led to such cancellation if the flight concerned had been operated in the Community;
- (b) the operating air carrier notified to the passenger has been replaced by another operating air carrier which has been entered on the Community list and is subject to an operating ban which has led to the cancellation of the flight concerned, or which would have led to such cancellation if the flight concerned had been operated in the Community,

The air carriage contractor which is party to the contract of carriage shall offer the passenger the right to reimbursement or re-routing provided for in Article 8 of Regulation (EC) No 261/2004, provided that, where the flight has not been cancelled, the passenger has chosen not to take that flight.

Legal reference: art. 11 and 12 of Regulation (EC) No 2111/2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC (Text with EEA relevance)

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:344:0015:01:EN:HTML>

Price of seat only air tickets

Any operator that sells seat only air tickets for air services departing from the EU, including flights operated by third country air carriers, has the following obligations concerning fares that are available to the general public:

- Indication of the main conditions applicable to the fare;
- Indication at all time of the final price to be paid including the air fare, taxes, charges, surcharges and fees that are applicable, foreseeable and unavoidable at the time of publication of the price;
- Specification of the composition of the price. The categories for the breakdown of the price are the air fare, taxes, airport charges and other charges/surcharges/fees such as those related to security or fuel.

Optional price supplements must be clearly indicated at the start of the booking and accepted by the consumer on an opt-in basis.

Legal reference: Article 23(1) of Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (Recast)

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:293:0003:01:EN:HTML>

Rights of disabled persons and persons with reduced mobility when travelling by air

An air carrier or its agent shall make publicly available, in accessible formats and in at least the same languages as the information made available to other passengers, the safety rules that it applies to the carriage of disabled persons and persons with reduced mobility, as well as any restrictions on their carriage or on that of mobility equipment due to the size of aircraft. A tour operator shall make such safety rules and restrictions available for flights included in package travel, package holidays and package tours which it organizes, sells or offers for sale.

When an air carrier or its agent or a tour operator refuses to accept a reservation from or to embark a disabled person or a person with reduced mobility or requires that disabled person or person with reduced mobility be accompanied by another person who is capable of providing the assistance required by that person, it shall immediately inform the disabled person or person with reduced mobility of the reasons therefor.

Legal reference: Art. 4 par 3 and 4 of Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:204:0001:0009:EN:PDF>

Transfer of PNR data to US authorities

Where the ticket is bought from a travel agent, they have an obligation to inform passengers on the processing of their data by US authorities, as they are considered to be acting on behalf of the airline in allowing that airline to comply with the obligation it is subject to.

Information should be provided to passengers:

- no later than the moment when the passenger gives their agreement to buy the flight ticket.
- also after the ticket has been bought, for instance by including it in the confirmation message of the flight reservation or including a leaflet with the ticket when it is delivered. This is necessary to make sure the passenger receives the information in those cases where the booking was made by a third person in their name (for instance, by a secretary).

The content of the information to be provided includes, in accordance with Articles 10 and 11 of the Directive, the identity of the controller, the purposes of the processing and any further information "[...] in so far as such further information is necessary, having regard to the specific circumstances in which the data are processed, to guarantee fair processing in respect of the data subject".

The European Commission (ARTICLE 29 Data Protection Working Part) has established the model information notices to passengers, which are intended to provide guidance to airlines on the information they should provide to passengers in line with the obligations imposed by national legislation that implements the Directive.

The information notices to passengers exist in three versions:

- *short version*, intended to give passengers summary information about the fact that transfers to US authorities take place, and to offer them the possibility to find out more about the conditions of processing.
- *longer version*, that takes the form of frequently asked questions (FAQs) and contains more details about the conditions of processing. This version would be appropriate where bookings are made on the internet or at an office (of the airline or of a travel agent).
- very short version, intended for phone sales or can be printed on tickets.

The existence of these model notices does not relieve airlines of the obligation to provide passengers with more accurate and complete information, should they possess it.

The information must be provided in a way that ensures that passengers are fully aware of the collection and transfer of their PNR data.

If the booking is made at a travel agency:

- Travel agents should provide passengers with a paper version of at least the short passenger notice. If passengers request more information about the transfer of PNR, the agents should provide them with a paper version of the longer passenger notice.

If the booking is made by telephone:

- The very short notice should be read out for the passengers. If they request further information, the airline, travel agent or other organisation should indicate where passengers may access the longer notice on a website or how to get a paper version of the longer notice.

If the booking is made on the internet:

- The short notice should be presented to passengers automatically, without requiring them to look for it.
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The longer notice may be accessed by the passenger performing positive actions, such as clicking on a web link. This web link should be offered in the short notice. At the very least, on a website, the longer notice should have the same level of visibility and accessibility for passengers as general fare and travel conditions.

Legal reference:

- Agreement between the European Union and the United States of America on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the United States Department of Homeland Security (DHS) (2007 PNR Agreement)
[http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:22007A0804\(01\):EN:NOT](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:22007A0804(01):EN:NOT)
- Opinion 2/2007 on information to passengers about the transfer of PNR data to US authorities (which contains the model information notice).
http://ec.europa.eu/justice_home/fsj/privacy/docs/wpdocs/2008/wp151_en.pdf

Data processed by Computerised Reservation Systems

Marketing Information Data Tapes (MIDTs) made available by a Computerised Reservation Systems (CRS) must in principle not identify travel agents, either directly or indirectly.

By exception, the identification of a travel agent may be possible, if the latter has agreed with the CRS on the conditions for the appropriate use of the data. Such agreement on agent disclosure in MIDTs shall be made available to the public.

Upon request, an agent shall inform the consumer of the name and address of the system vendor, the purposes of the processing, the duration of the retention of personal data and the means available to the data subject of exercising his or her access rights.

Legal reference: Article 7(4) and 11(6) of Regulation (EC) No 80/2009 of 14 January 2009 on a Code of Conduct for computerised reservation systems

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:035:0047:01:EN:HTML>

Personal consignments of products of animal origin

International passenger transport operators, including airport and port operators and travel agencies, shall draw the attention of their customers to the following rules:

- *Small quantities of meat and dairy products*

You may not bring in or send to the EU any meat and dairy products for personal human consumption or the feeding of pets, with the exception of the following:

- Products coming from Croatia, the Faeroe Islands, Greenland or Iceland, provided that their weight does not exceed 10 kg per person;
- Powdered infant milk, infant food, and special foods or special pet feed required for medical reasons provided that their combined quantity does not exceed the weight limit of 2 kg per person or pet, and that:
 - The product does not require refrigeration before consumption;
 - It is a packaged proprietary brand product; and
 - The packaging is unbroken unless in current use.

- *Small quantities of fish products for personal human consumption*

You may only bring in or send to the EU personal consignments of fish products (fresh, dried, cooked, cured or smoked fish) provided that:

- Fresh fish are eviscerated;
- The weight of the fish products does not exceed, per person, 20 kg or the weight of one fish, whichever is the highest;

These restrictions do not apply to fish products coming from the Faeroe Islands or Iceland.

- *Small quantities of other animal products for personal human consumption*

You may only bring in or send to the EU other animal products, such as honey for example, provided that their weight does not exceed 2 kg per person.

- *Larger quantities of animal products*

You may only bring in or send to the EU larger quantities of animal products if they meet the requirements for commercial consignments, which include:

- Certification requirements, as laid down in the appropriate official EC veterinary certificate;
- The presentation of the goods, with the correct documentation, to an authorized EU border inspection post for veterinary control, on arrival in the EU.

- *Exempted animal products*

The following products are exempted from the rules explained previously:

- Bread, cakes, biscuits, chocolate and confectionery (including sweets) not mixed or filled with meat product;
- Food supplements packaged for the final consumer
- Meat extracts and meat concentrates
- Olives stuffed with fish
- Pasta and noodles not mixed or filled with meat product;
- Pizzas without meat;
- Soup stocks and flavourings packaged for the final consumer

- Any other food products, not containing any meat and less than 50% of any other type of processed animal product, such as dairy, egg or fishery products.
- *Animal products from protected species*
For certain protected species there may be additional restrictions in place. For example for caviar of sturgeon species, the weight limit is a maximum of 125 grams.

All animal products not conforming to these rules must be surrendered on arrival in the EU for official disposal. Failure to declare such items may result in a fine or criminal prosecution.

These procedures do not apply for the movements of animal products between the 27 Member States of the EU, or for animal products coming from Andorra, Liechtenstein, Norway, San Marino and Switzerland.

Legal reference: Art. 4 of Commission Regulation 206/2009 on the introduction into the Community of personal consignments of products of animal origin and amending regulation (EC) n. 136/2004 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:077:0001:01:EN:HTML>

Prohibition to carry certain items in hold luggage

Travel agencies shall make available to the public the following list of prohibited articles from hold baggage:

- explosives, including detonators, fuses, grenades, mines and explosives,
- gases, including propane and butane,
- flammable liquids, including gasoline and methanol,
- flammable solids and reactive substances, including magnesium, firelighters, fireworks and flares,
- oxidizers and organic peroxides, including bleach and car body repair kits,
- toxic or infectious substances, including rat poison and infected blood,
- radioactive material, including medicinal or commercial isotopes,
- corrosives, including mercury and vehicle batteries,
- vehicle fuel system components which have contained fuel.

Legal reference: Annex 1, point 5.2.3 of Commission Regulation (EC) No 820/2008 of 8 August 2008 laying down measures for the implementation of the common basic standards on aviation security <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:221:0008:01:EN:HTML>

Ticket information and rights of passengers

- Ticket vendors offering transport contracts on behalf of one or more railway undertakings shall provide the passenger, upon request, with the following information:
 - general conditions applicable to the contract;
 - time schedules and conditions for the fastest trip;
 - time schedules and conditions for the lowest fares;
 - accessibility , access conditions and availability on board of facilities for disabled persons and persons with reduced mobility;
 - accessibility and access conditions for bicycles;
 - availability of seats in smoking and non-smoking, first and second class as well as couchettes and sleeping carriages;
 - any activity likely to disrupt or delay services;
 - availability on-board services;
 - procedures for reclaiming lost luggage;
 - procedures for the submission of complaints.

Ticket vendors offering transport contracts on their own account, and tour operators, shall provide this information where available.

- Upon request, a ticket vendor or a tour operator shall provide disabled persons and persons with reduced mobility with information on the accessibility of rail services and on the access conditions of rolling stock and shall inform disabled persons and persons with reduced mobility about facilities on board.
- When selling tickets for journeys by rail, railway undertakings, station managers and tour operators shall inform passengers of their rights and obligations under this Regulation. In order to comply with this information requirement, railway undertakings, station managers and tour operators may use a summary of the provisions of this Regulation prepared by the Commission in all official languages of the European Union institutions and made available to them.

Legal reference:

- art. 8 par 1, art. 20 par 1 and art. 29 par 1 of REGULATION (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passenger's rights and obligations
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:315:0014:0041:EN:PDF>
- Summary of the provisions of the Regulation prepared by the European Commission http://europa.eu/legislation_summaries/transport/rail_transport/l24003_en.htm

Information on rights of passengers travelling by sea in the event of accidents

In the framework of the Regulation on the liability of carriers of passengers by sea in the event of accidents, when the contract of carriage is made in a Member State, the information regarding passenger rights under the abovementioned regulation shall be provided at all points of sale, including sales by telephone and via the internet.

In order to comply with the information requirement under this Article, the carrier and performing carrier shall provide passengers with at least the information contained in a summary of the provisions of this Regulation prepared by the Commission and made public.

Legal reference: Art. 7 of Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:131:0024:01:EN:HTML>

Cash declarations

Travelers entering or leaving the Community and carrying any sum equal to or exceeding €10,000 (or its equivalent in other currencies or easily convertible assets such as cheques drawn on a third party) have to make a declaration to the customs authorities of the Member State through which he is entering or leaving the Community

In the event of failure to comply with the obligation to declare, cash may be detained by administrative decision in accordance with the conditions laid down by national laws.

The Common Declaration Form has to be used for declarations made in the following Member States: Austria, Cyprus, Denmark, Finland, Greece, Ireland, Luxembourg, Malta, The Netherlands, Portugal, Romania, Slovenia and Sweden.

The following Member States require the use of a national form: Bulgaria Czech Republic, Estonia, Germany, Hungary, Italy , Lithuania, Slovakia, Spain, United Kingdom

The following Member States have informed the Commission that they have in place, apart from cash controls according to the provisions of Regulation (EC) No 1889/2005, additional measures to control intra community cash movements:

Member State	Threshold	Particularities
DE	10.000 €	Including precious metals and stones
DK	10.000 €	-
FR	10.000 €	Including securities or other financial instruments
BG	10.000 €	Including precious metals, gems, precious stones and objects made of them. Upon export of BGN> 25000 a certificate is necessary in certain cases.
CY	12.500 €	Including gold
CZ	10.000 €	Including commodities of high value such as precious metals and stones
ES	10.000 €	+ Obligation to declare cash within ES for cash > or equal to 100.000 €
IT	10.000 €	-
MT	10.000 €	-
PT	10.000 €	-
PL	10.000 €	Including gold and platinum (this without any threshold)
BE	10.000 €	-
AT	10.000 €	+ Obligation to declare cash within AT for cash > or equal to 10.000 €

IE		Carrying cash > 6348.69 € is suspect to have direct or indirect link to proceeds of crime or intended to be used in criminal conduct
UK		Customs can stop persons for search in respect of any cash carried.

Legal reference: Regulation No 1889/2005 on controls of cash entering or leaving the Community http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/l_309/l_30920051125en00090012.pdf

Customs and tax allowances for travellers

If you enter the EU from a non-EU country, goods having no commercial character in your personal luggage can be imported free of customs duties, VAT and excise duties within the following limits:

Excise product	Amount
Tobacco products (a) (c)	<p>Each Member State decides on the limit applicable:</p> <ul style="list-style-type: none"> • 200 cigarettes or 40 cigars;* • 100 cigarillos or 20 cigars; * • 50 cigars or 10 cigars; * • 250 grams of tobacco or 50 g smoking tobacco* <p>* Each amount represents 100% of the total allowance for tobacco products and any combination of those products must not exceed 100%. Example: 100 cigarettes + 50 cigarillos = total allowance</p>
Alcoholic beverages (a)	<ul style="list-style-type: none"> • a total of 1 litre of alcohol and alcoholic beverages of an alcoholic strength exceeding 22% vol, or undenatured ethyl alcohol of 80% vol and over (b); or • a total of 2 litres of alcoholic beverages of an alcoholic strength not exceeding 22% vol. (b) • a total of 4 litres of still wine, and • 16 litres of beer (only for VAT and excise duty)
Fuel	<ul style="list-style-type: none"> • In any means of motor transport, the fuel contained in the standard tank; and • a quantity of fuel not exceeding 10 litres contained in a portable container.
Other goods (including perfume, coffee, tea, electronic devices etc.) (a)	<ul style="list-style-type: none"> • Up to a value of €430 for air and sea travellers • Up to value of €300 for other travellers <p>The value on an individual item may not be split up.</p> <p>The value of personal luggage (i.e. suitcases) and medicinal products for the personal needs of the traveller do not count.</p> <p>Member States may reduce the above limits to € 150 for travellers under 15 years.</p>

a) Allowances concerning tobacco and alcohol do not apply in the case of travellers under 17 years of age.

b) Each of these amounts represents 100 % of the total allowance for alcohol and alcoholic beverages (see Art. 9 (2) of Directive 2007/74/EC),

c) Cigarillos are cigars of a maximum weight of 3 grams each.

In this context, imports are regarded as having no commercial character if they take place occasionally and consist of goods for the personal or family use of the travellers, or of goods intended as presents.

Legal reference:

- Council Directive 2007/74/EC on the exemption from value added tax and excise duty of goods imported by persons travelling from third countries
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:346:0006:0012:EN:PDF>
- Council Regulation No 918/83 setting up a Community system of reliefs from customs duty <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31983R0918:EN:HTML>
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Travelling with pets

The following rules apply to movement of dogs, cats and ferrets both between Member States and from third countries into the EU:

1. The animal has to be identified through:

- (a) either a clearly readable tattoo; or
- (b) an electronic identification system (transponder).

From 2012 only possibility (b) will apply.

2. The animal must be accompanied by a passport issued by a veterinarian authorized by the competent authority certifying valid anti-rabies vaccination, or revaccination if applicable, in accordance with the recommendations of the manufacturing laboratory, carried out on the animal in question with an inactivated vaccine of at least one antigenic unit per dose (WHO standard).

Member States may authorize the movement of dogs, cats and ferrets which are under three months old and unvaccinated, if they are accompanied by a passport and have stayed in the place in which they were born since birth without contact with wild animals likely to have been exposed to the infection or are accompanied by their mothers on whom they are still dependent.

Pet owners travelling within the EU should contact their veterinarian to get the necessary documents completed. For pet owners coming from outside the EU, some specific conditions apply.

Legal reference: Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:02003R0998-20081122:EN:NOT>

Items prohibited onboard an aircraft

Passengers are not permitted to carry the following articles into the security restricted area and the cabin of an aircraft:

- a) Guns, firearms and weapons
(Any object capable, or appearing capable, of discharging a projectile or causing injury, including: all firearms, replica and imitation firearms, component parts of firearms, air pistols, rifles and pellet guns, signal flare pistols, starter pistols, toy guns of all types, ball-bearing guns, industrial bolt and nail guns, crossbows, catapults, harpoon and spear guns, animal humane killers, stun or shocking devices, lighters shaped like a firearm.
- b) Pointed/edged weapons and sharp objects
Pointed or bladed articles capable of causing injury, including: axes and hatchets, arrows and darts, crampons, harpoons and spears, ice axes and ice picks, ice skates, lockable or flick knives with blades of any length, knives, including ceremonial knives, with blades of more than 6 cm, made of metal or any other material strong enough to be used as a potential weapon, meat cleavers, machetes, open razors and blades, sabres, swords and swordsticks, scalpels, scissors with blades more than 6 cm in length, ski and walking/hiking poles, throwing stars, tradesmen's tools that have the potential to be used as a pointed or edged weapon
- c) Blunt instruments
Any blunt instrument capable of causing injury, including: baseball and softball bats, clubs or batons — rigid or flexible (e.g. billy clubs, blackjacks, nightsticks and batons), cricket bats, golf clubs, hockey sticks, lacrosse sticks, kayak and canoe paddles, skateboards, billiard, snooker and pool cues, fishing rods, martial arts equipment (e.g. knuckledusters, clubs, coshes, rice flails, num chucks, kubatons, kubasaunts).
- d) Explosive and inflammable substances
Any explosive or highly combustible substances which pose a risk to the health of passengers and crew or the security/safety of aircraft or property, including: ammunition, blasting caps, detonators and fuses, explosives and explosive devices, replica or imitation explosive material or devices, mines and other explosive military stores, grenades of all types, gas and gas containers (e.g. butane, propane, acetylene, oxygen) in large volume, fireworks, flares (in any form) and other pyrotechnics (including party poppers and toy caps), non-safety matches, smoke generating canisters or cartridges, flammable liquid fuel (e.g. petrol/gasoline, diesel, lighter fluid, alcohol, ethanol), aerosol spray paint, turpentine and paint thinner, alcoholic beverages exceeding 70 % by volume (140 % proof).
- e) Chemical and toxic substances
Any chemical or toxic substances which pose a risk to the health of passengers and crew or the security or safety of aircraft or property, including: acids and alkalis (e.g. spillable 'wet' batteries), corrosive or bleaching substances (e.g. mercury, chlorine), disabling or incapacitating sprays (e.g. mace, pepper spray, tear gas), radioactive material (e.g. medicinal or commercial isotopes), poisons, infectious or biological hazardous material (e.g. infected blood, bacteria and viruses), material capable of spontaneous ignition or combustion, fire extinguishers.
- f) Liquids
Liquids, unless in individual containers with a capacity not greater than 100 millilitres or equivalent and contained in one transparent resealable plastic bag of a capacity not exceeding one litre. The contents of the plastic bag shall fit comfortably and the

bag shall be completely closed. Liquids include gels, pastes, lotions, liquid/solid mixtures and the contents of pressurised containers, e.g. toothpaste, hair gel, drinks, soups, syrups, perfume, shaving foam, aerosols and other items of similar consistency.

Exemptions may be granted if the liquid is:

1. to be used during the trip and is either required for medical purposes or a special dietary requirement, including baby food. When requested to do the passenger shall provide proof of authenticity of the exempted liquid; or
2. obtained airside beyond the point where boarding passes are controlled from outlets that are subject to approved security procedures as part of the airport security programme, on condition that the liquid is packed in a bag that is both tamper evident and displays satisfactory proof of purchase at that airport on that day; or
3. obtained in the security restricted area from outlets that are subject to approved security procedures as part of the airport security programme; or
4. obtained at another Community airport, on condition that the liquid is packed in a bag that is both tamper evident and displays satisfactory proof of purchase at airside at that airport on that day; or
5. obtained on board an aircraft of a Community air carrier, on condition that the liquid is packed in a bag that is both tamper evident and displays satisfactory proof of purchase on board that aircraft on that day; or
6. obtained from outlets located in an airside area beyond the point where boarding passes are controlled or in a security restricted area in an airport situated in one of this countries: Singapore (SIN) airport, Croatia: Dubrovnik (DBV) airport, Rijeka (RJK) airport Pula (PUY) airport, Split (SPU) airport, Zadar (ZAD) airport, Zagreb (ZAG) airport.

A passenger may be exempted from the requirements of point 4.1.1.1 provided that:

- (a) The appropriate authority has been informed in advance and given consent that the article(s) may be carried; and
- (b) The captain of the aircraft has been informed about the passenger and the prohibited article(s) he/she is carrying.

Where appropriate the prohibited article(s) shall be placed in secure conditions.

Legal reference: Annex 1, point 4 of Commission Regulation No 820/2008 laying down measures for the implementation of the common basic standards on aviation security <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:221:0008:01:EN:HTML>

Rights of passengers travelling by air

Air Air passengers enjoy a number of rights, such as:

- *assistance to disabled persons and persons with reduced mobility*; PRMs can rely on appropriate assistance at airports and in the aircraft, free of charge and are protected from discrimination. These provisions apply to all commercial flights departing, transiting or arriving at an EU airport and the provisions on non-discrimination and assistance on board aircrafts also apply to flights departing from an airport situated in a third country for an airport situated within the EU if the carrier is a EU carrier.
- *information on the identity of the operating carrier*; Passengers must be informed, in advance, of which airline is operating your flight. Airlines found to be unsafe are banned or restricted within the European Union.
- *liability of carriers for damages resulting from delays and for damage to and loss of luggage and for injury or death in accidents*; Airlines can be held liable for damages resulting from delays (limited to \pm € 4 800), for damage to and loss of baggage (limited to \pm € 1 200) and for injury or death in accidents. However, airlines shall not be liable if they have taken all reasonable measures to avoid the damages or it was impossible to take such measures.
- *Rights in the event of denied boarding, cancellation or long delay of their flight*; in case of a denied boarding, the operating air carrier is required to call for volunteers to surrender reservations in exchange for agreed benefits and also to give choice between alternative flight and reimbursement. If nevertheless boarding is denied, the passenger has the following rights:

- Financial compensation (between 250-600€ depending on flight distance), and
- Choice between reimbursement or rerouting, and
- Assistance: meals, refreshments and hotel accommodation

In the case of cancellation, a passenger has the following rights:

- Financial compensation (between 250-600€ depending on flight distance), unless the passenger has been informed of the cancellation prior to departure (see specific conditions) or the cancellation is due to extraordinary circumstances, and
- Assistance: meals, refreshments and hotel accommodation, and
- Choice between reimbursement or rerouting

In the case of a long delay, a passenger has the following rights:

- Assistance, depending on the delay time and flying distance: meals, refreshments and hotel accommodation
- Choice of reimbursement, when a delay delays the passenger for at least five hours

The Regulation applies to all flights, both scheduled and non-scheduled, departing from an airport located within a Member State or departing from an airport located in a third country for an airport situated within the EU, if the carrier is an EU carrier, unless passengers have already received benefits or compensation in the third country.

An overview of the provisions is provided in the table hereafter.

Legal reference:

- Regulation No 1107/2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!DocNumber&lg=en&type_doc=Regulation&an_doc=2006&nu_doc=1107
- Regulation No 2111/2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:344:0015:01:EN:HTML>
- Council Regulation No 2027/97 on air carrier liability in the event of accidents http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!CELEXnumdoc&numdoc=397R2027&lg=en
- Regulation No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004R0261:EN:HTML:NOT>

Overview of the rights granted to passengers under Regulation 261/2004/EC

Time when pax are entitled to rights	Rights in case of denied boarding	Rights in case of cancellation	Rights in case of delay
Before departure	<p>Denied boarding = refusal to carry paxs on a flight, although they have presented themselves for boarding at time indicated by carrier/TO/TA or else 45 min. before departure time, except where there are reasonable grounds to deny them boarding (e.g. health, safety or security, or inadequate travel documentation)</p>	<p>Cancellation = non-operation of a flight which was previously planned and on which at least one place was reserved. This Regulation shall not apply in cases where a package tour is cancelled for reasons other than cancellation of the flight</p> <p>If flight is cancelled at least two weeks before departure, pax rights to:</p> <ul style="list-style-type: none"> ▪ Choice between (see below) <u>AND</u> <ul style="list-style-type: none"> - reimbursement and return flight if relevant - re-routing at earliest opportunity - re-routing at a later date ▪ Assistance free of charge (see below) <u>AND</u> In case of re-routing: hotel accommodation where necessary ▪ Compensation (see below) <ul style="list-style-type: none"> i. 250€ for flights < 1500km ii. 400€ for flights between 1500km – 3000km and intra-Community flights of more than 1500km iii. 600€ for all other flights <p>In case of re-routing: compensations can be halved, if arrival time of alternative flight does not exceed the scheduled arrival time of the original flight by 2/3/4 hours for flights falling in the categories i/ii/iii respectively.</p> <p><u>No compensation if:</u></p> <ul style="list-style-type: none"> - pax informed of cancellation prior to 	<p>Delay = a flight which is delayed beyond its scheduled time of departure</p> <ul style="list-style-type: none"> (a) for two hours or more in the case of flights of 1500 km or less; or (b) for three hours or more in the case of all intra-Community flights of more than 1500 km and of all other flights between 1500 and 3500 km; or (c) for four hours or more in the case of all flights not falling under (a) or (b).

		departure* - cancellation if extraordinary circumstances**	
Time	Rights in case of denied boarding	Rights in case of cancellation	Rights in case of delay
At time of boarding and after	<p>Call for volunteers – pax right to:</p> <ul style="list-style-type: none"> ▪ Mutually agreed benefits <u>AND</u> ▪ Choice between (see below): <ul style="list-style-type: none"> - reimbursement and return flight if relevant - re-routing at earliest opportunity - re-routing at a later date <p>If nevertheless denied boarding, pax right to:</p> <ul style="list-style-type: none"> ▪ Compensation (see below) <u>AND</u> <ol style="list-style-type: none"> i. 250€ for flights < 1500km ii. 400€ for flights between 1500km – 3000km and intra-Community flights of more than 1500km iii. 600€ for all other flights <p>In case of re-routing: compensations can be halved, if arrival time of alternative flight does not exceed the scheduled arrival time of the original flight by 2/3/4 hours for flights falling in the categories i/ii/iii respectively.</p> <ul style="list-style-type: none"> ▪ Choice between (see below) <u>AND</u> <ul style="list-style-type: none"> - reimbursement and return flight if relevant - re-routing at earliest opportunity - re-routing at a later date ▪ Assistance free of charge (see below) <u>AND</u> <ul style="list-style-type: none"> - meals + refreshment in a reasonable relation to waiting time - hotel accommodation where necessary + transfer between airport and hotel - 2 telephone, telex or fax messages or e-mails ▪ Written notice of rights & coordinates of national enforcement bodies 	<p>If flight is cancelled when pax at airport, pax rights to:</p> <ul style="list-style-type: none"> ▪ Choice between (see below) <u>AND</u> <ul style="list-style-type: none"> - reimbursement and return flight if relevant - re-routing at earliest opportunity - re-routing at a later date ▪ Assistance free of charge (see below) <u>AND</u> <ul style="list-style-type: none"> - meals + refreshment in a reasonable relation to waiting time - 2 telephone, telex or fax messages or e-mails - In case of re-routing: hotel accommodation where necessary + transfer between airport and hotel ▪ Compensation (see below) <u>AND</u> <ol style="list-style-type: none"> i. 250€ for flights < 1500km ii. 400€ for flights between 1500km – 3000km and intra-Community flights of more than 1500km iii. 600€ for all other flights <p>In case of re-routing: compensations can be halved, if arrival time of alternative flight does not exceed the scheduled arrival time of the original flight by 2/3/4 hours for flights falling in the categories i/ii/iii respectively.</p> <p><u>No compensation if:</u></p> <ul style="list-style-type: none"> - pax informed of cancellation prior to departure (see 1st page)* - cancellation due to extraordinary circumstances** <ul style="list-style-type: none"> ▪ Written notice of rights & coordinates of national enforcement bodies 	

Time	Rights in case of denied boarding	Rights in case of cancellation	Rights in case of delay
2 hour delay and more	<i>Reduction of rights: In case of re-routing, compensations can be halved, if <u>arrival time of alternative flight</u> does not exceed the scheduled arrival time of the original flight by 2 hours.</i>	<i>Reduction of rights: In case of re-routing, compensations can be halved, if <u>arrival time of alternative flight</u> does not exceed the scheduled arrival time of the original flight by 2 hours.</i>	If <u>expected flight delay</u> is of 2 hours or more for flights of < 1500 km, pax rights to: <ul style="list-style-type: none"> ▪ Assistance free of charge (see below) <u>AND</u> - meals + refreshment in a reasonable relation to waiting time - 2 telephone, telex or fax messages or e-mails - hotel accommodation where necessary + transfer between airport and hotel ▪ Written notice of rights & coordinates of national enforcement bodies (NEBs)
3 hour delay and more	<i>Reduction of rights: In case of re-routing, compensations can be halved, if <u>arrival time of alternative flight</u> does not exceed the scheduled arrival time of the original flight by 3 hours.</i>	<i>Reduction of rights: In case of re-routing, compensations can be halved, if <u>arrival time of alternative flight</u> does not exceed the scheduled arrival time of the original flight by 3 hours.</i>	If <u>expected flight delay</u> is of 3 hours or more for flights 1500km – 3000km and intra-Community flights of more than 1500km, pax rights to: <ul style="list-style-type: none"> ▪ Assistance free of charge (see above) <u>AND</u> ▪ Written notice of rights & coordinates NEBs
4 hour delay and more	<i>Reduction of rights: In case of re-routing, compensations can be halved, if <u>arrival time of alternative flight</u> does not exceed the scheduled arrival time of the original flight by 4 hours.</i>	<i>Reduction of rights: In case of re-routing, compensations can be halved, if <u>arrival time of alternative flight</u> does not exceed the scheduled arrival time of the original flight by 4 hours.</i>	If <u>expected flight delay</u> is of 4 hours or more for all other flights, pax rights to: <ul style="list-style-type: none"> ▪ Assistance free of charge (see above) <u>AND</u> ▪ Written notice of rights & coordinates NEBs
5 hours and more	-	-	If <u>expected flight delay</u> is of 5 hours or more for all flights, pax rights to: <ul style="list-style-type: none"> ▪ reimbursement and return flight if relevant <u>AND</u> ▪ Written notice of rights & coordinates NEBs

* Passengers have the right to compensation, unless they are informed of the cancellation:

(i) at least two weeks before the scheduled time of departure; or

(ii) between two weeks and seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than two hours before the scheduled time of departure and to reach their final destination less than four hours after the scheduled time of arrival; or

(iii) less than seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than one hour before the scheduled time of departure and to reach their final destination less than two hours after the scheduled time of arrival.

** Extraordinary circumstances = political instability, meteorological conditions incompatible with the operation of the flight concerned, security risks, unexpected flight safety shortcomings and strikes that affect the operation of an operating air carrier.

Right to consular protection

Article 20 of the EC Treaty provides that if a citizen of the Union is in a third country in which the Member State of which he is a national does not have an embassy or a consular post, he is entitled to protection by the authorities of any Member State represented on the spot, in the same conditions as the nationals of that State.

According to a decision of 1995, this protection must cover:

- assistance in the event of death
- assistance in the event of serious accident or serious illness
- assistance in the event of arrest or detention
- assistance to victims of violent crime
- the relief and repatriation of distressed citizens of the Union

The above list is not exhaustive. The Decision states that a citizen can also apply for protection in other circumstances, in which, in so far as it is within the States' powers, immediate assistance should be given to a national in difficulties.

The decision also covers the procedures for financial advances to citizens in difficulties.

Legal reference

- *Text of Article 20 of the EC Treaty* <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2006:321E:0001:0331:EN:pdf>
- Decision 95/553 of 19 December 1995 of the Representatives of the Governments of the Member States regarding the protection for citizens of the European Union by diplomatic and consular representations <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:41995D0553:EN:NOT>