

## ..in five minutes..

24 August 2011

Before the ECTAA summer closure, the Secretariat and PIT met with the Polish EU Council Presidency to reiterate the necessity for the Council to reach an agreement on the revision of the special VAT scheme for travel agents. The Council Presidency confirmed its willingness to make progress on this problematic dossier, but remained doubtful about an opt-in or opt-out mechanism called for by the industry. ECTAA managed to obtain support from the European Parliament to draw attention to this unresolved matter in an EU own-initiative report on the future of the EU VAT system.

A very busy and full work programme lies ahead for ECTAA. We will have to provide input to a number of consultations, both ongoing and planned, such as on the CRS Code of Conduct, the Insurance Mediation Directive, the Recognition of Professional Qualifications Directive and on passenger rights. ECTAA has been invited to speak at an EP Public Hearing on Established Rights of Air Passengers, where we will focus on one of the questions raised by the organizers on the need for a more transparent system of ticket pricing.

*Michel de Blust*

### **Air transport: CRS Code of Conduct comes under the loop**

The European Commission has commissioned a study on the CRS Code of Conduct as part of the 'fitness check' exercise. ECTAA has been invited to contribute to the study by means of a questionnaire. This is an opportunity to voice concerns about the content provided in CRSs, fare notes, identification of agents in marketing data, definition of parent carriers, etc. Members are invited to provide their comments and answers to the questionnaire by 29 August 2011.

For more details, see e-mail sent on 18 August

### **Air Transport: Airline surcharges for payment by credit card**

As from 2 November 2011 the Lufthansa Group will introduce a card surcharge on in all channels in Germany, Belgium, Finland, the United Kingdom, the Netherlands and Switzerland. Other airlines have previously introduced similar surcharges on payment by credit card. These surcharges are increasingly raising the attention of the EU and national regulators. Members are invited to provide their comments and answers to a questionnaire by 1 September 2011.

For more details, see e-mail sent on 24 August

### **IATA: Financial criteria on PAConf agenda again**

ECTAA will have to watch out for the proposals on financial criteria to be discussed at the PAConf scheduled on 11-12 October. But other items may raise concern as well: ADMs after an agent is declared in default, global alignment of accreditation fees, accreditation of State/Government travel departments, possibility of restricting refunds through BSP when an airline is suspended from BSP, modification of the Travel Agency Commissioner jurisdiction and procedures. Please provide us your input before 31 August, so ECTAA can file comments in view of the second transmittal of the PAConf agenda.

For more details, see e-mail sent on 23 August

### **IATA: Resignation of Travel Agency Commissioner**

Ms. Helene Cederton has resigned from her post of Travel Agency Commissioner responsible for Europe, Middle East and Africa, effective 2 September 2011. The Travel Agency Commissioner

responsible for Americas and the Caribbean, Ms. Verónica Pacheco-Sanfuentes may take over for an interim period, until a new Commissioner is recruited.

For more details, see e-mail of 18 July and link to [Travel Agency Commissioners](#)

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#### **PNR: Parallel discussion on PNR proposal in Parliamentary Committee and the Council**

ECTAA made a presentation to the Council working party in charge of the PNR proposal on 7 July. Discussions are also running in parallel in the parliamentary Committees TRAN and LIBE. ECTAA Members have been invited to communicate their views both to their respective governments and MEPs of the parliamentary committees.

For more details, see e-mail of 20 July with model letters and contact details

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#### **Data protection: Upcoming review of the EU legal framework on personal data protection**

The European Parliament has adopted an own initiative report in view of the future EU legal framework on personal data protection in the EU, for which the European Commission is expected to adopt a proposal in autumn 2011. The EP report supports a future extension of the general data protection rules to the use of PNR for law enforcement purposes. It also suggests reinforcing data protection in the future EU legal framework on personal data protection.

For more details, see e-mail of 18 July or consult the [EP own initiative report](#)

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#### **Insurance Mediation: Is the exemption of mediation in travel insurance from the insurance mediation Directive still justified?**

This is one of the questions that the Commission will have to assess in the frame of the impact assessment on the review of Directive 2002/92 on insurance mediation. Members are strongly encouraged to provide the Secretariat until 31 August data on the market and costs of intermediation of travel insurance to convince the Commission to maintain the exemption.

For more details, see e-mail of 19 July and consult [Directive 2002/92 on insurance mediation](#)

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#### **Tourism: No consensus yet on the European Tourism Quality Label**

Disagreement remains on the main features of the ETQ label. For reminder, the ETQ is intended to be an umbrella label that doesn't replace existing quality schemes but can be displayed – without additional costs – by companies that are approved by an accredited quality scheme. The contentious point is whether ETQ accreditation should also be granted to transnational labels or limited to national labels, thus permitting each country to protect their national identity and guard the unique national characteristics of their destination.

For more details, see e-mail of 11 July

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#### **Tourism: EU promises better statistics on European tourism**

A new Regulation concerning European statistics on tourism has been adopted, which aims at delivering better harmonised and faster information on tourism supply and demand. The Regulation foresees the collection of data, among other, on the purpose of trips (leisure/business) and booking of the trip (through travel agency / tour operator and as part of a package).

For more details, see e-mail of 24 July

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#### **VAT: ECTAA meets Polish Presidency to advance TOMS revision**

With the Polish Council Presidency starting July 2011, the Secretariat met with the Polish Ministries of Finance and of Tourism to stress the importance of reaching an agreement on the Directive proposal revising the special VAT scheme for travel agents (TOMS). The latter intend to progress on this dossier, though they are not very optimistic about obtaining an opt-out or opt-in for corporate supplies.

For more details, see e-mail of 28 July

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#### **VAT: EP willing to put pressure on Council to adopt TOMS revision**

The EP will issue an own-initiative report on the Commission Green Paper on the Future of the EU VAT System. On ECTAA's request, the Co-Rapporteur of the parliamentary TRAN Committee has accepted to include a paragraph on the need for the revision of TOMS.

For more details, see e-mail of 29 July

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### **VAT: ECoJ has publishes cases against Member States for incorrect application of TOMS**

7 of the 8 cases referred by the Commission to the European Court of Justice against Member States for the incorrect application of TOMS are available on the website of the European Court of Justice. They all concern the extended application of TOMS to wholesale supplies (travel agents supplying to another travel agent for onwards sale). The Court is also dealing with another case concerning the scope of TOMS

For more details, see e-mail of 28 July or consult cases [C-236/11](#) against Italy, [C-296/11](#) against France, [C-309/11](#) against Finland, [C-269/11](#) against Czech Republic, [C-293/11](#) against Greece, [C-193/11](#) against Poland, [C-189/11](#) against Spain, [C-220/11](#) Star Coaches

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## Other News in Brief

- European Tourism Forum "Stimulating Competitiveness in the European Tourism Sector", Krakow, 5-7 October 2011  
For more details, consult [website](#) (Information uploaded soon)
- Up-dated list of [VAT rates](#) applicable in the 27 EU Member States as from 1 July 2011
- Call for proposals "Promoting Social Tourism in Europe through the Development of a Demand-Supply Web-Based Platform" (deadline: 14-10-2011)  
For more details, see [call for proposal](#)
- Call for proposals "Trans-national cooperations on Projects on European Cultural Routes" (deadline: 07-10-2011)  
For more details, see [call for proposal](#)