



**Comments from Imtac on secondary legislation relating to EU Regulation 181/2011 concerning the rights of passengers in bus and coach transport**

March 2014

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All our documents are available in hard copy in 14pt type size as standard. We also provide word and pdf versions of our documents on our website – [www.imtac.org.uk](http://www.imtac.org.uk). In addition we will provide information in a range of other formats. These formats include:

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## **About Imtac**

Imtac is a committee of disabled people and older people as well as others including key transport professionals. Our role is to advise Government and others in Northern Ireland on issues that affect the mobility of older people and disabled people.

Our aim is to ensure that older people and disabled people have the same opportunities as everyone else to travel when and where they want.

Imtac receives support from the Department for Regional Development.

## **General comments**

Imtac welcomes the opportunity to comment on the proposals for secondary legislation in relation to EU Regulation 181/2011. The Committee has monitored the introduction of previous European Regulation in relation to air travel, rail travel and travel by sea. In many, but not all, cases rights under EU Regulation are already in place under domestic legislation. Imtac supports, however, the extension of a common set of rights for disabled people across Europe when travelling on different modes of transport. The Committee is therefore supportive of the provisions EU Regulation 181/2011.

## **Specific comments on the proposals**

Imtac has monitored consultation in Great Britain around the implementation of 181/2011. The Committee was disappointed that the UK Government sought to and has exercised their rights to implement a series of exemptions to the Regulations. Imtac is aware that this was opposed by many organisations of and for disabled people in the United Kingdom.

Imtac shares the reservations of these organisations and we do not agree with the exemptions listed on page 10 of the consultation. Contrary to the position of the Department for Transport we do not agree that these provisions place burdensome costs on transport providers or that 5 years are required to prepare for the changes. The proposed changes associated with the Regulation do, however, support both the UK and Northern Ireland Governments commitments to the inclusion of disabled people in society.

Imtac also disagrees with the Departments assertion that these commitments are already covered and exceeded in existing legislation and Translink's Passenger charter. Using the example of disability awareness training this is a mandatory requirement of Regulation 181/2011. Currently there is no mandatory requirement for Translink bus drivers to undertake such training. Legislation, policy and good practice does encourage Translink to provide training to staff and some training has taken place but this clearly falls short of what is required by the Regulation.

Imtac has no specific issues with proposals for enforcement of the Regulations other than concern about potential confusion over the involvement of three separate Government Departments. Significant work is required to raise awareness amongst operators and passengers around the requirements of the Regulation and enforcement and complaints procedures.

With specific reference to complaints Imtac is again concerned about the involvement of three Government Departments in handling complaints in relation to the Regulation. Whilst Imtac understands the rationale for this it would be preferable if there was one body responsible for handling complaints. We recommend that significant work be undertaken to raise awareness amongst operators and passengers about the requirements of the Regulation and compliant mechanisms. Whilst Imtac is happy to assist with this process the Committee recommends that the Department work particularly closely with the Consumer Council given their specific role in relation to similar EU Regulations around air and sea travel.

## **Conclusion**

Imtac would like to thank the Department for the opportunity to comment on the current proposals. The Committee would welcome the opportunity to work with the Department and others in developing detailed proposals around the implementation of the Regulation.