



The Voice  
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Railways

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## **CER –Customer Organisations liaison meeting**

**22<sup>nd</sup> March 2007, Copenhagen**

### **CER Passenger Charter Strategy**

#### **1. Purpose of paper**

This paper sets out the CER response to the proposals from the European customer organisations for a revised Passenger Charter.

#### **2. Background**

2.1. The CER-UIC-CIT *Charter on Rail Passenger Services* was adopted in October 2002. CER began meeting with European customer organisations in 2003, in keeping with the commitment to customer organisation dialogue in the *Charter*. Fourteen meetings have now been held.

2.2 CER published the third Progress Report on the *Charter* in September 2005. This reported a 93% implementation of the Charter's 19 commitments, and noted in particular the progress with delay compensation schemes, both at the national level and with the new UIC *International Delay Compensation scheme*.

2.3 The European customer organisations first proposed in 2004 that the *Charter* should be revised. After initial discussions in the regular liaison meetings with CER, the organisations involved<sup>1</sup> proposed specific changes to the text in June 2006.

#### **3. CER response to Customer Organisation's proposals.**

##### **3.1 Review process**

The proposals have been reviewed as follows.

First, the CER passenger working group that is monitoring progress with the EU Passenger Rights Regulation reviewed the proposals at a meeting on 9<sup>th</sup> September 2006.

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<sup>1</sup> European passenger Federation (EPF)  
European Disability Foundation (EDF)  
European Blind Union (EBU)

Second, a special workshop was arranged to consider the proposals at a High-level CER-UIC Passenger meeting held in Paris on 21<sup>st</sup> September 2006. This meeting was attended by Chief Executives / Passenger Business Directors of CER member companies. An interim response was given to the Customer Organizations at the last liaison meeting on 5<sup>th</sup> October 2006

The conclusions reached, and the response of the customer organizations, were then discussed at the CER Management Committee (Chief Executives from 11 railway companies) at its meetings in 6<sup>th</sup> December 2006 and 31<sup>st</sup> January 2007. This resulted in a policy recommendation that was endorsed by the CER General Assembly of all its members on 31<sup>st</sup> January 2007.

### 3.2 Response

CER has concluded that the customer organization's proposals should not be accepted. This is because the significant changes requested were very unlikely to be acceptable on a pan-European basis; thus the customer would be unlikely to see practical benefit from negotiating a 'watered-down' new version. CER has also noted the action being taken on bilateral and multilateral (but not pan-European) cooperation between passenger rail companies, aimed at improving service quality and commercial cooperation.

Annex 1 to this paper contains a CER commentary on the individual change to the *Charter*, as background to the decision.



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## Annex 1

### **EPF/EDF/EBU Proposals for a revised *Charter on Rail Passenger Services* - CER Commentary on the changes proposed**

At its General Assembly held on 31st January 2007, CER decided not to revise the *Charter on Rail Passenger Services* adopted in 2002. As a background to that decision, this document contains CER's comments on the specific proposals made in June 2006 by the European Customer Organisations to amend the Charter.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>1. Purpose of the Charter</b></p> <p>This charter is a voluntary commitment by European railway undertakings to raise the quality standards of services provided to their customers. It covers all rail services. Services operated in agreement with public authorities may be subject to specific conditions.</p>	<p><b>1. Purpose of the Charter</b></p> <p>This charter is a commitment by European railway undertakings. It becomes by the purchase of a ticket a direct component of the contract between passenger and all involved lane enterprises. It covers all rail services. Services operated in agreement with public authorities may be subject to at least equal conditions.</p>	<p>Clarification of the liability for all trips (also local traffic) with the signed enterprises.</p>

#### CER Response

This proposal is not acceptable for two reasons. First, the Charter is a voluntary commitment, and several of the topics (for example Articles 2, 3, 5) are not appropriate for contract conditions between the ticket holder and the carrier. Second, railway companies cannot make specific unilateral commitments on services operated under a public service contract, because the public authority has to be involved.

CER-Charter	Draft proposal EPF/EDF/EBU	Comment
<p><b>2. Information on passenger services and travel tickets</b></p> <p>Customers will be provided with adequate information at all relevant points of sale and through the appropriate information channels regarding:</p> <ul style="list-style-type: none"> <li>- the most convenient timetables,</li> <li>- seat availability (where applicable),</li> <li>- lowest fare in relation to customer requirements,</li> <li>- the terms and conditions applicable.</li> </ul> <p>For international services, if available at points of sale, this information will be provided for journeys between the main European railway stations as well as for the international fares that are available.</p>	<p><b>2. Information on passenger services and travel tickets</b></p> <p>Customers will be provided with adequate information in accessible formats at all points of sale, including in the Internet, and through the appropriate information channels regarding:</p> <ul style="list-style-type: none"> <li>- the most convenient timetables,</li> <li>- seat availability (where applicable),</li> <li>- fares in relation to customer requirements, including the lowest</li> <li>- the terms and conditions applicable</li> <li>- the accessibility of stations and on board.</li> </ul> <p>For international journeys, information and tickets would be provided at least at the main stations for all railway stations in Europe.</p>	<p>Including all points of sale and internet</p>

### CER Response

CER can accept the requirement to provide information on station and train accessibility, and the rewording on fares information. However an absolute requirement to provide the listed information at all points of sale, and to provide information and sell tickets at main stations for all railway stations in Europe, is not possible in a pan-European Charter. The information provided and tickets available for sale have to be tailored to market demand for the services on offer: this is highly differentiated market across Europe, for reasons of geography, market conditions and competition. Railway companies are ready to work with the European Railway Agency on the interoperability of rail ticketing and information systems, but commercial flexibility has to be maintained (as is the case for competing transport modes). This is to the advantage of the customer overall, as the extra costs involved in providing unnecessary distribution facilities would otherwise have to be passed on to them.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>3. Ticket Issuing</b></p> <p>Tickets will be available through various distributions channels (international and long distance counters, internet, telephone or accredited travel agents).</p>	<p><b>3. Ticket Issuing</b></p> <p>Tickets will be available through various distributions channels (ticket-counters, accessible ticket-machine, internet, telephone or accredited travel agents, on board trains). For the passenger no additional booking fees appear by the ticket purchase.</p>	<p>Amendment machines, service charge</p>

CER Response

It is clearly true that the list of distribution channels is not exhaustive and that ticket machines and on-train sales are often (but not always) available. Applicable accessibility standards can be met with new ticket machines.

However it is not reasonable to prohibit booking fees. The great majority of rail ticket sales are free of booking fees: but in practice the cost of sale can vary considerably, depending on what is being sold by whom. In fact this proposal could work against the interest of the customer, as it could affect the business case for selling certain travel products through certain distribution channels. Booking fees are in widespread use in the travel industry in general.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>4. Communication languages</b></p> <p>The languages used for communication with customers on board trains and/or at stations shall be the language(s) in use on the route where the customers is travelling. For international services railway undertakings will endeavour to communicate with customers in at least one other commonly used language.</p>	<p><b>4. Communication languages</b></p> <p>The languages used for communication with customers on board trains and/or at stations shall be the language(s) in use on the route where the customers is travelling. For international services railway undertakings will endeavour to communicate with customers in at least one other commonly used language.</p>	

(No change proposed)

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p data-bbox="47 272 365 300"><b>5. Intermodal information</b></p> <p data-bbox="47 336 728 392">Customers will be provided with information on access to and from stations and on connections with other modes.</p>	<p data-bbox="779 272 1095 300"><b>5. Intermodal information</b></p> <p data-bbox="779 336 1485 486">Customers will be provided with information on access to and from stations and on connections with other modes, in particular by the mean of timetables and maps at the entrances/exits of the stations. Whenever possible information on accessibility on connecting modes of transport should be provided.</p>	

#### CER Comment

The importance of intermodal information is understood by railway companies. How this information is delivered varies according to the business volume and the interchange opportunity available. Access directions and timetable information are readily available at major, integrated interchanges: at smaller stations the information may be more limited. Timetable information for another transport mode may only be available at the location of the other transport mode.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>6. Information about services such as luggage arrangements, bicycles, etc.</b></p> <p>Passengers may travel with up to three pieces of luggage provided that this language will not endanger other passengers and that it will fit in the dedicated luggage space. Larger pieces of luggage (skies, surfboards, bicycles, etc.) are subject to special conditions.</p> <p>Information about dedicated services for carriage of bicycles and/or for registered luggage to passenger's destinations, in particular international destinations, is available at the point of sale through the appropriate information channels.</p>	<p><b>6. Information about services such as luggage arrangements, bicycles, etc.</b></p> <p>Railway undertakings place at disposal enough capacities to the transport of usual baggage, wheel-chairs and room for assistance-dogs in all trains. Passengers may travel with up to three pieces of luggage of dimensions to be specified, provided that this luggage will not endanger other passengers. Larger pieces of luggage (skies, surfboards, bicycles, etc.) are subject to special conditions. Mobility-Equipment is not considered as luggage.</p> <p>Information about dedicated services for carriage of bicycles and/or for registered luggage to passenger's destinations, in particular international destinations, is available at all staffed stations.</p>	<p>Railway undertakings must look for enough capacity for luggage</p>

#### CER Comment

This paragraph in the Charter is based on the International Transport Committee General Terms and Conditions and could include a specified largest dimension of 85cm. However, the Charter cannot include undertakings on physical train design to accommodate the generalised commitment in the first sentence. In practice, PRM access issues are dealt with by the PRM TSI; and a pragmatic approach is normal on the question of applying baggage restrictions. Specialist information about registered luggage for international travel cannot be made available at all staffed stations: however, a commitment on advice on how to get the information would be generally acceptable.



<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
	<b>7bis. Lost or damaged luggage</b> Compensation arrangements are made for lost or damaged luggage.	Added point.

CER Comment

Compensation is available for lost or damaged luggage. For international services, this is governed by the COTIF-CIV. However, this kind of customer service Charter is not an appropriate document for damages payable. It does not, for example, specify existing death and injury liabilities.

CER-Charter	Draft proposal EPF/EDF/EBU	Comment
<p><b>7. complaints and claims</b></p> <p>Complaints and claims will be handled as early as possible and normally within four weeks. The reply will indicate the reasons for acceptance or rejecting of the complaint.</p> <p>Each railway undertaking will create and indicate the contact point in which complaints and claims can be addressed in writing and/or by other means. Complaints or claims may be submitted in the language used by the different railway undertakings involved in a customer's journey and/or in at least one other commonly used language.</p> <p>In the event that a claim is rejected, customers have a right of appeal to consumer organisations or to an official conciliation body or mediator.</p>	<p><b>7. complaints and claims</b></p> <p>Complaints and claims will be handled as early as possible and normally within four weeks. The reply will indicate the reasons for acceptance or rejecting of the complaint. Should the processing of the input require longer time, the passenger gets a provisional reply not later than two weeks after.</p> <p>Each railway undertaking will create and indicate the contact point in which complaints and claims can be addressed in writing and/or by other means. Complaints or claims may be submitted in the language used by the different railway undertakings involved in a customer's journey and/or in at least one other commonly used language. Complaint correspondence should be provided in accessible formats.</p> <p>In the event that a claim is rejected or a proposal by a company is not accepted by the passenger, that one has the right to appeal to an official conciliation body or a mediator. This appeal will transit through a consumer organisation when in existence. The railway companies cooperate fully with them. The passenger still keeps access to a judiciary appeal.</p>	<p>Cut of the processing term</p>

#### CER Comment

For complaints that take more than four weeks to process, CER can make a commitment to give the customer a provisional reply within the four weeks. Two weeks as proposed here are not enough: complaints workload can vary according to 'events on the ground', and more flexibility is needed. On accessibility, railways will ensure that replies are given in the format used by the complainant.

On the right of appeal, the proposed amendment is not acceptable, as it is not clear how this would add value to the customer. National circumstances will determine which avenues are available for appeal, and which are the most effective. In particular the amendment (if the language is correctly understood) could position the consumer organisation as a 'post office' for appeals, which would be inefficient. It is true that the customer retains legal rights.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>8. Refunds</b></p> <p>Refundable tickets will be reimbursed in a fast and simple procedure at the points of sale of the railway undertakings which issued the ticket and/or any other designated locations.</p> <p>Requests for refund of tickets purchased from travel agents must be submitted to the travel agent concerned.</p> <p>Customers will be provided with clear information about refund conditions and procedure at the points of sale.</p>	<p><b>8. Refunds</b></p> <p>For refundable tickets, a complete reimbursement in a fast and simple procedure at the points of sale of the railway undertakings which issued the ticket and/or any other designated locations is guaranteed.</p> <p>Requests for refund of tickets purchased from travel agents must be submitted to the travel agent concerned.</p> <p>Customers will be provided with clear information about refund conditions and procedure at the points of sale.</p>	<p>Clarification of the included costs.</p>

CER response

The amendment requiring a complete reimbursement is not acceptable. There are various conditions attached to the refund of tickets, depending on the ticket purchased and the price paid.

CER-Charter	Draft proposal EPF/EDF/EBU	Comment
<p><b>9. Punctuality</b></p> <p>The public will be informed in stations, on posters or by other means about the goals and particular performance concerning the level of punctuality for the different passenger services.</p> <p>In the event of delays, cancellations or diversions, railway undertakings will endeavour to provide customers on board trains and in stations with information about the reason for the above, the duration of delays and the consequences regarding the customer's rail journey.</p>	<p><b>9. Punctuality</b></p> <p>With delays, failures or diversions the railway undertakings care for quick and reliable information in accessible formats of the affected passengers in the affected trains and in the affected railway stations. With an unplanned stop of a train, first information of the passengers about reason and anticipated duration of the failure takes place after not later than five minutes. After removal of the failure the passengers are informed in the train extensively about the trip as well as connection possibilities. Information should be audible and visual.</p> <p>The public will be informed in stations, on posters or by other means about the goals and particular performance concerning the level of punctuality for the different passenger services.</p>	<p>Commitment to the direct information of passengers by failures.</p>

#### CER response

The Charter already supports the intention to advise passengers concerning delays. Adding 'as soon as possible' would be reasonable and consistent with general practice; but the proposed absolute time limit of 5 minutes is not acceptable. The time needed to get and disseminate meaningful information can vary considerably, depending on the circumstances. An absolute limit could result in misleading information being provided. Information is provided on the train about arrival times and connections after a delay, where this is practicable, but in some cases this has to be provided by station staff on arrival. Such real-time information cannot be provided in visual format on the majority of trains.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>10. Delays (assistance)</b></p> <p>In the event of a delay, customers will be provided with:</p> <ul style="list-style-type: none"> <li>- refreshments if possible in the event that a disruption in a service exceeds three hours;</li> <li>- overnight accommodation when it is impossible to continue the journey on the same day and where alternative means of transport cannot be provided at reasonable cost.</li> </ul>	<p><b>10. Delays (assistance)</b></p> <p>In the event of a delay, customers will be provided with:</p> <ul style="list-style-type: none"> <li>- refreshments if possible in the event that a disruption in a service exceeds one hours;</li> <li>- overnight accommodation when it is impossible to continue the journey on the same day and where alternative means of transport cannot be provided at reasonable cost.</li> </ul> <p>Special attention should be paid to the access needs of PRM's and people with disabilities.</p>	<p>Cut of the term</p>

CER response

The provision of refreshments after one hour's delay is not acceptable. The provision is for *assistance*: after three hours it is reasonable to expect this kind of assistance. It is however reasonable to pay special attention to PRM access needs in such cases (although this can be complicated by the fact that the circumstances are unplanned).

CER-Charter	Draft proposal EPF/EDF/EBU	Comment
<p><b>10. Delays (compensation)</b></p> <p>In the event that the responsibility lies solely with the railway companies:</p> <ul style="list-style-type: none"> <li>- Appropriate compensation for trains delays exceeding a certain time limit as indicated in the conditions governing a ticket.</li> </ul> <p>Compensation which may take the form of financial compensation or pre-paid vouchers for future journeys.</p> <ul style="list-style-type: none"> <li>-</li> </ul>	<p><b>10. Delays (compensation)</b></p> <p>With delays of their journey, passengers have a claim to an appropriate compensation if the delay exceeds a specified duration named in the forwarding conditions with arrival at the point of destination. The compensation is to be done in cash. Only if the passenger agrees explicitly, it can take the form of a voucher for a future trip.</p> <p>The compensation amounts at least</p> <ul style="list-style-type: none"> <li>- 30% of the journey price with delays from 30 minutes</li> <li>- 60% of the journey price with delays from 60 minutes</li> <li>- 90% of the journey price with delays from 90 minutes</li> </ul> <p>In case of delay the passengers are informed of this right aboard the train or at the station of arrival and given the proper proof of the delay. The claim is fully handled by the office having issued the ticket of by the railway company first or the last in the journey, at the choice of the passenger.</p> <p>With delays all necessary processing events are executed so far as possibly by one office. The internal clarification between the involved railway enterprises are taken internal.</p>	<p>Clarification of the electoral law with the passenger</p> <p>New compensation regulation</p> <p>Commitment, for the simple processing at a place „ One face to the customer “</p>

### CER response

The proposal is unacceptable. There is no limit on the railway company's liability for external events of any kind (whether naturally caused, or arising from third party actions). Nor is it economically feasible to insure for such events, as they are certain to occur. With or without sensible liability exclusions, the compensation levels are excessive as a standardised pan-European requirement (although several railway companies are economically able to offer comparable or better terms). Railway companies are still the only transport mode in Europe offering economic compensation for international and many national services simply because the train arrives later than scheduled.

The additional text on procedures would depend upon company's specific requirements. For example, on-train proof of delay may not be necessary. Good procedures are undoubtedly needed, but they do not belong in a pan-European charter.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>10. Delays (reimbursement /re-routing)</b></p> <p>- in the event of a disruption in services, passengers will be offered reimbursement or accommodation in another train (upgraded tickets included) or alternative travel arrangements at a reasonable cost, depending on circumstances and free of charge.</p>	<p><b>10. Delays (reimbursement / re-routing)</b></p> <p>In the event of a disruption in services, passengers will be offered reimbursement or accommodation in another train (upgraded tickets included) or alternative travel arrangements at a reasonable cost, depending on circumstances and free of charge.</p>	

(No change proposed)

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>11. Passengers with reduced mobility</b></p> <p>Common practice regarding assistance to rail passengers with reduced mobility will be applied, as reflected in standards agreed by the European railways (a summary of the contents of these standards is appended). This will cover information on assistance in stations, assistance and facilities to board/disembark from trains and on-board information.</p> <p>Information on services available for persons with reduced mobility on the main international routes is available at points of sale and on the appropriate information channels.</p>	<p><b>11. Passengers with reduced mobility and passengers with disabilities</b></p> <p>Common practice regarding assistance to rail passengers with reduced mobility and passengers with disabilities will be applied, as reflected in standards agreed by the European railways (a summary of the contents of these standards observably under <a href="http://www.xxx">www.xxx</a> ). This will cover information on assistance in stations, assistance and facilities to board/disembark from trains and on-board information.</p> <p>Information on services available for persons with reduced mobility on the main international routes is available at points of sale and on the appropriate information channels.</p>	<p>Clarification reference, annex or internet still not known What's whit booking assistance?</p>

CER response

This amendment would be acceptable. The existing Charter text is deficient.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>12. Passenger wayfinding in stations</b></p> <p>User-friendly wayfinding systems to facilitate passengers' access to trains and station facilities will be based on best practice in Europe as reflected in standards agreed by the European railways (a summary of the contents of these standards is appended). Convenient transfer facilities between railways and other modes will be provided.</p>	<p><b>12. Facilities in stations</b></p> <p>Access, way finding, information, points of sale, control systems, transfer facilities between railways and other modes, and various facilities for the passengers are detailed in <a href="#">annex ...</a> The UIC-standards are at least to be respected.</p>	<p>New reference on European standard</p>

CER response

The amendment is not acceptable: if understood correctly, it substantially changes and extends the scope of the article from wayfinding standards to a range of other topics, some of which are referred to elsewhere in the Charter; and UIC standards cannot be mandatory.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>13. Conditions of contract</b></p> <p>Passengers may request all contractual conditions at the point of sale and on the appropriate information channels like e.g. internet.</p>	<p><b>13. Conditions of contract</b></p> <p>Passengers may request all contractual conditions at the point of sale and on the appropriate information channels like e.g. internet and in accessible formats.</p>	

CER Response

The principle of providing contractual conditions in an accessible format is acceptable



<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>14. Railway safety</b></p> <p>The railway operations will meet high safety standards maintaining rail's role as the safest transport mode. This includes the continuous high attention for safety of infrastructure and rolling stock, for operational procedures and for safety qualifications of the railway staff. The safety record will be communicated on an at least annual basis.</p>	<p><b>14. Railway safety</b></p> <p>The railway operations will meet high safety standards maintaining rail's role as the safest transport mode. This includes the continuous high attention for safety of infrastructure and rolling stock, for operational procedures and for safety qualifications of the railway staff. The safety record will be communicated on an at least annual basis.</p> <p>In case of accidents the rules of international convention for passengers (CIV) apply of which the main rules are summarised in an annex.</p>	

CER Response

This amendment (specifying COTIF-CIV rules in case of an accident) is not necessary: this is not consistent with the purpose of the Charter as a customer service commitment.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>15. Security</b></p> <p>The level of security in trains and in stations will continue to be developed in cooperation with the relevant authorities. Campaigns to raise public awareness will be launched in order to promote active cooperation by customers on ensuring security levels.</p>	<p><b>15. Security</b></p> <p>The level of security in trains and in stations will continue to be developed in cooperation with the relevant authorities. Campaigns to raise public awareness will be launched in order to promote active cooperation by customers on ensuring security levels.</p>	

(No change proposed)

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>16. Cleanliness</b></p> <p>It will be ensured that all areas under our responsibility are kept clean and secure in cooperation with other railway and intermodal stakeholders to ensure comparable levels of cleanliness in station infrastructures and transfer facilities.</p>	<p><b>16. Cleanliness</b></p> <p>It will be ensured that all areas under railway undertakings and infrastructure bodies are kept clean and secure in cooperation with intermodal stakeholders. This is considered to railway stations inclusive to their area just as to all rolling stock.</p>	<p>Inclusion rolling material</p>

CER Response

This amendment is a helpful clarification, to explain that rolling stock cleanliness is included.

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>17. Customer obligations</b></p> <ul style="list-style-type: none"> <li>- Passengers must conduct themselves in such a manner as to avoid causing disturbance to other passengers and/or jeopardising the safety of railway operations.</li> <li>- Passengers must follow the instructions of the train personnel and respect the rules applied in designated areas in trains and at stations, e.g. non-smoking areas, silent areas, etc.</li> <li>- Passengers must be in possession of a valid rail ticket and where applicable a valid reservation as well as the requisite travel documents.</li> <li>- Passengers must comply with regulations concerning luggage.</li> </ul>	<p><b>17. Customer obligations</b></p> <ul style="list-style-type: none"> <li>- Passengers must conduct themselves in such a manner as to avoid causing disturbance to other passengers and/or jeopardising the safety of railway operations.</li> <li>- Passengers must follow the instructions of the train personnel and respect the rules applied in designated areas in trains and at stations, e.g. non-smoking areas, silent areas, etc.</li> <li>- Passengers must be in possession of a valid rail ticket and where applicable a valid reservation as well as the requisite travel documents.</li> <li>- Passengers must comply with regulations concerning luggage.</li> </ul>	

(No change proposed)

<b>CER-Charter</b>	<b>Draft proposal EPF/EDF/EBU</b>	<b>Comment</b>
<p><b>18. Permanent consultation of customers</b></p> <p>Railway undertakings or their representative bodies will take part in consultations forums, notably with organisations representing customers.</p> <p>Railway undertakings will take part in discussions on the implementation of this Charter, monitoring of service levels, changes in service levels including line closures and the quality of rail services in general and will seek advice on their design and organisation.</p>	<p><b>18. Permanent consultation of customers</b></p> <p>Railway undertakings or their representative bodies will promote customer's consultations and participate actively, notably with organizations representing passengers.</p> <p>In these consultations railway undertakings will take part in discussions on the implementation of this Charter, monitoring of service levels, changes in service levels including line closures and the quality of rail services in general and will seek advice on their design and organisation.</p>	<p>Stabilization of the passenger's groups</p>

### CER Response

The amendment is broadly acceptable: although for consultation between organisations, it could be said that it is the responsibility of both parties to ensure that consultation is active and promoted.

CER-Charter	Draft proposal EPF/EDF/EBU	Comment
<p><b>19. Monitoring</b></p> <p>All railway undertakings will monitor customer satisfaction and the level of punctuality on a regular basis. In addition, railway undertakings will collect customer complaints on national and international passenger transport by rail, classifying them in the appropriate categories and publish an overview.</p> <p>Railway undertakings will take continuous action to improve their services in order to meet customers needs.</p>	<p><b>19. Monitoring</b></p> <p>All railway undertakings will monitor customer satisfaction and the level of punctuality on a annual basis. In addition, a body independent from railway and infrastructure companies will collect customer complaints on national and international passenger transport by rail, classifying them in the appropriate categories and publish an overview on an annual basis. In addition, a body independent form the railway and infrastructure companies will measure the satisfaction of the passengers and review and comment on the data provided by these companies.</p> <p>Railway undertakings will take continuous action to improve their services in order to meet customers needs.</p>	<p>.</p>

#### CER Response

The amendment proposes an annual monitoring: this is acceptable as a guideline, but companies may wish to increase or reduce the frequency, depending on the market situation.

Many railway companies use independent companies to measure customer satisfaction, as proposed here: but it is not possible for this Charter to include such an absolute commitment.

It is not clear what ‘review and comment on the data’ means in this context. If it means to audit the data used to measure performance and customer satisfaction, it is not clear what the justification is for the substantial additional cost that would be involved.