

## Questionnaire

**on the 2017 reporting obligation of the National Enforcement Bodies (NEBs) on the rights of passengers travelling by bus and coach**

**(Regulation (EU) No 181/2011)**

### 1) Distribution of tasks between different NEBs (if applicable)

If there are several NEBs in your Member State, how are the tasks stipulated in the Regulation distributed between them? What are the tasks of the NEB submitting the reply to this questionnaire?

**In Hungary all the tasks stipulated in the Regulation are performed by the Market Surveillance and Passenger Rights Department of the Ministry of National Development.**

### 2) Information and statistics on complaint handling

Year	Number of complaints	Reason for complaint (e.g. cancellation, delay, discrimination, lack of assistance):	Comments (if any):
2015	<b>8</b>	<b>Cancellation</b>	
2016	<b>35</b>	<b>Cancellation (35)</b>	<b>Most complaints cite several reasons.</b>
		<b>Shortcomings in the handling of complaints (29)</b>	
		<b>Shortcomings in the provision of information (3)</b>	

In your Member State (please underline the correct answer):

- o Passengers can always submit their complaint directly to the NEB, or
- o **Passengers are obliged to submit their complaints to the carrier/terminal managing body, etc. first, and they can only submit a complaint to an NEB if they are not satisfied with the solution offered by the carrier/terminal managing body, etc.**

Do you use a complaint form at national level (please underline the correct answer)? o o Yes (if yes, please provide a copy of this form to the Commission),

- o **no.**

Which of the following methods of communication can be used to file complaints (please underline the correct answer or answers):

- o **in paper format,**
- o **electronically (e.g. by email or via a website),**
- o **by phone,**
- o **in person at the NEB's office.**

Did you reattribute any complaints to NEBs of another Member State? If yes, how many complaints?

**There have been no such cases.**

Is it possible to settle passengers' complaints via alternative dispute resolution?

- o Yes (if yes, please specify how it works),
- o **no.**

If an NEB takes a decision based on a complaint, will this decision be binding for the complainant and the carrier, terminal manager, etc. against whom the complaint was made?

**Yes, it is binding.**

Do you have any information about the number of complaints that passengers submitted to carriers, terminal managing bodies, ticket vendors, etc. operating in the territory of your Member State since 1 March 2013? (If yes, please indicate the number of those complaints.)

**We have no such information.**

3) Information and statistics on sanctions

Year	Number of sanctions imposed	Type of sanction imposed (in the case of fines, what was the sum imposed?):	Reason for imposing the sanction (which provision of the Regulation was breached?):
2015	7	<b>Fine: In 7 cases</b>	
		<b>HUF 1 000 000 (in 1 case)</b>	<b>Article 19</b>
		<b>HUF 1 000 000 (in 2 cases)</b>	<b>Articles 19 and 27</b>
		<b>HUF 1 000 000 (in 4 cases)</b>	<b>Articles 19, 20 and 27</b>
2016	16	<b>Warning in 1 case</b>	<b>Articles 19 and 27</b>
		<b>Fine:</b>	
		<b>HUF 1 000 000 (in 6 cases)</b>	<b>Article 19</b>
		<b>HUF 1 000 000 (in 8 cases)</b>	<b>Articles 19 and 27</b>
		<b>HUF 1 000 000 (in 1 case)</b>	<b>Articles 19, 20 and 27</b>

Did you impose sanctions in procedures which started on the basis of complaints or on the NEB's own initiative?

**Yes.**

Are the sanctions imposed by the NEB or by another body (if it is imposed by another body, please indicate the name of this body)?

**The sanctions are imposed by the NEB.**

4) Other actions in order to ensure the correct application of the Regulation

How do you monitor that carriers, terminal managing bodies, ticket vendors, etc. comply with the Regulation? Do you organise inspections?

**We continuously monitor compliance with the information obligation on the service providers' websites and at bus stations and bus stops.**

Do you cooperate with organisations representing passengers, disabled people or consumers, consumer authorities or other national authorities? (If yes, please specify.)

**Yes, the transport authority cooperates with the competition authority in accordance with Section 16(4)-(7) of Act XLI of 2012 on passenger transport services.**

Do you cooperate with NEBs in other Member States (common handling of complaints, common inspections, etc.)? (If yes, please specify.)

**To date, we have contacted an authority in another country on one occasion. The foreign authority took over and examined the part of the complaint under its jurisdiction and informed our authority of the outcome. Both authorities came to the same conclusion: the passenger's complaint was not well founded.**

Have you taken any action to disseminate information about bus and coach passenger rights? (If yes, please specify.)

**Yes, in 2015, using documents from the European Commission's awareness-raising campaign. Information documents were sent to scheduled domestic and foreign passenger transport service providers, who displayed them in terminals managed by them.**

Article 11 of the Regulation provides that 'In cooperation with organisations representative of disabled persons or persons with reduced mobility, carriers and terminal managing bodies shall, where appropriate through their organisations, establish, or have in place, non-discriminatory access conditions for the transport of disabled persons and persons with reduced mobility. The access conditions provided for in paragraph 1, including the text of international, Union or national laws establishing the safety requirements on which these non-discriminatory access conditions are based, shall be made publicly available by carriers and terminal managing bodies physically or on the internet, in accessible formats on request, in the same languages as those in which information is generally made available to all passengers. When providing this information particular attention shall be paid to the needs of disabled persons and persons with reduced mobility.' How has this provision been implemented in your Member State?

**In accordance with Article 2(4) of Regulation (EU) No 181/2011 of the European Parliament and of the Council concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004, Section 2(1)(c) of Government Decree No 213/2012 of 30 July 2012 on rules governing detailed conditions for passenger transport services by bus and coach not laid down in Regulation (EU) No 181/2011, on exemptions to the provisions of that Regulation, on conditions for passenger transport services by bus and coach and on the standard service agreement for passenger transport services by road exempts the application of Articles 11-15 of the Regulation to scheduled domestic services until 28 February 2021.**