

**Support study for the report on the implementation and results of Regulation (EU) 2021/782 on rail passengers’ rights and obligations**

***Country Research Template Part 2
Written questionnaire – National Enforcement Bodies***

*MOVE/B5/2024-234/SI2.928440*

April 2025

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| ***Country Research Template – Part 2***  |

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The European Commission - Directorate General for Mobility and Transport - has commissioned the consortium constituted by Ramboll Management Consulting A/S and Transport & Mobility Leuven, Milieu Consulting SRL and its subcontractors to carry out a support study for the report on the implementation and results of Regulation (EU) 2021/782 on rail passengers’ rights and obligations (RPRR). The RPRR entered into force on 7 June 2021 and applies since 7 June 2023. The overall aim of the study is to gather data on the implementation and initial results of the Regulation. The Commission is obliged to report to the Council and European Parliament by June 2026 (Art.39 RPRR).

As part of this study, we are collecting information at the national level on a variety of aspects related to the Regulation. This information is being collected from different sources, including desk research and stakeholder engagement activities. Information stemming from these sources will allow the study team to develop fiches detailing the implementation and application of the Regulation in each country in scope.

As part of the stakeholder engagement activities, we are contacting **key national stakeholders** to collect inputs in various formats regarding the **implementation** and **application** of the Regulation. The collection of inputs will be done in two steps:

1. **Written questionnaire** (the present document) –a questionnaire containing questions relative to various provisions of the Regulation. This questionnaire contains mostly closed questions (yes/no questions or multiple-choice questions). This questionnaire has been tailored to contain questions that are mostly relevant for your stakeholder group.
2. **Follow-up interview** – following the receipt of responses to the written questionnaire, the national expert will conduct a cca. one-hour long follow-up interview with you. These oral interviews will be used
	1. To better refine the information gathered through the questionnaire, and
	2. To ask questions that are not suitable for a questionnaire (e.g., open-ended questions, or questions seeking opinions) and that are not present in the current document.

The provision of complete and reasoned answers will help the work of the national experts and allow for a smooth completion of this phase of the stakeholder engagement exercise. Please complete the questionnaire as much as possible, providing as many details as you can.

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| Instructions in the questionnaire are included in font colour red. Please read and follow them carefully. Please do not delete the instructions while completing the template. The Study Team will clean the document from the instructions once the content is finalised. Please use **Arial, 10, black**, when filling out the template. |

1. service quality standards (Art. 29)

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| Aim of the research: to collect information on Service Quality standards. Explanation on the relevant provision: Section 5 of the Guidelines, Art. 29 of the New Regulation. Source of information: interviews, websites and and reports on service quality standards.  |
| Service quality standards |
| 1. Have national public authorities requested access from station managers to the information on the performance of their service quality standards?

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| [ ] Yes[x] No |

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1. Complaints, Enforcement and penalties (Arts. 28, 31-35)

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| Aim of the research: to collect information linked to complaint-handling and the enforcement of passengers’ rights. Explanation on the relevant provision: Section 5 of the Guidelines, Arts. 28, 30-35 of the New Regulation. Source of information: interviews, websites and reports of NEBs, ADR bodies, or ECC; national legislation, and reports on service quality standards.  |
| Complaints to railway undertakings/station managers |
| 1. Do railway undertakings and station managers in practice make the complaint related data available to the NEBs at the latter’s request?

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| [x] Yes[ ] NoIf not, please specify why. |

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| Enforcement |
| 1. Does the NEB(s) clearly state its responsibilities on its website?

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| [x] Yes[ ] No |

1. Is the NEB independent from industry in terms of organisation, funding decisions, legal structure and decision-making?

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| [x] Yes[ ] NoIf not, please specify the aspects that are not independent from the industry.  |

1. enforcement tasks does the NEB perform? (Select all that apply)

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| [x] Monitoring compliance with the Regulation[ ] Take the measures necessary to ensure that the rights of passengers are upheld[x] OtherIf other, please specify.Since this year, we have been planning meetings with railway station owners and carriers. Otherwise, we do not carry out active inspections and take actions based on complaints. We also do campaigns on the rights of rail passengers on social media |

1. How do railway undertakings, station managers, infrastructure managers, ticket vendors, and tour operators provide NEBs with requested documents and information?

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| Communication is mainly via email. |

1. On average, within which timeframe do railway undertakings, station managers, infrastructure managers, ticket vendors and tour operators provide the NEBs with relevant documents and information?

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| Nota bene, according to the Regulation it is ‘without undue delay and, in any event, within one month from the receipt of the request’. Usually, the first response comes within two days. But the first response may say that they need more time, but on average the final answer stays under a month. On average we close the cases in a week.  |

1. Is the one-month deadline extended in complex cases?

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| [ ] Yes[x] NoIf yes, please specify the deadline in complex cases. Nota bene, according to the Regulation it is three months:Please specify what cases are considered as complex cases. |

1. Does the NEB publish reports with statistics on their activity, including on penalties applied?

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| [x] Yes[ ] NoIf yes, please provide weblink. We do not publish statistics. But we do publish punitive supervisory decisions on https://transpordiamet.ee/ettekirjutused . But we have yet to make a punitive decision on rail passenger rights.  |

1. Do all railway undertakings that operate on the territory of the Member State systematically give their contact details to the NEB(s)?

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| [x] Yes[ ] No |

1. Which organisations can passengers contact if their complaint to the railway undertaking or station manager was unsuccessful? (Select all that apply)

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| [x] ADR body[x] National complaint handling body – NEB[ ] National complaint handling body – other than NEB; Please specify the name of this body (in English and national language, as well as the type of this body (e.g., administrative, judicial authority): [x] Other Please specify. If you are not happy with the solution offered you can always submit a complaint to the court.  |

1. What is the deadline for submitting complaints to the NEB/national complaint handling body[[1]](#footnote-2)?

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| Nota Bene: the Regulation sets forth three months. We have no deadline for submitting a complaint. But If you have exceeded the deadline for submitting a complaint, we cannot make a decision that the carrier must satisfy your complaint, but we can issue an injunction that it must refrain from violating such obligations in the future. |

1. What is the average timeframe within which the NEB/national complaint-handling body acknowledges receipt of complaints?

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| Nota Bene: the Regulation provides for up to two weeks. We acknowledge it strait a way. We have an automatic response to incoming complaints, and we register them all. If your complaint has deficiencies, then we give a date by which they must be eliminated. Usually we must handle the complaint within 30 days.  |

1. What is the average timeframe within which the NEB/national complaint-handling body resolves complaints in :

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| a) Standard cases: Nota Bene: according to the Regulation it is a standard three-month timeframe. 30 daysb) In complex cases: Nota Bene: according to the Regulation it could be up to six months. We have yet to have onec) In cases involving legal proceedings: Nota Bene: according to the Regulation it could be more than six months. We have yet to have one |

1. Does the NEB/national complaint handling body inform passengers of extensions and the expected resolution time?

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| [x] Yes[ ] NoIf no, please specify why. |

1. What kind of result can passengers expect from a complaint to the NEB/national complaint handling body? (Select all that apply)

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| [x]  The authority gives advice to complainants on the applicable dispute resolution procedures[ ]  The authority provides a substantial analysis to complainants on their case[ ]  The authority follows up the complainant’s case with the undertaking concerned[x]  The authority can issue a binding decision towards the undertaking to ensure the passengers’ individual rights (e.g., compensation, reimbursement of ticket or other costs)[ ]  OtherPlease explain.  |

1. How is it ensured that the complaint-handling procedure is accessible to PRMs?

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|  We have not specifically thought about this. We have the general opportunity to come to the offices on site, what are PRM accessible. We also have a hotline that can help with the application if it is not possible to come to the site. |

1. If the NEB differs from the complaint-handling body, is it required to consider information or complaints from the complaint-handling body in enforcement actions?

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| [ ] Yes[x] NoIf not, please specify why. NEB and ADR are in the same body. |

1. Are mechanisms in place for regular information exchange between NEBs and complaint-handling bodies? (where such bodies are different)?

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| [ ] Yes[x] NoIf no, please specify why. NEB and ADR are in the same body.If yes, please specify the established mechanisms.  |

1. Are there established mechanisms for regular communication and information exchange with the national enforcement bodies of other Member States?

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| [ ] Yes[x] NoIf no, please specify why. We have rail wiki and meeting of expert group. But we have yet do have need for information exchange to the smallness of our rail system and no international rail travel. If yes, please specify the established mechanisms.  |

1. Are there any issues in determining the Member State whose NEB is responsible for dealing with a complaint in a cross-border case?

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| [ ] Yes[x] NoIf yes, please specify for the type of actor concerned (railway undertaking, station manager, ticket vendor/tour operator).  |

1. Have complaints ever been transferred to the NEB of another Member State for justified reasons, even though the complaints should have normally fallen under the competence of your Member State’s NEB?

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| [ ] Yes[x] NoIf yes, please specify what these justified reasons could be (e.g., passenger's interest, such as language or place of residence).  |

1. In complex cross-border cases involving multiple complaints or operators, has your Member State’s NEB ever cooperated with the NEB(s) of other Member States to identify a lead body?

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| [ ] Yes[x] NoIf yes, please specify any challenges linked to such cooperation.  |

1. In complex cross-border cases, which forms of cooperation have been typically used with other NEBs? Select all that apply.

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| [ ] Sharing relevant information about the complaint[ ] Assisting with the translation of documents[ ] Providing details on the circumstances of the incident[x] Other Please specify: we have yet to have cross border cases. |

1. Has your Member State’s NEB ever acted as a lead body?

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| [ ] Yes[x] NoIf yes, please specify any challenges linked to this role.  |

1. Have there been cases of non-compliance under the new Regulation (2023-2024)?

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| [ ] Yes[x] NoIf yes, please specify number of cases per body: NEBs, ADR bodies, others. |

1. What have been the main aspects of infringements?

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| Where relevant, please specify the aspects per body: NEBs, ADR bodies, others.  |

1. Are there differences between cases handled under the old and new Regulations?

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| [ ] Yes[x] NoPlease specify the difference(s) and why they occur.  |

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| Penalties |
| 1. What are the most common types of penalties imposed for non-compliance?

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| We have yet do impose penalties |

1. Are the penalties typically imposed effective[[2]](#footnote-3), proportionate[[3]](#footnote-4) and dissuasive[[4]](#footnote-5)?

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| [x] Yes[ ] NoIf not, please specify why.  |

1. Is there a difference (e.g., in terms of the types, amounts, ranges of penalties imposed) in terms of the penalties imposed under the Old and New Regulations?

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| [ ] Yes[x] NoIf yes, please specify the difference and the reasons behind the shift.  |

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1. [↑](#footnote-ref-2)
2. Penalties imposed are effective in achieving their aim. [↑](#footnote-ref-3)
3. Penalties are proportionate to the severity of the infringement and the impact on passengers. [↑](#footnote-ref-4)
4. Penalties act as a deterrent to ensure compliance by railway undertakings and other stakeholders. [↑](#footnote-ref-5)