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Government welcomes deletion of Gibraltar exclusion clause

The Government welcomes the deletion of the Gibraltar exclusion clause from EU air passenger rights legislation which went through the European Parliament today.

The Regulation amended Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air.

There were a number of amendments to the Regulation in support of Gibraltar tabled by both the Conservative and the Liberal groups which were defeated.

However, an amendment tabled by the European Liberals (ALDE) through Sir Graham Watson MEP was accepted by the Parliament. This was carried with the support of MEPs of many political colours and nationalities.

The amendment deleted paragraph 3 of article 1 of the Regulation which had previously read as follows:

“Article 1 – paragraph 3

3. Application of this Regulation to Gibraltar airport shall be suspended until the arrangements in the Joint Declaration made by the Foreign Ministers of the Kingdom of Spain and the United Kingdom on 2 December 1987 enter into operation. The Governments of Spain and the United Kingdom will inform the Council of such date of entry into operation.”

The removal of this exclusion clause by the European Parliament means that it supports that passengers travelling through Gibraltar airport should be entitled to the same rights as passengers travelling through any other airport in the European Union. This amended regulation now goes back to the European Commission and the European Council.