

To:  
Ms Helga Stevens  
Member of the Transport and Tourism Committee  
European Parliament

Brussels, 28 June 2017

Dear Ms. Stevens,

**RE: NET amendment proposals to the ETIAS Regulation proposal**

NET – the Network for the European Private Sector in Tourism - would like to caution about the possible impact of ETIAS on (i) European inbound tourism and (ii) European travel and tourism enterprises. NET is generally against any entry requirements that have the effect of deterring potential bona-fide travelers to Europe. ETIAS, per se, reduces the ease with which visa-free travelers can access the EU and thus diminishes Europe's competitiveness in global tourism.

To avoid any negative impact on legitimate travelling to the EU, NET calls for an efficient, simple, inexpensive, adequate and proportionate travel authorisation system, which does not hamper the tourism experience for travelers coming to visit Europe nor the operations of tourism enterprises.

With this in mind, NET insists on the following:

- ETIAS should be **free of charge, but in any case not more than 5 Euros**, and **valid for 5 years** – maintain Commission proposal and see additional NET amendment;
- The application process must be **user-friendly** and in the **language of the applicant** – see NET amendment proposal;
- Sufficient advance notice must be given through an **awareness-raising** campaign and **phased-in implementation** – maintain Commission proposal;
- **Carriers transporting groups overland by coach should be exempted**, given the heavy burden which would be put on these carriers often providing only occasional trips to the Member States' territory – see amendment proposal n° 4 and 17 of the Rapporteur.

**CLIA Europe**

CRUISE COMPANIES OPERATING  
IN EUROPE

**ECTAA**

TRAVEL AGENTS &  
TOUR OPERATORS IN EUROPE

**EFCO&HPA**

CAMPS SITES, HOLIDAY PARKS  
& HOLIDAY VILLAGES IN EUROPE

**ETOA**

EUROPEAN INBOUND TOURISM

**EUROGITES**

RURAL & FARM TOURISM

**HOTREC**

HOTELS, RESTAURANTS  
& CAFÉS IN EUROPE

**IAAPA**

INTERNATIONAL ASSOCIATION OF  
AMUSEMENT PARKS AND ATTRACTIONS

**IRU**

BUS, COACH & TAXI OPERATORS  
WORLDWIDE

- The **exemption from ETIAS for crew members** of ships or aircrafts must be extended to staff members of other modes of transport, such as coach drivers – see NET amendment proposal;
- Carriers having demonstrated due diligence and having checked the ETIAS status of a traveller prior to boarding should be relieved from the **obligation to take back a traveller to the initial point of embarkation in case of refusal of entry at border** – see NET amendment proposal.

Please find attached a list of amendments proposed and supported by NET.

We thank you in advance for the kind consideration of the NET position and amendment proposals and remain at your disposal for any additional information.

Yours sincerely,

*On behalf of the NET Secretariat*

A handwritten signature in black ink, appearing to read 'Michel de Blust', with a horizontal line underneath it.

Michel de Blust

## NET amendment proposals

<b>Article 2</b>	
<b>Regulation proposal</b>	<b>Amendment proposed</b>
<p>This Regulation does not apply to:</p> <p>...</p> <p>(h) persons or categories of persons referred to in Article 4(1) and (3) of Regulation (EC) No 539/2001.</p>	<p>This Regulation does not apply to:</p> <p>...</p> <p>(h) persons or categories of persons referred to in Article 4(1) and (3) of Regulation (EC) No 539/2001 <u>as well as professional coach drivers.</u></p>
<p><i>Justification</i></p> <p>Whereas ETIAS will not apply to crew members of ships or aircrafts while on duty, it fails to include other tourism professionals, such as coach drivers while on duty.</p>	

<b>Article 14, paragraph 3</b>	
<b>Regulation proposal</b>	<b>Amendment proposed</b>
<p>The public website and the mobile app for mobile devices shall be available in all the official languages of the Member States.</p>	<p>The public website and the mobile app for mobile devices shall be available in all the official languages of the Member States <u>and the main language of the most important visa-exempt tourism source countries.</u></p>
<p><i>Justification</i></p> <p>The visa application and information on the application process must be available in the language of the most important visa-exempt tourism source markets. The latter includes, apart from those countries that speak an official language of the EU, Japan, United Arab Emirates, South Korea, etc.</p>	

<b>Article 16, paragraph 2</b>	
<b>Regulation proposal</b>	<b>Amendment proposed</b>
<p>The travel authorisation fee shall be waived for children under eighteen years.</p>	<p>The travel authorisation fee shall be waived for:</p> <p>(a) children under eighteen years;</p> <p>(b) <u>school pupils, students, postgraduate students and accompanying teachers who undertake stays for the purpose of study or educational training;</u></p>

	<p>(c) <u>researchers from third countries, as defined in Council Directive 2005/71/EC, travelling for the purpose of carrying out scientific research</u> <u>travelling for the purpose of carrying out scientific research;</u></p> <p>(d) <u>participants aged 25 years or less participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations;</u></p>
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*Justification*

*Excessive fees act as a deterrent to travelling to Europe. According to the Regulation proposal on the recast of the Visa Code, the following categories of travellers are proposed to be exempt from visa fees. This should apply mutatis mutandis to the ETIAS fee.*

<b>Article 16, paragraph 4</b>	
<b>Regulation proposal</b>	<b>Amendment proposed</b>
<p>The Commission shall be empowered to adopt delegated acts in accordance with Article 78 on the payment methods and process for the travel authorisation fee and on changes to the amount of that fee.</p>	<p>The Commission shall be empowered to adopt delegated acts in accordance with Article 78 on the payment methods and process for the travel authorisation fee and on changes to the amount of that fee.</p> <p><u>The fee should be minimal to have the least dissuasive impact on travellers.</u></p>
<p><i>Justification</i></p> <p><i>Excessive fees act as a deterrent to travelling to Europe. ETIAS being a security tool, it should be free of charge. Failing this, it should be set as low as possible.</i></p>	

<b>Article 39, paragraph 3 a (new)</b>	
<b>Regulation proposal</b>	<b>Amendment proposed</b>
	<p><u>Carriers having demonstrated due diligence and having checked the ETIAS status of a traveller prior to boarding should be relieved from the obligation to take back a traveller to the initial point of embarkation in case of refusal of entry at border, as specified in Article 26 § 1 a of the Convention implementing the Schengen Agreement.</u></p>
<p><i>Justification</i></p> <p><i>Carriers having demonstrated due diligence and having checked the ETIAS status of a traveller prior to boarding should be relieved from the obligation to take back a traveller to the initial point of embarkation in case of refusal of entry at border</i></p>	

NET also supports a number of amendments proposed by the Rapporteur in her draft report of 8 June in respect of the exclusion from the scope of carriers transporting groups overland by coach, given the heavy burden which would be put on these carriers often providing only occasional trips to the Member States' territory. This includes the following:

<b>Amendment n° 4 – recital 31</b>	
<b>Regulation proposal</b>	<b>Amendment proposed</b>
<p>(31) <del>Prior to boarding, air and sea carriers, as well as carriers transporting groups overland by coach should have the obligation to verify if travellers have all the travel documents required for entering the territory of the Member States pursuant to the Schengen Convention<sup>25</sup>. This should include</del> <u>verifying</u> that travellers are in possession of a valid travel authorisation. The ETIAS file itself should not be accessible to carriers. A secure internet access, including the possibility using mobile technical solutions, should allow carriers to proceed with this consultation using travel document data.</p>	<p>(31) Prior to boarding, air and sea carriers should <u>verify</u> that travellers are in possession of a valid travel authorisation. The ETIAS file itself should not be accessible to carriers. A secure internet access, including the possibility using mobile technical solutions, should allow carriers to proceed with this consultation using travel document data.</p>
<p><i>Justification</i></p> <p><i>For reasons of legal clarity and transparency it should be clear which carriers</i></p>	

*have to fulfil the requirements of this Regulation. These should be only air and sea carriers. Carriers transporting groups overland by coach as mentioned should be excluded given the heavy burden which would be put on these carriers often providing only occasional trips to the Member States' territory.*

Amendment n° 17 – Article 3 § 1, point h a (new)

<b>Regulation proposal</b>	<b>Amendment proposed</b>
	<u>(ha) 'carrier' means any natural or legal person whose profession it is to provide transport of persons by air or sea;</u>
<p style="text-align: center;"><i>Justification</i></p> <p><i>For reasons of legal clarity and transparency it should be clear which carriers have to fulfil the requirements of this Regulation. These should be only air and sea carriers. Carriers transporting groups overland by coach as mentioned in recital 31 should be excluded given the heavy burden which would be put on these carriers often providing only occasional trips to the Member States' territory.</i></p>	

