

National provisions related to penalties for infringements of Regulation (EC) No 1371/2007

1) AT: Austria

Eisenbahngesetz 1957 – EisbG (BGBl. 60); Eisenbahn-Beförderungs- und Fahrgastrechtegesetz – EisbBFG, BGBl. I Nr. 40/2013).

2) BE: Belgium

Administrative sanctions can be imposed for infringements of Regulation (EC) No 1371/2007, in accordance with the Act of 15 May 2014 on the rights and obligations of rail passengers :

French version : numac: 2014014287; pub: 12/06/2014;
<http://www.ejustice.just.fgov.be/eli/loi/2014/05/15/2014014287/moniteur> -

Dutch version: numac: 2014014287; pub: 12/06/2014 ;
<http://www.ejustice.just.fgov.be/eli/wet/2014/05/15/2014014287/staatsblad>

German version: numac:2015000382; pub.:29/07/2015;
<http://www.ejustice.just.fgov.be/eli/loi/2014/05/15/2015000382/moniteur>

3) BG: Bulgaria

Railway Transport Act (ZZhT), chapter on Administrative Penalty Provisions (State Gazette No. 97/28.11.2000, effective as of 01.01.2002, last amended and supplemented: SG No. 11/09.02.2021)

4) CY: Cyprus

No railway transport in this Member State.

5) CZ: Czechia

Act No. 266/1994 Coll., on rail systems (Zákon č. 266/1994 Sb.; Částka79/1994; Účinnost od 01.01.1995).
Act No 250/2016 on liability for offences and proceedings concerning them ('the Counterfeit Act').

6) DE: Germany

Allgemeines Eisenbahngesetz vom 27. Dezember 1993 (BGBl. I S. 2378, 2396; 1994 I S. 2439, last amended: 10.09.2021, BGBl. I S. 4147. Administrative fines can be imposed in line with the Federal Administrative Enforcement Act (VwVG).

7) DK: Denmark

Danish Railway Act, Law no 1249 of 11 November 2010), the Danish Rail Regulatory Body (Jernbanenaevnet) is vested with supervisory powers and can impose sanctions for infringements of Regulation (EC) No 1371/2007 (fines or imprisonment of up to 4 months, or periodic penalty payments for non-compliance with its decisions). The Appeal Board for Bus, Train and Metro handles concrete complains from passengers and can impose a fine of 10.000 DKK for infringements of the passenger-relevant articles in the regulation.

8) EE: Estonia

Penalties: Railways Act in relation to the failure to provide passengers with information, make advance payment, provide assistance to passengers in case of delay of train; information or assistance to PRM. Sanctions covering other provisions of the Regulation are based on the Law Enforcement Act.

9) EL: Greece

Law v.3891/2010 (State Gazette, Series I, No 188), last amended by Law v.4199/2013, State Gazette, Series I, No 216).

10) ES: Spain

Law 38/2015 of 29 September 2015 on the railway sector, Royal Decree 2387/2004 (Railway Sector Regulation) modified by Royal Decree 488/2022 (BOE No 142 of 15.6.2022, Sec. I. p. 81899).

11) FI: Finland

Under the Act on certain powers for consumer protection authorities (566/2020) [Laki kuluttajansuojaviranomaisten eräistä toimivaltuuksista], the Consumer Ombudsman has the right to impose financial penalties for infringements of passenger rights (insofar as the supervision of passenger rights falls within the competence of the Consumer Ombudsman, Section 186 of the Act on Transport Services).

In addition, the Finnish Transport and Communications Agency (Traficom) has exclusive powers of supervision that cover Chapter V of Regulation (EC) No 1371/2007 on PRM rights (laid down in the Act on Transport Services (320/2017)), Traficom generally supervises compliance with the Regulation (EC) No 1371/2007 in respect of the rights of business passengers, passengers with disabilities and passengers with reduced mobility (section 186 of the Act on Transport Services (320/2017)). Should anyone infringe the EU regulations applicable to the activities referred to in the Act on Transport Services, Traficom may oblige them to rectify their error or negligence. A notice of a conditional fine may be imposed to enforce the decision (Act on Transport Services (320/2017), section 255 §).

12) FR: France

Law No 2014-344 of 17 March 2014 on consumer protection.

13) HR: Croatia

Act on regulation of the rail services market and on the protection of the rights of rail passengers (Official Journal: NN No 104/17).

14) HU: Hungary

Section 17(4) of Act XLI of 2012 on passenger transport services allows the Rail Regulatory Body to apply penalties for infringements of Regulation (EC) No 1371/2007. When imposing fines, the Rail Regulatory Body shall take into account the considerations set out in section 10(1) of Act CXXV of 2017 on sanctions for administrative violations. Government Decree No 62/2013 establishes the upper limit of the fine that can be imposed. The upper limit of the fine is based on the revenue of the infringing party.

Act XLI of 2012 on passenger transport services was published on the 2nd of May 2012.

Link to the Official Journal:

<https://magyarkozlony.hu/dokumentumok/e93c8726a0223e9b23c63630d1e810495875f3dc/megtekintes>

The latest version of the law can be found here: <https://njt.hu/jogszabaly/2012-41-00-00.41>

Act CXXV of 2017 on sanctions for administrative violations was published on the 25th of October 2017.

Link to the Official Journal:

<https://magyarkozlony.hu/dokumentumok/4fceb931151c14881a1a1a1033c028e801fb8af8/megtekintes>

The latest version of the law can be found here: <https://njt.hu/jogszabaly/2017-125-00-00.1>

Government Decree No 62/2013 was published on the 4th of March 2013.

Link to the Official Journal:

<https://magyarkozlony.hu/dokumentumok/4b369482fbd1238a1a2f6e9d6c9faeac4ec3dc97/megtekintes>

15) IE: Ireland

European Communities (Rail Passengers' Rights and Obligations) Regulations 2010. (S.I. No. 646/2010)

16) IT: Italy

Legislative Decrees No 70/2014 of 17/04/2014 (Official Journal - General series no 103 of 6 May 2014)

17) LT: Lithuania

[Code of Administrative Offences](#) (articles 383 and 384)

18) LU: Luxemburg

Modified law of 10 September 2012 on the sanctions regime applicable to breaches of Regulation (EC) No 1371/2007 (JO du Grand-Duché de Luxembourg A-Nº213 of 3 October 2012), amended by the law of 5 February 2021 on public transport. The changes did not target the sanctions regime, but changed the authority charged to apply those sanctions. The national enforcement body was transferred to the Ministry for Consumer Protection.

Consolidated version: <https://legilux.public.lu/eli/etat/leg/loi/2012/09/10/n1/consolide/20210301>

19) LV: Latvia

Latvian Administrative Violations Code (Latvijas Administratīvo pārkāpumu kodekss, last amended: 01.07.2020). Responsible for the enforcement of Regulation (EC) No 1371/2007 (except Articles 21 and 26 thereof) in domestic passenger services is the Road Transport Administration and in international passenger carriage services is the State Railway Administration. The authority responsible for the enforcement of Articles 21 and 26 of this Regulation is the State Railway Technical Inspectorate, see Article 33.3 of the Latvian Railway Law (Source: <https://likumi.lv/ta/en/en/id/1192-carriage-by-rail-law>)

20) MT: Malta

No railway transport in this Member State.

21) NL: The Netherlands

2000 Passenger Transport Act, for intra-EU infringements Consumer Protection Enforcement Act.

22) PL: Poland

Railway Transport Act of 28 March 2003 (consolidated text: Journal of Laws of 2021, item 1984, as amended).

23) PT: Portugal

General Framework for Administrative Offences (Law No 109/2001 of 24 December 2001).

24) RO: Romania

Government Decision No 1476/2009.

25) SE: Sweden

Supervision Act 2014:1344

26) SL: Slovenia

Decree implementing Regulation (EC) No 1371/2007 (UL RS, No 67/11)

27) SK: Slovakia

Act No 128/2002 on State control of the internal market in matters of consumer protection and amending certain acts. The Transport Authority has powers vested in it by Act No 514/2009 on rail transport.