

Annex: Suggestions for amendments

This annex contains eu travel tech's proposed amendments to the Multimodal Booking Regulation, other than to its competition-related provisions. It accompanies the eu travel tech position paper on the Multimodal Booking Regulation and follows its structure: Section A sets out the amendments to the display and information obligations of Articles 7 and 9, and Section B the amendments to the definitions, scope of complaint, competence, penalties and review provisions on which those obligations operate.

Amendments to the designation of providers with significant market presence and the conduct obligations that follow, in Articles 4, 5 and 6 and Annex I, and to the marketing information data obligation in Article 8, are not included. eu travel tech's position is that those provisions should be removed from the proposal in their entirety, and they are addressed in a separate eu travel tech position paper and annex.

Original wording is quoted from the Multimodal Booking Regulation proposal (COM(2026) 231) as published. In the amendment column, ~~struck-through red text~~ marks deletions and **bold underlined blue text** marks insertions. Cross-references in the explanation column refer to sections of the main paper. Recitals precede the articles they accompany; provisions supported without amendment are listed for completeness.

Provision	Original wording (COM(2026) 231)	Proposed amendment (redline)	Explanation
A. Consumer protection			
Article 7(1)	<i>"When displaying transport products or a combination of transport products, B2C MDMS providers and B2B MDMS providers shall load and process data provided by transport operators with equal care and in a timely manner."</i>	When displaying transport products or a combination of transport products, B2C-MDMS providers and B2B-MDMS providers shall load and process data provided by transport operators with equal care and in a timely manner, <u>subject to only to the constraints imposed by the transport operator.</u>	Art. 7(1) reproduces the substantive obligation of Art. 3(2) of Regulation 80/2009. However, Art. 3(2) of that Regulation includes a relevant condition to account for restrictions imposed by transport operators. This condition should be maintained, as it reflects the fact that data loading is often impacted by supplier-side restrictions such as look-to-book ratios.
Article 7(2)	<i>"When B2C MDMS providers and B2B MDMS providers display transport products or a combination of transport products, they shall do so in a neutral and comprehensive manner, without discrimination or bias."</i>	When B2C-MDMS providers and B2B-MDMS providers MDMS providers display transport products or a combination of transport products, they shall do so in a neutral and comprehensive manner, without discrimination or <u>and shall clearly indicate the main parameters</u>	'Neutral' has no defined content in the Regulation: Article 7(4) depends on non-discrimination and Recital 15 states the objective as ensuring that no transport operator is unfairly favoured over another. The amendment reflects this

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		<u>determining any default ranking, consistent with Article 5 of Regulation (EU) 2019/1150.</u>	approach and clarifies it. 'Comprehensive' is deleted: an MDMS cannot display content that dominant operators refuse to supply (Section 2.3). A provider cannot display fares inclusive of cabin luggage unless the operator supplies the corresponding fare data.
Article 7(3)	<i>"Transport operators shall ensure that the data submitted to B2C MDMS providers and B2B MDMS providers is accurate, up to date and allows the provider to comply with the rules set out in this Article."</i>	Transport operators shall ensure that the data submitted to B2C MDMS providers and B2B MDMS providers is accurate, up to date and allows the provider to comply with the rules set out in this Article, <u>as well as with the requirements in Article 11a of Regulation (EC) No 261/2004 to display fares inclusive of cabin luggage. Transport operators shall submit to MDMS providers all information necessary for that purpose, including the conditions applicable to the transport product and the price and conditions of optional price supplements and other auxiliary services, on the same terms on which that information is available in their own distribution channels.</u>	Ensures intermediaries can comply with the recently introduced requirements on default hand baggage display in the Air Passenger Rights Regulation, which also supports fairer comparison between transport modes. Recital 16 provides that operators should ensure that providers receive information on fares so that those providers can fulfil their obligations under Article 23 of Regulation (EC) No 1008/2008. Paragraph 3 as drafted governs only the quality of the data an operator chooses to submit and creates no duty to submit anything, so the intention stated in the recital has no operative expression. The amendment supplies it.
Article 7(3a)	<i>[New provision]</i>	<u>Transport operators shall allow MDMS providers to offer and to sell the optional price supplements and other auxiliary services referred to in paragraph 3, on terms which are no less favourable than those on which those services are offered in the transport operator's own distribution channels.</u>	An obligation to display the price of an optional service without the ability to sell it requires the provider to direct the traveller to the operator's own channel in to complete the purchase and thus operates as a means of directing traffic to direct channels without allowing for convenient comprehensive purchases via MDMS. The obligation is confined to the services for which information must be supplied under paragraph 3 and does not extend to any other content.

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Article 7(4)	<i>“B2C MDMS providers and B2B MDMS providers shall apply the criteria referred to in paragraph 5 to rank the transport products and combinations of transport products on a non-discriminatory basis to all transport operators. Those criteria shall not be based on any factor directly or indirectly related to the transport operator’s identity, unless explicitly required by the end user or business user. [...]”</i>	MDMS providers shall apply the <u>their ranking</u> criteria referred to in paragraph 5 to rank the transport products and combinations of transport products on a non-discriminatory basis to all transport operators, <u>unless otherwise requested by the end user or business user. Criteria shall be considered to be applied on a non-discriminatory basis where they are applied consistently and on the same terms to all comparable transport operators.</u> <u>MDMS providers shall be deemed to comply with this Article when they adapt or personalise the ranking and display of transport products at the request of the user or business user, whether such requests are expressed during the search query, in account settings, in contracts, or through other means.</u>	Preserves non-discrimination while ending the prohibition of quality-based ranking (punctuality, reliability, satisfaction are all ‘indirectly related to identity’).
Article 7(5)	<i>“When displaying transport products or a combination of transport products, B2C MDMS providers and B2B MDMS providers shall by default rank the transport products or combinations of transport products based on one or more of the following criteria: (a) final price; (b) travel time; (c) greenhouse gas (GHG) emissions; (d) CO2 equivalent emissions; (e) products including a single-leg transport service ranked by departure time; (f) products including stops and available subsequent connecting transport services, ranked by departure time and total travel time; (g) accessible transport services for persons with disabilities or reduced mobility.”</i>	[...] shall by default <u>enable end users and business users to</u> rank the transport products or combinations of transport products based on one or more of <u>by</u> the following criteria: (a) to (g) [unchanged].	Change from a closed list of criteria mandatorily applied to the default ranking to an obligation provide users with their choice of ranking filter options. This aligns with the recommendations of the Multimodal Passenger Mobility Forum.
Article 7(8)	<i>“B2C MDMS providers and B2B MDMS providers shall enable end users and business users to use</i>	B2C MDMS providers and B2B MDMS providers shall enable end users and business users to use or combine any of <u>apply each of</u> the criteria listed in paragraph 5, points (a) to (g), in any order	Every listed criterion is guaranteed to the user to reorder results, which is aligned with the recommendations of the Multimodal Passenger Mobility Forum's

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	<i>or combine any of the criteria listed in paragraph 5, points (a) to (g), in any order."</i>	<u>individually, to rank the transport products or combinations of transport products displayed.</u>	2023 final report. The obligation to offer free combination of criteria 'in any order' is removed: the Regulation does not define how combined criteria interact, and implementing free multi-criteria combination across results assembled in real time from many operator and aggregator feeds increases latency and reduces service quality, for a function for which no user demand has been demonstrated.
Article 7(10)	<i>"When displaying transport products or a combination of transport products, B2C MDMS providers and B2B MDMS providers may use other ranking criteria in addition to those laid down in paragraph 5, if explicitly requested by the end user or client of the business user. When displaying final prices, B2B MDMS providers shall communicate any optional price supplements to business users in a clear and transparent manner."</i>	When displaying transport products or a combination of transport products, B2C MDMS providers and B2B MDMS providers may use other ranking criteria in addition to those laid down in paragraph 5, if explicitly requested by the end user or client of the business user. When displaying final prices, B2B MDMS providers shall communicate any optional price supplements to business users in a clear and transparent manner.	No longer necessary if filter option obligation is introduced instead of default ranking criteria under Art. 7 (5).
Article 7(11)	<i>"B2C MDMS providers may accept direct or indirect payment from transport operators in order to display those operators prominently. Such 'paid prominence' shall not be one of the default ranking criteria and shall only be available upon request by the end user. The offers to which that criterion has been applied shall be clearly displayed with the indication "choice of" or "sponsored content". The effects of the payment on the ranking shall be transparently described."</i>	B2C MDMS providers may accept direct or indirect payment from transport operators in order to display those operators prominently. Such 'paid prominence' shall not be one of the default ranking criteria and shall only be available upon request by the end user. The offers to which that criterion has been applied shall be clearly displayed with the indication "choice of" or "sponsored content". The effects of the payment on the ranking shall be transparently described."	Paid prominence is already governed by disclosure: point 11a of Annex I to Directive 2005/29/EC, Article 26 of Regulation (EU) 2022/2065 and Article 5 of Regulation (EU) 2019/1150. Article 7(11) replaces disclosure with prior authorisation for a form of advertising no other instrument of Union law prohibits, and the obligation effectively functions as a prohibition because consumers are extremely unlikely to request advertisements in their results.
Article 9(1)	<i>"B2C MDMS providers and B2B MDMS providers shall display clear, transparent</i>	B2C MDMS providers and B2B MDMS providers shall display clear, transparent	As provided by the transport operator' is deleted: the words may

	and accessible information on the GHG emissions or CO2 equivalent emissions, as applicable, of transport products, wherever such information is made available by transport operators. That information shall be displayed as provided by the transport operator, in accordance with Regulation (EU) XXX of the European Parliament and of the Council (CEEU), including where applicable in accordance with Implementing Regulation (EU) 2024/3170."	and accessible information on the GHG emissions or CO2 equivalent emissions, as applicable, of transport products, wherever such information is made available by transport operators. That information shall be displayed as provided by the transport operator in accordance with Regulation (EU) 2026/1030 of the European Parliament and of the Council, including where applicable in accordance with Implementing Regulation (EU) 2024/3170. MDMS providers shall not be liable for the accuracy or completeness of the information displayed under this paragraph.	be read as confining the permitted source to the operator, which would prevent reliance on datasets that cover carriers consistently and apply the CountEmissionsEU methodology. Liability must remain with transport operators.
Article 9(2)	If the information referred to in paragraph 1 is not available for all transport products included in a combination of transport products, the B2C MDMS provider or B2B MDMS provider shall specify which transport products the information relates to and explicitly indicate which transport products lack information on GHG emissions or CO2 equivalent emissions.	If the information referred to in paragraph 1 is not available for all transport products included in a combination of transport products, the B2C MDMS provider or B2B MDMS provider shall specify which transport products the information relates to and explicitly indicate which transport products lack information on GHG emissions or CO2 equivalent emissions: Transport operators shall make the information referred to in paragraph 1 available to MDMS providers, in a machine-readable format and free of charge, on the same terms on which they make it available through their own distribution channels. They may fulfil this obligation by sharing the relevant information through a third party. The information shall be accurate, up to date, and calculated in accordance with Regulation (EU) 2026/1030.	Ensures the availability of emissions information across channels so consumers can see it wherever they search or book.
Article 9(3)	When ranking transport products or a combination of transport products on the	When ranking transport products or a combination of transport products on the	The provision serves no useful purpose. It applies only where a user

	basis of GHG emissions or CO2 equivalent emissions, B2C MDMS providers or B2B MDMS providers shall display the transport products or combination of transport products for which such information is not available at the end of the ranking. Where information is only partially available for a part of the journey, B2C MDMS providers or B2B MDMS providers shall display that product in the ranking order lower than the display of transport products or a combination of transport products for which all information is available.	basis of GHG emissions or CO2 equivalent emissions, B2C MDMS providers or B2B MDMS providers shall display the transport products or combination of transport products for which such information is not available at the end of the ranking. Where information is only partially available for a part of the journey, B2C MDMS providers or B2B MDMS providers shall display that product in the ranking order lower than the display of transport products or a combination of transport products for which all information is available.	has asked to rank by emissions, which Article 7(7) requires every provider to offer, so the only traveller affected is the one who has deliberately searched for the lowest-emission option and whose results are then degraded. The effect is also counterproductive: operators of comparatively sustainable services, particularly smaller long-distance rail operators, often see limited commercial return in supplying emissions data systematically, so the products pushed to the end of the ranking would be among the most sustainable on offer.
B. Competition			
Chapter 2 B2C MDMS providers with significant market presence and B2B MDMS providers [...]	Article 4 Designation of B2C MDMS providers with significant market presence [...] Article 5 Conditions for commercial agreements between transport operators and B2C MDMS providers with significant market presence or B2B MDMS providers [...] Article 6	FULL DELETION Article 4 Designation of B2C MDMS providers with significant market presence [...] Article 5 Conditions for commercial agreements between transport operators and B2C MDMS providers with significant market presence or B2B MDMS providers [...] Article 6	

	Conditions commercial agreements between B2B MDMS providers and business users	Conditions commercial agreements between B2B MDMS providers and business users	
C. Miscellaneous			
Recital 7	<i>"Since a transport product offered by a transport operator at least partially under a code share arrangement or an interlining agreement aims to increase connectivity for operator's own passengers, transport products offered under such agreements should be considered transport products of the marketing transport operator only and not a transport product of two or more transport operators."</i>	Since a transport product offered by a transport operator at least partially under a code share arrangement or an interlining agreement aims to increase connectivity for operator's own passengers, transport products offered under such agreements should be considered transport products of the marketing transport operator only and not a transport product of two or more transport operators. [Recital deleted.]	The deeming rule exists only to keep airline platforms carrying material third-party content artificially out of the MDMS definition, while incumbent rail platforms performing the same function are in scope.
Recital 16	<i>"Air carriers and B2B MDMS providers should ensure that B2C MDMS receive information on fares in such a way that those intermediaries can fulfil their obligations under Article 23 of Regulation (EC) No 1008/2008."</i>	Air carriers and B2B MDMS providers <u>Transport operators</u> should ensure that B2C MDMS providers receive information on fares, <u>on the conditions applicable to the transport product and on optional price supplements and other auxiliary services which those providers</u> in such a way that those intermediaries can <u>display final prices</u> and fulfil their obligations under Article 23 of Regulation (EC) No 1008/2008 <u>and should allow those providers to offer and to sell those services.</u>	See amendments to Article 7(3) and new Article 7(3a). The obligation should apply to operators across all modes.
Article 3	<i>For the purposes of this Regulation, the following definitions apply:</i> <i>(2) 'business-to-consumer multimodal digital mobility service' or 'B2C MDMS' means an information society service which meets all of the following conditions:</i> <i>[...]</i>	<i>For the purposes of this Regulation, the following definitions apply:</i> <i>(2) 'business-to-consumer multimodal digital mobility service' or 'B2C MDMS' means an information society service which meets all of the following conditions:</i> <i>[...]</i>	eu travel tech's initial position is complete removal. The designation regime in Article 4 and Annex I, the conduct obligations in Articles 5 and 6, and the marketing information data obligation in Article 8 are not justified by any market failure the Impact Assessment establishes. These provisions should be deleted.

	(b) it distributes online transport products or relinks transport products, with any transport product offered at least partially under a code share arrangement or an interlining agreement being considered as a transport product of the marketing operator only, from two or more transport operators in the same mode, unless those transport operators are part of the same group of transport operators; (3) 'business-to-business multimodal digital mobility service' or 'B2B MDMS' means a service provided through IT systems to business users by an entity which provides traffic and travel information, such as schedules, service availability and fares for transport products, with any transport product offered at least partially under a code share arrangement or an interlining agreement being considered as a transport product of the marketing operator only, and with or without the facility to make a reservation or issue tickets on behalf of a client, of two or more transport operators, in the same transport mode, unless those transport operators are part of the same group of transport operators;	(b) it distributes online transport products or relinks transport products, with any transport product offered at least partially under a code share arrangement or an interlining agreement being considered as a transport product of the marketing operator only, from two or more transport operators in the same <u>two or more transport</u> modes, unless those transport operators are part of the same group of transport operators; (3) 'business-to-business multimodal digital mobility service' or 'B2B MDMS' means a service provided through IT systems to business users by an entity which provides traffic and travel information, such as schedules, service availability and fares for transport products, with any transport product offered at least partially under a code share arrangement or an interlining agreement being considered as a transport product of the marketing operator only, and with or without the facility to make a reservation or issue tickets on behalf of a client, of two or more transport operators, in the same same <u>two or more transport</u> modes, unless those transport operators are part of the same group of transport operators;	The detailed reasoning, and the amendments that would be required should the co-legislators retain them, are set out in a separate eu travel tech position paper.
Article 10(2)	"Requests referred to in paragraph 1 shall clearly indicate the specific objective of transport policies or sustainable mobility policies for which the data is needed. The public transport authority shall not use the data for any other purpose [...]. The public transport authority shall not use or share	[End of paragraph, add:] <u>The public transport authority shall ensure the confidentiality of any commercially sensitive information received and shall protect it against access by any entity competing with the providing MDMS provider, including any multimodal digital mobility service operated by or on behalf</u>	Many public transport authorities operate or sponsor their own MDMS, a sensitivity the impact assessment itself records; data supplied for policy purposes must not enter into competing public platforms.

	the requested data for commercial purposes.”	<u>of a public authority. Requests shall be made in a standardised format and at reasonable intervals. Where compliance with a request requires the MDMS provider to produce, extract or format data that it does not otherwise hold in that form, the public transport authority shall reimburse the reasonable costs incurred.</u>	
Article 11(2)	“[...] At the request of a Member State or on its own initiative, the Commission shall investigate potential cases of discrimination against Union air carriers in B2B MDMS in third countries. Before taking a decision in accordance with paragraph 1, the Commission shall inform the interested parties.”	Before taking a decision in accordance with paragraph 1, the Commission shall <u>assess the proportionality of the envisaged measure and its impact on MDMS providers established in the Union and on the distribution of Union air carriers, and shall</u> inform the interested parties.	The retaliation mechanism’s costs fall on Union-established providers and the Union carriers they distribute; a proportionality assessment must precede its use.
Article 12(4)	“By way of derogation from paragraph 3, and on the basis of a duly reasoned request from the national enforcement body of a Member State where the B2C MDMS provider has been designated as having significant market presence, the power to enforce the obligations laid down in Article 5(2) shall, for the purposes laid down in that request, be transferred to that national enforcement body by the national enforcement body of the Member State in which the main establishment of that B2C MDMS provider is located.”	By way of derogation from paragraph 3, and on the basis of a duly reasoned request from the national enforcement body of a Member State where the B2C MDMS provider has been designated as having significant market presence, the power to enforce the obligations laid down in Article 5(2) shall, for the purposes laid down in that request, be transferred to that national enforcement body by the national enforcement body of the Member State in which the main establishment of that B2C MDMS provider is located.	Undermines the main-establishment principle and exposes multi-designated providers to parallel proceedings on identical conduct; the cooperation and information-exchange mechanisms of Article 13(2) and (3), with their fixed deadlines, suffice. Read with the amendment to Article 13(4), which requires the Commission to make the information notified under Article 4 available to national enforcement bodies and the network to standardise its exchange
Article 12(6)	“Where a B2C MDMS provider or a B2B MDMS provider does not have any establishment in the Union, any national enforcement body shall be competent to	Where a B2C MDMS provider does not have any establishment in the Union, any national enforcement body <u>the national enforcement body of the Member State in which the alleged infringement primarily</u>	Universal competence invites forum shopping and conflicting decisions; an effects-based lead authority

	<i>enforce this Regulation in relation to that provider."</i>	<u>produces its effects</u> shall be competent to enforce this Regulation in relation to that provider.	preserves enforceability against non-EU providers without those risks.
Article 4(1) (filing route for non-EU providers)	<i>"B2C MDMS providers shall, each year, inform the Commission and the Member State of their establishment, of the number and value of tickets sold per transport mode per year per Member State."</i>	1a. <u>An MDMS provider that has no establishment in the Union shall submit the notifications and information required under this Article to the Commission.</u>	Article 4(1) directs reporting to the Member State of establishment; a provider with no Union establishment has no such Member State, leaving it unclear where it is to file. Article 12(6) addresses competence to enforce, not the filing route. Directing such providers to the Commission closes the gap.
Art. 13(4)	<i>"The national enforcement bodies shall set up and cooperate through a network that convenes regularly and at least once a year, to exchange information in particular on their monitoring, enforcement and implementation work, decision-making principles, and administrative practices. The Commission shall be a member, coordinate and support the work of the network and make recommendations to the network, as appropriate. It shall ensure active cooperation of the appropriate regulatory bodies."</i>	[End of paragraph, add:] <u>The Commission shall make the information notified under Article 4(1) available to the national enforcement bodies. The network shall establish a standardised format for that information and for its exchange between national enforcement bodies.</u>	Article 4(1) directs notification to the Commission and, where applicable, to the national enforcement body concerned, while designation under Article 4(3) is carried out at national level. Without a common access and format, a provider active in several Member States supplies the same information in different forms to different bodies, and each body assesses the thresholds on a different basis. The network already exists under this paragraph and the Commission already coordinates it. Read with the deletion of Article 12(4), which relies on the Article 13 cooperation mechanisms being adequate
Article 14(5)	<i>"Where a complaint cannot be lodged in accordance with the rules established in paragraphs 1 to 4, the complaint may be lodged with the national enforcement body of any Member State."</i>	Where a complaint cannot be lodged in accordance with the rules established in paragraphs 1 to 4, the complaint may be lodged with the national enforcement body of any Member State <u>the Member State in which the alleged infringement</u>	Consequential alignment with the effects-based competence rule proposed for Article 12(6).

		<u>complained of primarily produces its effects.</u>	
Article 15(1)	<i>“Member States shall lay down the rules on penalties applicable to infringements of this Regulation. Those penalties shall be effective, proportionate, dissuasive and non-discriminatory.”</i>	Member States shall lay down the rules on penalties applicable to infringements of this Regulation. Those penalties shall be effective, proportionate, dissuasive and non-discriminatory, <u>and shall take into account the nature, gravity and duration of the infringement, its repetitive character and the economic capacity of the undertaking concerned.</u>	Wholly unharmonized penalties guarantee fragmentation for an internal-market instrument; minimum criteria on the model of comparable Union acts are required, for example Article 52 of the Digital Services Act, under which penalties must be proportionate to the nature, gravity and duration of the infringement and to the economic capacity of the provider concerned.
Article 18 (Review and report)	<i>“By [five years after the date of application], the Commission shall evaluate the implementation of this Regulation and submit a report to the European Parliament and the Council on its main findings. The report shall, where necessary, be accompanied by appropriate legislative proposals.”</i>	<i>By [five years after the date of application], the Commission shall evaluate the implementation of this Regulation and submit a report to the European Parliament and the Council on its main findings. <u>The report shall assess, in particular, the development of ticket distribution by means of artificial intelligence systems, including conversational and agent-based interfaces, and the balance of rights and obligations between transport operators and MDMS providers under this Regulation and under Regulation (EU) XX (RTR), including the treatment of air carriers.</u> The report shall, where necessary, be accompanied by appropriate legislative proposals.”</i>	Relevant regarding the AI question and the operator/intermediary balance, including the airline content-sharing gap, in the mandatory review.
Recital (new) / title	<i>[The title and recitals present the instrument as concerning ‘multimodal’ booking; no provision facilitates the combination of modes, and a single-mode service qualifies as an MDMS.]</i>	New recital, for clarity: <u>“This Regulation governs the distribution of transport products by digital mobility services; it does not require, and should not be understood to create or mandate, the combination of transport modes within a single journey or through-ticket. A service</u>	A clarifying recital only; no operative change. The label ‘multimodal’ describes neither a new service to travelers nor a requirement of the regulated undertakings, and the recital prevents the title from being

		<u>may fall within the scope of this Regulation whether or not it distributes products of more than one transport mode.”</u>	read as an operative promise of multimodality.
Article 14(1) and (3)	<i>“1. B2C MDMS providers, B2B MDMS providers or business users shall have the right to lodge a complaint alleging a breach of this Regulation [...], or if they believe they have been unfairly treated, discriminated against or are in any other way aggrieved. [...] 3. Transport operators shall have the right to lodge complaints alleging a breach of this Regulation [...], or if they believe they have been unfairly treated, discriminated against or are in any way other way aggrieved.”</i>	<i>“1. B2C MDMS providers, B2B MDMS providers, B2B MDMS providers or business users shall have the right to lodge a complaint alleging a breach of this Regulation [...], or if they believe they have been unfairly treated, discriminated against or are in any other way aggrieved. [...] 3. Transport operators shall have the right to lodge complaints alleging a breach of this Regulation [...], or if they believe they have been unfairly treated, discriminated against or are in any other way aggrieved.</i>	Aligns Article 14 with Article 11 of the RTR, which confines complaints to a breach of the Regulation. The deleted provisions would oblige national enforcement bodies to entertain grievances alleging no infringement, adding to the administrative burden (Section 11).