

Cruise Industry Passenger Bill of Rights

What is the cruise industry passenger bill of rights?

The Cruise Lines International Association describes it as “an explicitly stated, publicly available set of policies” that member lines have agreed to voluntarily adopt. The policies are a condition of membership in the trade group for oceangoing cruise lines and apply to all passengers who book an ocean cruise on a member line around the world.

“The purpose of the passenger bill of rights is to provide transparency, consistency and accountability for cruise passengers detailing CLIA members’ commitment to the safety, comfort and care of guests in the rare event of a mechanical failure or shipboard emergency,” the trade association said in a statement.

Cruise line [policies](#) spell out that if there’s a conflict between their own guest ticket contract and the list of rights, the rights win out.

What rights are spelled out?

It’s a [fairly long list](#) addressing issues that could arise due to an emergency or mechanical failure. It includes:

- The right to leave a docked ship if essential provisions can’t be provided (unless a captain’s concern for safety or customs and immigration requirements won’t allow it).
- When a sailing is called off or shortened because of mechanical problems, passengers have the right to a full or partial refund, depending on how much was canceled. If a voyage ends early because of mechanical failures, guests have the right to be taken to the port where it was scheduled to end or to their home city. They also have the right to lodging if they are forced to disembark and need to stay overnight in an unscheduled port.
- The right to timely information and updates about changes to the itinerary if an emergency or mechanical failure happens, along with updates about the status of those issues.
- The right to a ship crew that is properly trained in emergency and evacuation procedures.
- The right to have “professional emergency medical attention” available on ships that operate beyond rivers or coastal waters.
- The right to an emergency power source in the case of a main generator failure.
- Each cruise line’s website needs to include a toll-free phone line that passengers can call for questions or information about any aspect of shipboard operations.

How are they enforced?

This is where things can get murky. The cruise association says guests are entitled to full or partial refunds for canceled or shortened cruises due to mechanical problems. But while air travelers can easily file a [consumer complaint](#) with the Department of Transportation, there’s no similar form for issues related to a cruise.

Instead, the department [says](#) cruise consumers can report complaints by phone to the Federal Maritime Commission, which will contact a cruise line on the passenger’s behalf. The commission requires cruise operators that sail from U.S. ports to be financially capable of reimbursing customers if a cruise is canceled. Cruise companies also must be able to pay claims if they are liable for injury or death.

“The final resolution of such complaints or inquiries is a matter between the cruise line and the individual,” the Transportation Department [website](#) says, noting that consumers also have to initiate action on their own.

Jim Walker, an attorney who runs the [Cruise Law News](#) site, said he has never used the policy on behalf of a client and finds it useless for that purpose.

“There’s no mechanism to enforce these rights,” he said. “And there are no remedies, there are no damages. So it’s rather meaningless quite frankly. ... There’s no consequence if they violate these so-called rights.”