

Information on the Flight Delay Compensation Regulation (EC) No 261/2004

This information summarises the liability regulations that carriers operating in the European Community (EC) must adhere to in accordance with EC legislation in the event of flight cancellations, delays and/or denied boarding. The Regulation specifies the provision of compensation and/or support ("care services"), including refreshments, communication assistance and accommodation services by the airline, depending on the event in question (denied boarding, cancellation or delay). There shall be no entitlement to claim compensation as mentioned below if the event is caused by extraordinary circumstances, which could not have been avoided even if all reasonable measures had been taken (for instance poor weather conditions, political unrest, strikes, security risks or unexpected flight safety issues).

Denied boarding

In the event of involuntary exclusion from a booked flight, the passenger shall be entitled to services from the air carrier that are appropriate in relation to the waiting time, and shall also be entitled to reimbursement of the fare within 7 days or alternative transport to the final destination of the booked flight. Alternative transportation shall be arranged at the earliest opportunity under comparable conditions. Subject to the availability of seats, the passenger may alternatively travel to the final destination at a later, preferred time. In this case, the passenger shall be required to bear the costs of meals and any necessary hotel accommodation as well as transfer expenses. In addition, the passenger shall be entitled to receive compensation payment (cash, cheque, bank transfer or – if the passenger agrees – in the form of a voucher) in the event of involuntary denial of boarding. The amount of this payment is dependent on the distance of the planned flight and the alternative transport offered. Compensation shall amount to EUR 250 for flights 1,500 km or less, EUR 400 for flights between 1,500 km and 3,500 km as well as flights within the EU over 1,500 km, and EUR 600 for all other flights. The compensation provided shall be reduced to 50% of the amounts listed above, i.e. to EUR 125, EUR 200 and EUR 300, if passengers are offered an alternative flight of which the arrival time is no later than 2 hours after the scheduled arrival time of the original booking for flights 1,500 km or less, no later than 3 hours for flights between 1,500 km and 3,500 km, and no later than 4 hours for all other flights 3,500 km and over.

Cancellation

In the event of cancellation of a flight for which the passenger possesses a confirmed booking, the passenger shall be entitled to the same type and level of service (refreshments, communication, transfer and accommodation) and shall also be entitled to claim reimbursement of the fare within 7 days or alternative transport. In addition, the passenger shall have a right for compensation as in the event of denied boarding. The passenger shall not be entitled to claim compensation if the cancellation is caused by exceptional circumstances (for instance poor weather conditions, political unrest, strikes, security risks or unexpected safety issues). Moreover, the passenger shall not be entitled to compensation if notice of the cancellation was provided at least 14 days before the booked departure time.

Delay

According to Regulation (EC) No 261/2004, delays are deemed to have occurred when departure is delayed beyond its scheduled time by at least 4 hours for flights 3,500 km and over, 3 hours for flights between 1,500 km and 3,500 km as well as flights within the EU over 1,500 km, and 2 hours for flights up to 1,500 km. The passenger is entitled to receive additional services from the air carrier if it is foreseeable that the flight will be delayed as described above. These services include appropriate refreshments in relation to the waiting time, hotel accommodation and transfer to the hotel as applicable, and the opportunity to make two free telephone calls or send two fax messages or emails. The airline is not required to provide these services if their provision would cause an additional delay to the departure time. In the event of delays lasting over 5 hours, the passenger shall be entitled (within 7 days) to claim reimbursement for the cost of the ticket relating to parts of the journey that have not been completed as well as for parts of the journey that have already been completed if the flight no longer serves any purpose in relation to the passenger's original travel plans, and if applicable, also a return flight to the first departure airport at the earliest possible opportunity. Under the jurisdiction of the European Court of Justice, in the event of delayed arrival at the final destination of 3 hours or more, passengers shall be entitled to claim compensation as in the case of denied boarding or flight cancellations. However, this right to claim compensation shall not apply if the delayed arrival at the final destination of 3 hours or more is due to extraordinary circumstances.

Behörden / Authorities

Austria: Agentur für Passagier- und Fahrgastrechte (apf), Linke Wienzeile 4/1/6, A-1060 WIEN

Belgium: Direction générale 'Transport aérien' Directoraat-generaal 'Luchtvaart' CCN - 2ème étage - 2de verdieping, Rue du progrès 80 Bte 5, Vooruitgangstraat 80 Bus 5, BE-1030 BRUXELLES – BRUSSEL

Bulgaria: Ministry of Transport, Information Technologies and Communications, Directorate General, Civil Aviation Administration, 9, Dyakon Ignatii Str., BG-1000 SOFIA

Croatia: Croatian Civil Aviation Agency, Ulica grada Vukovara 284, HR-10000 ZAGREB

Cyprus: Department of Civil Aviation, 27 Pindarou Street, ALPHA Business Centre, CY-1060 NICOSIA

Czech Republic: Civil Aviation Authority, Airport Ruzyně, CZ-160 08 PRAHA 6

Denmark: Danish Transport Authority, Edvard Thomsens Vej 14, DK-2300 COPENHAGEN

Estonia: Tarbijakaitseamet, Rahukohtu 2, EE-10130 TALLINN

Finland: Consumer Disputes Board, P.O. Box 306, FI-00531 HELSINKI

France: Direction générale de l'aviation civile (DGAC), Direction du transport aérien, Mission du Droit des passagers, Bureau des passagers aériens, 50 rue Henry Farman, FR-75720 PARIS cedex 15

Germany: Luftfahrt-Bundesamt (LBA), DE-38144 BRAUNSCHWEIG, E-Mail: fluggastrechte@lba.de, Tel.: +49 531 2355 115

Greece: Hellenic Civil Aviation Authority Air Transport and International Affairs Div, Air Transport Economics Section D1/D, P.O.B. 73751, EL-16604 HELLINIKO

Hungary: Nemzeti Közlekedési Hatóság Légiközlekedési Igazgatóság / CAA, Budapest Ferihegyi., HU -1675 BUDAPEST, PF 41

Iceland: Icelandic Transport Authority, Samgöngustofa, P.O. Box 470, IS-202 KÓPAVOGUR

Ireland: Commission for Aviation Regulation, 3rd Floor Alexandra House, Earlsfort Terrace, IE - DUBLIN 2

Italy: L'Ente Nazionale per l'Aviazione Civile, Viale del Castro Pretorio, 118, IT-00185 ROME

Latvia: Consumer Rights Protection Centre (CRPC), Brīvības street 55, LV-1010, RIGA

Lithuania: Civil Aviation Administration, Rodūnės kelias 2, LT-02188 VILNIUS

Luxembourg: Ministère de l'Économie et du Commerce extérieur / Direction du Marché intérieur et de la Consommation, 19 - 21, boulevard Royal, L-2449 LUXEMBOURG

Malta: Malta Competition and Consumer Affairs Authority, Mizzi House, National Road, Blata l-Bajda, Hamrun HMR 9010

The Netherlands: Inspectie Leefomgeving en Transport / Human Environment and Transport Inspectorate, Postbus 575, NL-2130 AN HOOFFDORP

Norway: Norsk Reiselivs Forum Transportklagenemnda, Postboks 2924 Solli, NO-0230 OSLO

Poland: Civil Aviation Office, ul. Marcina Flisa 2, PL-02-247 WARSZAWA

Portugal: Instituto Nacional de Aviação Civil (INAC), Rua B, Edifícios 4, 5 e 6, Aeroporto da Portela, PT-1749-034 LISBOA

Romania: National Authority for Consumer Protection, 72, Blvd Aviatorilor, RO-011865, Sector 1, BUCHAREST

Slovakia: Slovenská obchodná inšpekcia/ústredný inšpektorát, Prievozská 32, SK-827 99 BRATISLAVA 27

Slovenia: Civil Aviation Agency, Vožarski pot 12, SI-1000 LJUBLJANA

Spain: Agencia Estatal de Seguridad Aérea, División de Calidad y Protección Usuario, Avenida General Perón n.º 40, Portal B, 1ª planta 28020 Madrid, España (phone: 91/396 82 10; website: www.seguridadeaerea.es/)

Sweden: Consumer Protection Agency, Box 48, SE-651 02 KARLSTAD

Switzerland: Bundesamt für Zivilluftfahrt BAZL Passagierrechte CH-3003 Bern, E-Mail: passengerrights@bazl.admin.ch

United Kingdom: Air Transport Users Council, Room K705 – CAA House, 45–59 Kingsway, London, WC2B 6TE