



AIR PASSENGER RIGHTS IN THE EU

Regulation 261/2004 applies to flights taking off from airports based in the EU (all carriers), as well as flights taking off from outside of the EU, but landing at EU airports (EU-based carriers). This regulation covers the instances where your flight is cancelled, delayed by more than three hours or when you are denied boarding through no fault of your own.

CANCELLATION (Regulation 261/2004)

If your flight is **cancelled**, the carrier should offer you the choice between **refund** and **travelling at a later date/time**. In addition to this, they should offer you food and drinks (adequate to the time of delay, the carrier should offer this once the delay exceeds two hours), the opportunity to make two phone calls, overnight accommodation (if it is needed when waiting for departure) and transport from and to the airport. If you incur such expenses, the carrier may be expected to cover these.

If you were informed of cancellation less than 14 days in advance, you may also be due compensation for the delay in reaching your destination. This depends on the length of the delay and the distance of your journey. The amount of compensation ranges between €125 and €600. This is subject to the disruption not being caused by 'extraordinary circumstances'. It is suggested to seek advice from consumer organisations, if you are denied compensation for this reason.

IMPORTANT: if you choose refund, the carrier no longer has any obligations towards you, other than the said refund.

DELAY (Regulation 261/2004 & Montreal Convention 1999)

If the departure of your flight is delayed by **more than two hours**, the carrier should offer assistance in the same manner as in cases of flight cancellations.

If the arrival at your destination is **delayed by more than three hours**, you may also be eligible for compensation between €250 and €600. This is also subject to the disruption not being caused by 'extraordinary circumstances'.

IMPORTANT: time of delay is calculated by the way of comparing the scheduled arrival time, as stated in your booking confirmation and the actual time of arrival, which is the moment of **opening the aircraft door upon landing**.

In addition to this, under the Montreal Convention 1999, passengers can also seek compensation for losses caused by the delay of your flight, like payment for additional time at the airport parking, lost non-airline connections, etc. This is also subject to the delay not being caused by reasons outside of control of the carrier and/or his agents, etc.



DENIED BOARDING (Regulation 261/2004)

This applies to the situations where a passenger arrived at the boarding gate **on time and with all the necessary documents** required to make the journey. In most cases, this is a problem caused by overbooking, which happens on occasions.

This **does not apply (!)** to situations where the passenger was denied boarding because of lack of necessary documents, like visas, Covid-19 paperwork (where required), late arrival at the gate, etc.

The carrier has the same obligations as in cases of flight cancellations, the only difference is that the compensation for the delay in reaching the destination is due to passengers **in any case**.

IMPORTANT: if you choose refund, the carrier no longer has any obligations towards you, other than the said refund.

It needs to be noted that the time after such claims become time-barred depends on which country the flight departed from (If departing from the EU) or landed in (qualified flights taking off from outside of the EU). In some cases, such time may be even **as short as one year**, so it is suggested to seek advice on this immediately after the date of affected flight.

LUGGAGE PROBLEMS (Montreal Convention 1999)

This piece of legislation provides that the carrier is responsible for the damage, delay or loss of **hold luggage**. There are some limitations to this, as carriers tend to exclude liability for a variety of items, (mostly valuables, medicines, etc.), hence it is strongly recommended not to put items like cash, consumer electronics, important documents and the like in your **hold luggage**. Some carriers may occasionally ask you to put your cabin bag in the aircraft hold, please make sure to **remove such items from the bag** before doing so.

If you notice that your bag is damaged or missing from the reclaim area, please make sure to complete the Property Irregularity Report (PIR) at the appropriate office at the airport. It is particularly important when it comes to damaged luggage claims, as you will have no way to prove that the damage occurred in the course of your journey otherwise.

IMPORTANT: completing the PIR is **NOT (!)** enough to register your claim with the airline. You need to submit the claim to the carrier within the specified time limits:

- **seven days** for damaged luggage claims
- **twenty-one days** from delivery of your bag for delayed luggage claims
- **as soon as possible** for claims regarding lost luggage

The luggage is **considered permanently lost** when the airline advises you that it is the case **OR** if the bag is not delivered within 21 days from the date of your flight.



In case of delayed (or ultimately lost) luggage, the passengers can buy essential items (basic clothing, toiletries, etc.), adequate to the time of delay in delivery of your luggage.

Please make sure to keep the receipts for such purchases. When making claims, we suggest passengers to provide as much evidence of the value of your claim as possible. This means the need to provide purchase receipts. The airlines may apply some degree of depreciation.

In case of lost luggage claims, if no receipts are presented, the airlines may calculate the compensation using different methods, like basing it on the overall weight of the lost bag. The upper limit of compensation is currently set at **1288 Special Drawing Rights (SDR)**, the value of which fluctuates, like any other currency.

RIGHTS OF PASSENGERS WITH DISABILITIES AND REDUCED MOBILITY (Regulation 1107/2006)

This regulation provides for assistance to passengers that are either disabled or with reduced mobility (elderly, etc.). Generally speaking, it sets rules for providing assistance at the airports to such passengers. The passengers with such needs should make the airline(s) or their agent(s) aware of it **at least 48 hours** ahead of the scheduled departure, so that the necessary arrangements could be made.