

## What to do first

If you encounter one of the problems covered in this leaflet, then you should immediately ask the representative of the airline operating your flight to deal with your problem.

## What to do next

If you are affected by denied boarding, a cancellation or a long delay and the operating airline does not fulfil their obligations, then you should complain to the relevant national enforcement body.

If your flight departs from an EU country, complain there. If you are travelling from outside to the EU, and your flight is operated by an EU airline, complain in the EU country where it lands.

For the name and address of the relevant authority, or details of organisations which can advise or help with other complaints (for example, baggage, injury or death, and package holidays), contact the Europe Direct freephone (\*) on **00 800 6 7 8 9 10 11**,

or e-mail [mail@europe-direct.cec.eu.int](mailto:mail@europe-direct.cec.eu.int)

You may inform the European Commission, B-1049 Brussels, of the follow-up given to your complaint by fax (32-2) 29 91015 or e-mail: [tren-aprights@cec.eu.int](mailto:tren-aprights@cec.eu.int)



(\*) Certain mobile telephone operators do not allow access to 00 800 numbers or these calls may be billed. In certain cases, these calls may be chargeable from telephone booths or hotels.

## Further information

This leaflet provides a summary of the relevant EU legislation. Any legal claim or action taken in the event of a dispute should be based solely on the legal texts concerned. These may be found in the *Official Journal of the European Union*.

- Compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights: Regulation (EC) No 261/2004 (OJ L 46, 17.2.2004).
- Air carrier liability, Regulation (EC) No 889/2002 amending Regulation (EC) No 2027/97 (OJ L 140, 30.5.2002) incorporating into EU law the 'Montreal Convention' for the unification of certain rules for international carriage by air (OJ L 194, 18.7.2001).
- Package travel, holidays and tours, Directive 90/314/EEC (OJ L 158, 23.6.1990).

Additional copies of this leaflet – in all official languages of the EU – may be downloaded from:  
[http://europa.eu.int/comm/transport/air/rights/index\\_en.htm](http://europa.eu.int/comm/transport/air/rights/index_en.htm).

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# Air Passenger Rights

## Having problems with your journey?

## The European Union (EU) has strengthened your rights

## Here are the most important (as from 17 February 2005)



## If things go wrong ...

The European Union has created a set of rights to ensure air passengers are treated fairly.

The airline operating your flight is responsible for transporting you and your baggage, and must respect your rights.



### Denied boarding

Were you denied boarding because the airline did not have enough seats on the flight?



### Cancelled flight

Has your flight been cancelled?



### Long delays

Is your flight delayed for two hours or more?



### Baggage

Has your checked-in baggage been damaged, delayed or lost?



### Injury and death in accidents

Were you injured during your flight?



### Package holidays

Did you get what you booked?

Passenger rights apply to scheduled and chartered flights, both domestic and international, and to all types of airline, full-service and low-fare.

Your contract with the airline also sets out rights and obligations. Ask your airline or travel agent for a copy.

## ... know your rights

## Denied boarding and cancellation

If you are denied boarding or your flight is cancelled, the airline operating your flight must offer you financial compensation and assistance. These rights apply, provided you check in on time, for any flight, including charters:

- from an EU airport, or
- to an EU airport from one outside the EU, when operated by an EU airline.

### Denied boarding

When there are too many passengers for the seats available, an airline must first ask for volunteers to give up their seats in return for agreed benefits. These must include the choice of either refund of your ticket (with a free flight back to your initial point of departure, when relevant) or alternative transport to your final destination.

If you are not a volunteer, the airline must pay you compensation of:

- €250 for flights less than 1 500 km,
- €400 for longer flights within the EU, and for other flights between 1 500 and 3 500 km,
- €600 for flights over 3 500 km outside the EU.

Compensation may be halved if you are not delayed more than 2, 3 or 4 hours, respectively.

The airline must also give you:

- a choice of either a refund of your ticket (with a free flight back to your initial point of departure, when relevant) or alternative transport to your final destination, and
- meals and refreshments, hotel accommodation when necessary (including transfers) and communication facilities.

## Cancellation

Whenever your flight is cancelled, the operating airline must give you:

- a choice of either a refund of your ticket (with a free flight back to your initial point of departure, when relevant) or alternative transport to your final destination, and
- meals and refreshments, hotel accommodation when necessary (including transfers) and communication facilities.

The airline may also have to compensate you, at the same level as for denied boarding, unless it gives you sufficient advance notice and offers alternative transport close to the original time.

**Compensation or refunds may be in cash, by bank transfer or cheque or, with your signed agreement, in travel vouchers, and must be paid within 7 days.**

**If you do not receive these rights, complain immediately to the airline operating the flight.**

## Long delays

### Immediate assistance

If you check in on time for any flight, including charters:

- from an EU airport, or
- to an EU airport from one outside the EU, when operated by an EU airline,

and if the airline operating the flight expects a delay:

- of 2 hours or more, for flights less than 1 500 km,
- of 3 hours or more, for longer flights within the EU, and for other flights between 1 500 and 3 500 km,
- of 4 hours or more for flights over 3 500 km outside the EU,

the airline must give you meals and refreshments, hotel accommodation when necessary (including transfers) and communication facilities.

When the delay is 5 hours or more, the airline must also offer to refund your ticket (with a free flight back to your initial point of departure, when relevant).

**If you do not receive these rights, complain immediately to the airline operating the flight.**

### Later claims

When an EU airline is responsible for the delay of a flight anywhere in the world, you may claim up to 4 150 SDR (\*) for any resulting damages. If the airline does not agree with your claim, you may go to court.

**You can claim from the airline with which you have a contract or from that actually operating the flight, if they are different.**

## Baggage

You may claim up to 1 000 SDR (\*) for damages caused by the destruction, damage, loss or delay of your baggage on a flight by an EU airline, anywhere in the world. If the airline does not agree with your claim, you may go to court.

For damage to checked-in baggage, you must claim in writing within 7 days of its return and for delayed baggage within 21 days of its return.

**You can claim from the airline with which you have a contract or from that actually operating the flight, if they are different.**

(\*) 1 SDR = €1.18 as at 30.9.2004.

For the current exchange rate, contact Europe Direct.

## Injury and death in accidents

You may claim for damages caused by injury or death resulting from an accident on a flight by an EU airline, anywhere in the world. You have the right to an advance payment for immediate economic needs. If the airline does not agree with your claim, you may go to court.

**You can claim from the airline with which you have a contract or from that actually operating the flight, if they are different.**

## Package holidays

In addition to the rights described above, you may claim damages from your tour operator if it fails to provide the services you have booked within the EU, whatever your destination. These rights apply to failure to provide any flight included in your package. Moreover, if the tour operator does not provide a significant part of the package booked, it is obliged to assist you and make alternative arrangements, including travel, without extra cost to you.

