

Denied boarding? Cancellation? Long delay? Lost baggage?

Travelling by plane has taken off significantly since the early 1990s. However, this rapid growth has also led to some inconveniences, which have often affected passengers.

Faced with these developments, the European Union has been working since 1991 to guarantee basic rights for all passengers by developing EU legislation to apply in all European Union countries.

In February 2005, EC Regulation 261/2004 came into effect. This Regulation establishes common rules on compensation and assistance to air passengers in certain situations. This legislation applies to passengers departing from airports situated within the territory of a Member State and all those arriving into such airports from a third country where the flight is operated by an EU carrier.

Your rights when travelling by air include:

- the right to information;
- the right to reimbursement or re-routing if your flight gets cancelled or you are denied boarding; the right to reimbursement if your flight is delayed by five hours or more;
- the right to assistance and, under certain circumstances, the right to compensation in the event of long delay, cancellation or denied boarding;
- the right to complain and have access to means of redress;
- the right to travel in the same conditions as other citizens if you have a disability or a reduced mobility.

European legislation also stipulates who is responsible in the case of a long delay, death, injury or mishandled baggage to ensure you will always get what you are entitled to.

SUMMARY OF AIR PASSENGER RIGHTS

People with disabilities and people with reduced mobility

Under EU legislation people with disabilities and/or reduced mobility are protected from being discriminated against during reservation and boarding. They are also entitled to receive assistance at airports (on departure, on arrival and in transit) and on board airplanes. In order to facilitate the provision of assistance, it is recommended to pre-notify your needs.

Denied boarding

When passengers are denied boarding on a flight, airlines are obliged to first seek volunteers to give up their reservation in exchange for certain benefits. In addition, the air carrier must also offer volunteers the choice between a full refund and re-routing.

You may be entitled to compensation of between €125 and €600 depending on the distance of the flight and the delays experienced before being re-routed. Where volunteers choose re-routing, the airline must also provide assistance if necessary, for example - food, access to a telephone, a one or more night stay if necessary and transportation between the airport and the place of accommodation.

Cancellation

You are also entitled to identical compensation to that offered when you are denied boarding, unless you were informed of the cancellation at least 14 days before the flight, or you were rerouted close to your original times, or if the airline can prove that the cancellation was caused by extraordinary circumstances. In addition the airline must offer you the choice between

- reimbursement of your ticket within seven days;
- re-routing to your final destination under similar conditions;

and if necessary, care (phone call, refreshments, food, accommodation, transportation to the accommodation).

Long delays

You are entitled to care by the airline (phone call, refreshments, meal, accommodation, transportation to the place of accommodation) if the delay is

- two hours or more for flights of 1500 km or less;
- three hours or more for longer flights within the European Union or for other flights of between 1 500 and 3 500 km;
- four hours or more for flights of over 3 500 km outside the European Union.

If the delay is more than five hours, and you decide not to continue your journey, you are also entitled to have your ticket reimbursed and be flown back to where you originally started your journey.

If you get to your final destination with a delay of three hours or more, you may be entitled to identical compensation to that offered when your flight gets cancelled, unless the airline can prove that the delay was caused by extraordinary circumstances. Additionally, airlines can be held liable for damages resulting from delays.

Baggage

If your baggage is lost, damaged or delayed, you may be entitled to compensation limited to about €1 220. However, airlines shall not be liable if they have taken all reasonable measures to avoid the damages or it was impossible to take such measures.

For damaged baggage, you must lodge a claim to the airline within seven days of receiving your baggage. For delayed receipt of baggage, this period is a maximum of 21 days.

Identity of the airline

You must be informed, in advance, about which airline is operating your flight. Airlines found to be unsafe are banned or restricted within the European Union. They are listed at: ec.europa.eu/transport/air-ban/

Package holidays

The organisers and retailers of package holidays are obliged to provide precise, complete information about booked package holidays. They are obliged to honour contractual terms and to protect passengers in the event of insolvency. Package tour operators must give accurate information on the holiday booked, comply with contractual obligations and protect passengers in the case of the organiser's insolvency.

Price transparency

According to EU legislation, when you purchase a ticket for flights departing from EU airports, the applicable conditions should be made clear to you. The final price to be paid should be indicated at all times and it should include the applicable air fare, as well as applicable taxes, and charges, surcharges and fees which are unavoidable and foreseeable at the time of publication. It should also show you the breakdown between the fare, the taxes, the airport charges and finally the other charges, surcharges and fees. Optional price supplements should be communicated in a clear, transparent and unambiguous way at the start of the booking process and your acceptance of them should be on an "opt-in" basis.

