

# Information for Passengers concerning EC-Regulation 261/2004



Dear passenger,

In case your flight has been heavily delayed or cancelled or you have been denied boarding on a flight you had a confirmed booking because of overbooking you are entitled to rights according to EC-Regulation 261/2004, which entered into force on 17 February 2005. Responsible for the granting of your rights is the operating air carrier.

## Scope

This regulation applies:

- To passengers departing from an EC airport or from an airport located in a third country with an EC airline to an airport into an EC country, unless they received benefits or compensation and were given assistance in that third country,
- Only if you have a confirmed reservation on the flight concerned,
- Only if you (except in the case of cancellation) present yourself for check-in as stipulated and at the time indicated in advance and in writing by the airline or if no time was indicated not later than 45 minutes before the published departure time,
- Only if you travel at a fare available directly to the public.

You are **not entitled** to compensation according to the EC-Regulation if the incident is caused by **extraordinary circumstances** which could not have been avoided even if all reasonable measures had been taken, e.g. bad weather conditions, political instability, strike, security risks, unexpected flight safety shortcomings. You are not entitled to compensations of any kind if you have been excluded from a flight due to justifiable reasons, e.g. in connection with your health, common or operational security or inadequate travel documents.

## Delays

Delays according EC Regulation 261/04 apply if a flight is to be expected beyond scheduled time of departure for 4 hours in case of flights of 3.500 kilometres, for 3 hours in case of all intra-Community flights of more than 1.500 kilometres and of flights between 1.500 and 3.500 kilometres and for 2 hours for flights of 1.500 kilometres or less.

If foreseeable that your flight will have such a delay you have the **right to assistance**, these are: meals and refreshment in a reasonable relation to the waiting time, hotel accommodation where appropriate combined with potential transfer, and two short telephone calls, telex or fax messages, or e-mails. Assistance must not be accomplished if the departure thereby will be delayed further. The operating carrier will serve passengers without prior request.

In case of delay of more than five hours you have the right to withdraw from the flight and the right to **reimbursement** of the full cost of the ticket or for parts of the journey not made and to claim further rights according article 8 paragraph 1 (a) of EC-Regulation 261/2004 respectively. The requirement therefore is that you can prove the failed travel purpose. We explicitly point out that for package travel the conditions of EC Directive 90/314 apply, i.e. high cancellation fees might apply in case of cancellation.

## Long delays

In case of an arrival delay of three hours and more, you have the right to be compensated in accordance with the jurisdiction of the European Court of Justice C-581/10 and C-629/1, in the form of cash, cheque, electronic bank transfer or with a signed voucher agreement. The amount of the payment is determined by the distance of the planned flight route and on the alternative flight offered. For all flights of 1.500 kilometres or less, the compensation amount is €250. For all domestic flights within the EU over 1.500 kilometres or flights between 1.500 and 3.500 kilometres, the compensation amount is €400. For flights of more than 3.500 kilometres, the compensation amount is €600. There will be no compensation if the delay is caused by extraordinary circumstances.

## Denied Boarding

If the carrier submits an offer to you to voluntarily withdraw from your flight or boarding is denied to you on the booked flight against your will, you have the right to compensation and assistance according to 'Delays'. Furthermore an **alternative transportation** to your final destination will be offered. The operating carrier will serve passengers without prior request. The re-routing will take place at the earliest opportunity and under comparable transport conditions. Subject to availability of seats the re-routing to your final destination may take place at a later date at your convenience, in this case you have to bear the cost for accommodation, meals and transfer.

In case you have been involuntarily denied boarding on a flight you have additionally and immediately the right to **compensation** in form of cash, cheque, electronic bank transfer, or with your signed agreement, in form of a voucher. The amount of the payment depends on the distance of the planned flight route and on the alternative flight offered. The compensation amounts to €250 for all flights of 1.500 kilometres or less, to €400 for all intra-Community flights of more than 1.500 kilometres and for all other flights between 1.500 and 3.500 kilometres, and to €600 for flights of more than 3.500 kilometres.

If you get offered an alternative flight and the arrival time does not exceed the scheduled arrival time of the flight originally booked by two hours, in respect of all flights of 1.500 kilometres or less; or by three hours, in respect of all intra-Community flights of more than 1.500 kilometres and for all other flights between 1.500 and 3500 kilometres; or by four hours, in respect of all flights over 3.500 kilometres, the compensation will be reduced by 50%, i.e. €125, €200 or €300.

## Cancellation

In case of cancellation of a flight for which you hold a confirmed reservation, you get information about a possible alternative transportation and have the same rights – beside the alternative transportation – to assistance, reimbursement and payment, as mentioned further above.

If the cancellation is caused by extraordinary circumstances you do **not have the right** to compensation. Also no compensation will be accomplished if you were informed of the cancellation

- at least two weeks before the scheduled time of departure
- between two weeks and seven days before the scheduled time of departure and the offered re-routing departs no more than two hours before the scheduled time of departure and reaches the final destination less than four hours after the scheduled time of arrival
- less than seven days before the scheduled time of departure and the offered re-routing departs no more than one hour before the scheduled time of departure and reaches the final destination less than two hours after the scheduled time of arrival.

For further contact with the respective airline please use the link below:

Condor Flugdienst GmbH:  
[www.condor.com/kontakt](http://www.condor.com/kontakt)

Thomas Cook Airlines UK:  
[www.thomascookairlines.com/en/help-contact/contact-us.jsp](http://www.thomascookairlines.com/en/help-contact/contact-us.jsp)

Thomas Cook Airlines Scandinavia:  
[www.thomascookairlines.dk](http://www.thomascookairlines.dk)

In accordance with the EC-Regulation you will find in the following the contact details of the National Body responsible for the enforcement of the passenger rights in:

[https://ec.europa.eu/transport/sites/transport/files/2004\\_261\\_national\\_enforcement\\_bodies.pdf](https://ec.europa.eu/transport/sites/transport/files/2004_261_national_enforcement_bodies.pdf)

(Includes: Germany, Scandinavia, United Kingdom, Spain, Portugal, Italy, etc.)