

Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (hereinafter "the Regulation") contains provisions on the obligations of an airline towards its passengers.

Regulation provides minimum rights for passengers when their flight is delayed or canceled or they're denied boarding against their will. The regulation establishes specific conditions under which the law applies and sets the assistance and compensation amounts for each situation.

In all cases, for Regulation to apply, a passenger must have a confirmed ticket and must present themselves for check-in. The regulation doesn't apply to those traveling on free or reduced fares not available directly to the public. However, it applies to passengers traveling on tickets issued by a frequent flyer program.

Since this is a European Union regulation, there are geographical limitations to which flights are covered. For a flight to be eligible for compensation under Regulation, it must be either departing from a Member State—one of the 27 EU countries, plus Iceland, Norway and Switzerland, as well as most outlying territories—or departing from a nonmember country with a destination within a Member State. The airline must be licensed in a Member State if departing from a nonmember country.

This Regulation Article 3. 1. shall apply:

- (a) to passengers departing from an airport located in the territory of a Member State to which the Treaty applies;
- (b) to passengers departing from an airport located in a third country to an airport situated in the territory of a Member State to which the Treaty applies, unless they received benefits or compensation and were given assistance in that third country, if the operating air carrier of the flight concerned is a Community carrier.

Delays

When a flight is delayed, passengers are eligible for assistance. Depending on the length of the delay, meals, refreshments and two telephone calls or emails are provided:

- A delay two hours or more on flights 1,500 kilometers (932 miles) or less
- A delay three hours or more, on intra-EU flights more than 1,500 kilometers (932 miles) and all other flights between 1,500 kilometers (932 miles) and 3,500 kilometers (2,175 miles)
- A delay four hours or more for all other flights

If a flight is delayed by at least a full day, passengers are also entitled to the following:

- Hotel accommodation if an overnight stay or an additional night becomes necessary.
- Transport between the airport and place of accommodation (hotel or other)

These types of assistance fall under Regulation's "the right to care" and are available regardless of why your flight is delayed.

When a flight is delayed for at least five hours, passengers are eligible for reimbursement under the "right to reimbursement or rerouting":

- Full ticket reimbursement within seven days for unused travel or parts that no longer serve the passenger's original plan, plus a return flight to the starting point if needed.

In all cases, if your flight arrival is delayed by three hours or more, you're entitled to the "right to compensation".

Compensation	Flight Distance
250	1500 km or less
400	between 1500 km and 3500 km
600	all other flights

Denied Boarding

If a passenger is denied boarding, then the passenger is immediately eligible for the rights to compensation, reimbursement, rebooking and care.

Cancellations

When a qualified flight is canceled, passengers are eligible for the rights to care, compensation, reimbursement and rerouting.

However, there are limitations on when these rights will apply. You are not covered if:

- You were informed of the cancellation at least two weeks before the scheduled departure time
- You were informed of the cancellation between two weeks and seven days before the scheduled departure time (and were offered a reroute departing no more than two hours before the scheduled time of departure and arriving less than four hours after the scheduled time of arrival).
- You were informed of the cancellation less than seven days before the scheduled time of departure but were offered a reroute departing no more than one hour before the scheduled departure time and reaching the final destination less than two hours after the scheduled arrival time.

Extraordinary Circumstances

Airlines don't have to pay compensation if they can prove the delay or cancellation was caused by extraordinary circumstances, defined as out-of-the-ordinary events that could not be avoided under reasonable circumstances. For example, an act of terrorism, worker strikes unrelated to the airline or weather conditions like a snowstorm or volcanic ash making flight impossible would all be considered extraordinary.

Compensation under the Regulation is not automatic; it must first be requested from the airline. If there is no response or the request is denied, you can initiate a procedure with the competent authority.

Natioinal Enforcement Bodies List: https://transport.ec.europa.eu/transport-themes/passenger-rights/national-enforcement-bodies-neb_en