

**VOLOTEA** 



# YOUR PASSENGER RIGHTS



### Dear Passenger:

If your flight is cancelled or is subject to a long delay, or if you are denied boarding on a flight, for which you hold a valid reservation, you are entitled to certain rights in accordance with the EU Regulation 261/2004, which entered into force on 17.02.2005. Volotea is responsible to grant you these rights.

### SCOPE

The Regulation applies:

- ◆ Passengers from any EU airport, or 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.
- ◆ only if you have confirmed reservation on the flight concerned,
- ◆ only if you (except in case of cancellation) present yourself in time for check-in or, if no time is indicated, at least 45 minutes before the published departure time,
- ◆ only if you travel on a ticket bought at a fare available to the public.

### DELAY

In accordance with the EU Regulation a delay occurs when a flight is delayed beyond its scheduled departure time by 4 hours or more for flights of more than 3.500 km. Three hours or more for intra-Community flights of more than 1.500 km and all other flights between 1.500 and 3.500km. When your flight is expected to have a long delay, passengers are entitled to receive care while waiting. It will be offered free of charge meals and refreshments in a reasonable relation to the waiting time, hotel accommodation if necessary and the transport between the airport and the accommodation, and the possibility of making two telephone calls, two faxes or two e-mail messages. Care for passengers while waiting may be declined if the provision of the care would itself cause further delay. In case of more than 5 hours of delay you will have the right to: refund within seven days of the full cost of your ticket at the price at which it was purchased, corresponding to the part or parts of the trip not made or the part or parts already made if the trip no longer has a reason to be; or flight back to the first starting point as quickly as possible; or driving to the final destination under comparable transport conditions as quickly as possible; or driving to the final destination, under comparable transport conditions, at a later date convenient to the passenger, depending on the available seats.

It is hereby stated that pursuant to the Judgment of the European Court of Justice of 23 October 2012 (Nelson), Articles 5 to 7 of Regulation (EC) No. 261/2004 of the European Parliament and the Council, of 11 February 2004, establishing common regulations on compensation and assistance for air passengers in case of denied boarding, cancellation or long delays to flights, and abolishing Regulation (EEC) no. 295/91, must be interpreted in the sense that passengers on delayed flights have a right to be compensated by virtue of that set forth in said Regulation when, due to said flights, they suffer a loss of time equal to or greater than three hours, that is to say, when they arrive at their destination three hours or more after the arrival time initially scheduled by the air carrier. In such event, the amount of the compensations to which the passengers are entitled is the same as in the event of denied boarding (see below the section "Denied Boarding"). However, such a delay does not give passengers a right to compensation if the air carrier can prove that the long delay is due to extraordinary circumstances that could not have been avoided even if all reasonable measures had been taken, that is to say, to circumstances outside of the effective control of the air carrier.

### DENIED BOARDING

If in case of overbooking or due to other reasons you are denied boarding involuntarily on a flight for which you hold a reservation, you are entitled to care and compensation immediately and to a refund as laid out in the previous section on 'delay'. In addition, you are entitled to re-routing, under comparable conditions, to your final destination at the earliest opportunity. Subject to availability of seats, you may instead choose re-routing to your final destination at a later date of your convenience, in which case you will have to bear yourself the cost of food, accommodation and transfer.

If you are voluntarily denied boarding due to overbooking, you are entitled to an alternative flight or to a refund as laid out in the previous section on 'delay' and to a compensation without delay. The compensation shall be paid in cash, cheque or transfer or with your agreement in form of vouchers. The amount of the compensation depends on the distance of the schedule flight or the alternative flight proposed to you. Compensations amount to:

- 250€ for flights of up to 1500 km.
- 400€ for flights between 1500 and 3500 km and for intra-Community flights of more than 1500 km.
- 600€ for flights of more than 3500 km.

If you are offered an alternative flight, the scheduled arrival time of which does not exceed 2 hours in respect of flights up to 1.500km, 3 hours in respect of flights between 500km and 3.500km as well as intra-Community flights of more than 1.500km, and 4 hours in respect of all other flights, the above, mentioned compensation amounts can be reduced by 50%, i.e. 125€, 200€ and 300€.

These rights are not granted if you have been denied boarding on reasonable grounds, safety, security or health reasons (for example if you did not inform the airline in advance of any severe allergies), if you don't have the correct travel documents, or if you don't have the relevant documentation for your pet when it is travelling with you.

### CANCELLATION

If your flight, for which you hold a valid reservation, is cancelled, are entitled to re-routing or refund, care, and compensation as laid out here above. You are not entitled to receive compensation if the cancellation is attributed to extraordinary circumstances which could not have been avoided, even if all reasonable measures had been taken. Examples include bad weather conditions, political instability, strikes, security risks, unexpected flight safety shortcomings, equally, there is no right to compensation when the passenger has been informed of the cancellation:

- ◆ at least 14 days before the schedule time of departure.
- ◆ between 14 and 7 days before the schedule time of departure and the alternative flight departs no more than 2 hours before the originally schedule time of departure and reaches final destination less than 4 hours after the schedule time of arrival.
- ◆ less than 7 days before schedule time of departure and the alternative flight departs no more than 1 hour before the originally schedule time of departure and reaches final destination less than 2 hours after the schedule time of arrival.