



Flight delays and cancellations – the air passenger rights guide for when you’re going nowhere fast

When you’re going holidays the last thing you want is to end up stuck in the airport going nowhere fast. If you think that this will never happen to you, think again, as there have been many incidents of flight delays and cancellations across Europe, even in the past year, and such [flight disruption is predicted to get even worse in the years to come as more of us travel by air](#).

Hopefully your lucky streak will continue but, just in case, ECC Ireland has put together some advice for when there is flight disruption and you’re wondering what to do to get to your destination – or indeed home – or get assistance, and how to ensure that you have a greater chance of securing the appropriate redress later on (if applicable).

The consumer success story of the month features a family who sought ECC-Net’s help after struggling to get €1,500 worth of expenses back when the flight was cancelled, the airline offered rerouting for a week later and they had to make their own arrangements. The consumer query looks at what to do when a claim for compensation is denied and you want to dispute the extraordinary circumstances reason given by the airline.



When you're ready for take off but the plane isn't

Unfortunately, choosing to travel by air is not without its complications. Some of the most recent flight disruptions to hit the headlines include: [Aer Lingus flight from Lisbon to Cork being cancelled because of 'technical reasons'](#), the last minute [cancellation of a Ryanair flight from Paris to Dublin](#) and [long delays and cancellations at Dublin Airport because of weather warnings](#) resulting in complaints from 'stranded' passengers (left sleeping overnight in many cases) that not enough information and/or adequate assistance (e.g. accommodation and meal vouchers) was provided.

So, you see, flight disruption and its implications for your holiday is a very real possibility. How do you prepare? Well, you can't prepare for every eventuality (unfortunately) but perhaps the following Q&A can at least help make the situation a little less daunting and ensure that you've taken certain steps to cover yourself when it comes to making a complaint to the airline later on, whenever you eventually get home 😊.

Question: I've just found out there could be a problem with my flight. How do I find out about my rights?

Answer: Under [Regulation \(EC\) 261/2014](#), you have the right to be informed of the circumstances of your journey in a timely manner before, during and after travel and about your entitlements in case of disruption. You may receive this information by email or phone message so it's extremely important to check you got this (remember to check the spam folder). If you didn't get a message, or you can't find it, then you could contact the airline customer service. Alternatively, if you're already at the airport then you should be able to find information at the check-in desk as all airlines are required to provide a clearly legible notice with the following text: "If you are denied boarding or if your flight is cancelled or delayed for at least two hours, ask at the check-in counter or boarding gate for the text stating your rights, particularly with regard to compensation and assistance." You should also be given a written notice setting out rules for compensation and assistance if your flight is cancelled or is delayed for more than two hours.

You should liaise with the airline in relation to availing of your rights and making suitable arrangements. When a lot of passengers are affected it may result in rather chaotic scenes at the airline help desk so it might be better to use a live chat facility or email (if available and if appropriate to the circumstances). Make sure to keep a copy of this correspondence (this may include taking screenshots) and this will be of great assistance if you have problems with a complaint sent to the airline later on.

Question: My flight has been delayed for hours. I'm starving and may have to stay somewhere overnight. Can I get assistance from the airline or help myself?

Answer: At this stage, the airline should have informed you of your rights in relation to the flight delay. However, sometimes there can be communication issues particularly when extensive disruption occurs. If your flight has been delayed for two hours or more, the airline should provide care and assistance – this can be in the form of vouchers for meals or refreshments and/or arranging accommodation in nearby hotels if a stay of one or more nights is necessary until the flight is cleared

again for take off. If you have not received an offer of care and assistance then either go to the airline desk or liaise via online chat to confirm if this will be provided, when and how. If you don't get a response (again, it may be extremely busy) then you can buy your own meals and refreshments, however, it's extremely important to obtain and keep receipts so that you can claim for these extra expenses from the airline at a later stage, but don't go overboard – you are only entitled to necessary expenses and so this does not include alcoholic beverages and luxury items. If you can't get assistance with organising accommodation then you can try to make your own arrangements, however, airlines may have a restriction on the type of accommodation that will be reimbursed (e.g. up to 3 star only) so it's important to get confirmation in writing that you can book and claim it back. Don't forget, in these circumstances you are entitled to two free phone calls, emails or faxes, which may be of assistance if making your own arrangements. Also, make sure to keep receipts for any travel to and from your accommodation.

Check out ECC Ireland's [flight delay](#) page for more information.



Question: I'm looking at the departures board and it's saying the flight is now cancelled. What do I do? Can I get another flight?

When a flight is cancelled, you should receive information from the airline telling you that you have a choice between rerouting to your final destination or a refund for the part, or parts, of the journey cancelled or not completed due to the cancellation. If you have received this email/message (remember to check the spam folder), or notice of the cancellation at the airport, then the decision is really up to you which one you want to choose. If you choose rerouting instead of a refund, the airline should offer you an alternative flight to your final destination at the earliest opportunity, or at a later date of your choice subject to the availability of seats. While waiting for that rerouting, you should also be provided with appropriate care and assistance (same as above).

However, sometimes there are problems with providing alternative flights, e.g. the airline cannot provide another flight for day or maybe more. If the alternative flight offered is not suitable and you decide to make your own arrangements by booking with another carrier, then you need to tread very carefully here. Make sure to liaise with the airline on the original booking to confirm (in writing) that if it cannot provide a more suitable alternative you can go ahead with your own arrangements (provide details if you can) and that the cost of the flight with the other carrier will be reimbursed once a receipt has been submitted with your claim. Failure to get this confirmation (in written format) could result in problems getting refunded for the cost of that flight, which let's face it, is going to cost a bit when booked last minute.

Check out ECC Ireland's [flight cancellation](#) page for more information.

Question: Am I entitled to compensation? Is there anything I need to do now or soon after the flight disruption for my claim later on?

Answer: It's certainly difficult to think of these things at the time, especially when you're trying to organise alternative flights, accommodation, or even food, however, there are certain steps that should be taken. Firstly, it would be beneficial to find out (as soon as you can) about the cause of the disruption. If you haven't already been told the reason then you should contact the airline (again, in written format) and ask them why the flight was cancelled or delayed (if delayed for more than three hours). The answer could mean the difference between being entitled to claim extra monetary compensation or not.

When a flight is cancelled, or a delay results in you reaching your final destination three hours or more after the arrival time originally scheduled, you could be entitled to compensation. The amount ranges from €250 to €600 depending on the distance. An airline does not have to pay compensation if you were informed of the cancellation at least two weeks before the scheduled time of departure or when it can prove that the disruption was due to extraordinary circumstances. For the airline to rely on extraordinary circumstances it would have to prove that the disruption was unavoidable and that all reasonable measures were taken. Examples of extraordinary circumstances can be severe weather, political unrest, security threat, unexpected flight safety shortcomings, air traffic control restrictions, or strikes that affect the operation of the flight.

Another important step is to make sure you keep all correspondence (e.g. emails, texts, live chat) safe so that you can supply a copy if there are problems with your claim.

You can also check out the [Flights Rights Calculator](#) tool on our website.

Consumer success story of the month:

A consumer and his family were due to go on holiday to Gran Canaria in April 2019 but when they arrived at the airport, they found that their flight was first delayed and later cancelled. When they sought assistance from the airline, they were given hotel accommodation for the night and told that

there was no alternative flight available until a week later. As this was unacceptable, the family found an alternative flight on their own and informed the airline via live chat to check that their return flight would still be valid. When the consumer later submitted a claim for refund of the original cancelled flight plus extra costs such as the alternative flight and transport between the hotel and the airport it was refused. The consumer contacted ECC Slovenia who sought the help of ECC Ireland. We contacted the airline pointing out the following: The passengers could not accept the rerouted flight offered because it was for a date that was after the original return flight; the passengers made all attempts to liaise with airline staff to find a suitable alternative flight but none was available; and when they found an alternative flight with another airline they informed customer service via live chat (screenshots provided) and received assurances that they could claim for refund later. Following this intervention, the airline reassessed the matter and provided a refund of €1,504.

Consumer query of the month:

Q: I was travelling as part of a group of six but our flight from Dublin to Budapest was delayed for more than three hours. At the airport we received a sheet with details of our air passenger rights, however, no further assistance was offered. The reason for the delay given to us by staff at the airport was ‘technical problems’. When we made a claim for compensation it was rejected, and divergent reasons were given – while some of the group were told it was due to French air traffic control strikes others were told it was ‘adverse weather conditions’. What can I do to dispute the airline’s decision to reject the claim?

A: When you’re submitting a claim (under Regulation 261) to the airline, you should outline the circumstances you encountered at the airport, the time you arrived at your final destination and, as you were not provided with the required care and assistance, provide receipts for incurred expenses (e.g. meals and refreshments) for reimbursement. Make sure to keep a copy of your complaint.

While extraordinary circumstances such as severe weather and air traffic control strikes are more clear-cut, if the reason given is technical problems then it’s not so straight forward. There is a European Court of Justice ruling that states technical problems can only be considered extraordinary circumstances if they are not inherent in the normal exercise of the activity of the air carrier and are beyond its actual control. The burden of proof shall lie with the air carrier.

If the airline fails to conclude the matter in accordance with Regulation 261 and/or you are disputing the reason given for the disruption, you can refer the matter to the relevant national enforcement body (NEB) providing copies of your itinerary/e-ticket, receipts and any other relevant documentation. As this disruption occurred in Ireland, then the NEB would in this case would be the Commission for Aviation Regulation. The Flightright.ie website has more information about flight cancellation complaints.

If you want more information about this or any other cross-border consumer issue, please go to our online contact us page on www.eccireland.ie. You can also follow us on [Twitter](#).

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The European Consumer Centre is part of the European Consumer Centres Network (ECC-Net), which covers 30 countries (all EU countries plus Norway and Iceland), and offers a free and confidential information and advice service to the public on their rights as consumers, assisting customers with cross-border disputes. ECC Ireland is funded by the European Commission and the Competition and Consumer Protection Commission.

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