

Process of Law Making:

## **The Challenge to amend Regulation 261**

Passengers' needs and airlines' responsibility to cater that need

15.03.2017 - Travel Law Forum

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# Why Review Regulation 261/2004?

## In order to...

- Make passenger rights clear
- Make passenger rights simple to implement

## What do we need?

- Legal certainty
- Fair balance of consumer and industry interest



# Not all is bad...

## Positive elements in the EU COM's proposal

- + trigger points for compensation after long delays
- + list of extra-ordinary circumstances
- + attempts to limit financial liability for airlines as „insurer of last resort“
- + principle of the right of redress



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# How then to improve Regulation 261?!

- Definition of extraordinary circumstance
- A list of extraordinary circumstance
- Trigger points – Room to recover





# What does the passenger need in case of delay or cancellation?

- Priority for stranded passenger is to get to their destination with as little delay as possible
- Cancellations are the **worst** possible option!



# How is the airline burdened?

- Knock-on effects
- Consequential delays
- Calculation of delay (missed connections)
- Timeframe of re-routing
- Claims and complaints / claims farming



# Future Outlook

- Concern about revision 261 being blocked by status of airport Gibraltar
- Urge to separate the revision of passenger rights' regulation from political file





Thank you very much  
for your attention