



# Passenger Rights

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## Reform of Regulation (EC) 261/2004

## Brief history of Regulation (EC) 261/2004 reforms

- 17 February 2005: Regulation came into force
- 2013: Reform proposal of the Commission with a view to shortcomings

### Political blockade

- 2025: Polish presidency of the Council expedites reform  
5 June 2025: Agreement on compromise  
Later this year: Decision of Parliament

## Compensation

### Now:

- € 250 – delays/cancellations of flights up to 1,500 km
  - € 400 – delays/cancellations of flights between 1,500 and 3,500 km
  - € 600 – delays/cancellations of flights of more than 3,500 km
- } as from 2/3 hours

### New:

- € 300 – delays/cancellations of flights up to 3,500 km → as from 3 hours
- € 500 – delays/cancellations of flights of more than 3,500 km → as from 4 hours

## Extraordinary circumstances

Now:

- No definition
- Case law

New:

- Definition: „*not inherent in the normal exercise of the activity of the air carrier concerned and are beyond its actual control*”
- Unexhaustive list of extraordinary circumstances in Annex to Regulation

## Extraordinary circumstances

- Weather
- Damage to the aircraft due to weather influence, such as lightning strike, hailstones, thunderstorms, severe turbulence, strong wind
- Capacity restrictions, airspace closure
- Strike of essential service providers (e.g. ATC, ground handling staff)
- Crew strike if demand is outside the remit of airline
- Crew sickness or crew death outside home base
- Technical issues if they could not have been remedied in regular maintenance

## Rerouting

### Now:

- rerouting to final destination under comparable means of transport (Article 8)
- direct/indirect rerouting on own flight or flight of other carrier (C-74/19, C-264/20)

### New:

- same route
- different routing, including to or from alternative airports + transfer costs
- rebooking on other carriers
- rebooking on other modes of transport
- if not offered within 3 hours: right to arrange own rerouting; refund up to 400% of original ticket price

## New features

- Free of charge spelling corrections up to 48 hours before departure
- Tarmac delay
  - real-time updates
  - free drinks and toilet use
  - disembarkation after 3 hours
- Hotel accommodation up to 3 nights
- Complaint handling mechanism
  - Submission of claim within 6 months of disruption
  - Reply from airline within 30 days upon submission
- Reimbursement/refund within 14 days



Thank you for your attention!

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