

Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 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 (Text with EEA relevance)

Article 5

Cancellation

- 1 In case of cancellation of a flight, the passengers concerned shall:
 - a be offered assistance by the operating air carrier in accordance with Article 8; and
 - b be offered assistance by the operating air carrier in accordance with Article 9(1)(a) and 9(2), as well as, in event of re-routing when the reasonably expected time of departure of the new flight is at least the day after the departure as it was planned for the cancelled flight, the assistance specified in Article 9(1)(b) and 9(1)(c); and
 - c have the right to compensation by the operating air carrier in accordance with Article 7, unless:
 - i they are informed of the cancellation at least two weeks before the scheduled time of departure; or
 - ii they are informed of the cancellation between two weeks and seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than two hours before the scheduled time of departure and to reach their final destination less than four hours after the scheduled time of arrival; or
 - iii they are informed of the cancellation less than seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than one hour before the scheduled time of departure and to reach their final destination less than two hours after the scheduled time of arrival.
- 2 When passengers are informed of the cancellation, an explanation shall be given concerning possible alternative transport.
- 3 An operating air carrier shall not be obliged to pay compensation in accordance with Article 7, if it can prove that the cancellation is caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.
- 4 The burden of proof concerning the questions as to whether and when the passenger has been informed of the cancellation of the flight shall rest with the operating air carrier.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 261/2004 of the European Parliament and of the Council, Article 5.