

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 6

### Delay

1 When an operating air carrier reasonably expects a flight to be delayed beyond its scheduled time of departure:

- a for two hours or more in the case of flights of 1500 kilometres or less; or
- b for three hours or more in the case of all <sup>F1</sup>... flights between 1500 and 3500 kilometres; or
- c for four hours or more in the case of all flights not falling under (a) or (b), passengers shall be offered by the operating air carrier:
  - i the assistance specified in Article 9(1)(a) and 9(2); and
  - ii when the reasonably expected time of departure is at least the day after the time of departure previously announced, the assistance specified in Article 9(1)(b) and 9(1)(c); and
  - iii when the delay is at least five hours, the assistance specified in Article 8(1)(a).

2 In any event, the assistance shall be offered within the time limits set out above with respect to each distance bracket.

<sup>F23</sup> In case of a delay of three hours or more in reaching the final destination, the passengers concerned have the right to compensation laid down in Article 7.

4 An operating air carrier shall not be obliged to pay compensation in accordance with Article 7, if it can prove that the delay is caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.]

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#### Textual Amendments

- F1** Words in Art. 6(1)(b) omitted (31.12.2020) by virtue of [The Air Passenger Rights and Air Travel Organisers' Licensing \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/278), regs. 1(3), **8(5)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Art. 6(3)(4) inserted (14.12.2023) by [The Aviation \(Consumers\) \(Amendment\) Regulations 2023](#) (S.I. 2023/1370), regs. 1(2), **2(5)**

**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 6.