



# Compensation and assistance

In the event of denied boarding,  
flight cancellation or delay

# Hello, many thanks for choosing to fly Virgin Atlantic

We want to assure you that in the event of a disruption to your flight schedule, we will be taking steps to minimise the inconvenience to you and make any waiting time as comfortable as possible.

All our actions meet the requirements of the Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights.

## If your flight is delayed

### For more than 4 hours on long-haul flights

We will provide you with meals and refreshments in reasonable relation to the waiting time, plus two short telephone calls, or telex, or fax, or email messages.

### For more than 5 hours

In addition to the above, you may cancel your booking and receive a refund of your unused ticket, and for the part of the journey already made if the delay means your flight no longer serves any purpose in relation to your original travel plans.

Where relevant if you have already completed one or more segments of your flight we will also offer you a return flight to your first point of departure at the earliest opportunity.

Inclusive/package tour passengers should be aware that a refund would only relate to the airfare portion of the package and not the whole cost of the holiday. Your Tour operator should be contacted for further advice before you cancel your booking.

### Until the next day (local time)

In addition to the above if you have chosen not to cancel your flight we will offer hotel accommodation and transport to and from the hotel.

The care detailed above may be limited or declined if the provision of refreshments, meals and hotel accommodation would itself cause further delay.

## If your flight is cancelled

### You have the choice

To cancel your booking and receive a refund of your unused ticket, and for the part of the journey already made if the delay means your flight no longer serves any purpose in relation to your original travel plans. Where relevant if you have already completed one or more segments of your flight we will also offer you a return flight to your first point of departure at the earliest opportunity.

Inclusive/package tour passengers should be aware that a refund would only relate to the airfare portion of the package and not the whole cost of the holiday. Your Tour operator should be contacted for further advice before you cancel your booking.

**Or** to take an alternative flight, under comparable transport conditions, to your final destination, where seats are available, at the earliest opportunity

**Or** to take an alternative flight to your destination, under comparable transport conditions and where seats are available, at a later date. (You will be responsible for any hotel accommodation; meals and other transport costs should you choose this option).

#### **In addition**

If your flight is cancelled without prior notification and you have commenced your journey to the airport we will provide you, whilst awaiting a later flight, with meals and refreshments in reasonable relation to the waiting time, plus two short telephone calls, or telex, or fax, or email messages. If your new flight departure involves an overnight wait, we will offer hotel accommodation and transport to and from the hotel. (This provision will not apply if you have chosen to take an alternative Virgin Atlantic flight at a later date).

## **Compensation for flight cancellations and long delays**

You may be eligible to claim compensation if we cancel your flight within two weeks of your departure date, or if your flight is delayed in its arrival by more than 3 hours. This depends upon the reason for the cancellation or delay, as well as the arrival time of your new or delayed flight.

Compensation will not be offered if the cause of the cancellation or delay is beyond the control of Virgin Atlantic, or for disruptions which could not have been avoided even if all reasonable measures had been taken. This includes, the impact of weather conditions or air traffic management decisions, national disasters, unexpected flight safety shortcomings, industrial disputes, political instability and security risks.

### **Compensation - Flight Cancellations**

You have the right to compensation by the operating air carrier in accordance with Article 7, unless:

(i) you are informed of the cancellation at least two weeks before the scheduled time of departure; or

(ii) you are informed of the cancellation between two weeks and seven days before the scheduled time of departure and are offered re-routing, allowing you to depart no more than two hours before the scheduled time of departure and to reach your final destination less than four hours after the scheduled time of arrival; or

(iii) you are informed of the cancellation less than seven days before the scheduled time of departure and are offered

re-routing, allowing you 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.

The levels of compensation are specified as follows:

Flights of 1500 km or less	Flights within the EU of more than 1500 km and for all other flights between 1500km and 3500km	All other flights
220 GBP	350 GBP	520 GBP

Compensation is reduced by 50% if any re-routing offered to your final destination results in a scheduled arrival time which does not exceed the scheduled arrival time of the original flight by:

- Two hours for flights of 1500 km or less
- Three hours for all flights within the EU of more than 1500 km and for all other flights between 1500km and 3500 km
- Four hours for all other flights

### Compensation table - Flight Delays

	If your delayed flight arrives more than three hours after the originally scheduled arrival time	If your delayed flight arrives more than four hours after the originally scheduled arrival time
Long Haul	260 GBP	520 GBP
Medium Haul	175 GBP	350 GBP
Short Haul		220 GBP

All passengers wishing to make an application for delay or cancellation compensation must complete the EC261 Compensation Application form on our website at [virginatlantic.com/euclaimapplication](http://virginatlantic.com/euclaimapplication)

**Compensation claims for flight cancellations and long delays cannot be processed at the airport.**

### If you are denied boarding due to a shortage of seats on your flight

Virgin Atlantic operates a 'Voluntary' denied boarding scheme called 'Virgin Select'. This scheme offers customers the opportunity to surrender their seats and receive a refund of their unused ticket or fly on a later Virgin Atlantic flight in exchange for a complimentary or discounted flight at a future date.

Passengers volunteering and accepted for the 'Virgin Select' scheme will also receive meals, refreshments and overnight accommodation depending upon the length of the waiting time. (Further details of the Virgin Select scheme can be obtained from a member of our airport team).

In the unlikely event that we have to deny boarding on an 'involuntary basis':

## You have the right to compensation

If your new flight is scheduled to arrive within four hours of your original arrival time	If your new flight is scheduled to arrive more than four hours after your original arrival time
260 GBP	520 GBP

### In addition you may choose

To cancel your booking and receive a refund of your unused ticket, and for the part of the journey already made if the delay means your flight no longer serves any purpose in relation to your original travel plans.

Inclusive/package tour passengers should be aware that a refund would only relate to the airfare portion of the package and not the whole cost of the holiday. Your Tour operator should be contacted for further advice before you cancel your booking.

**Or** to take an alternative flight, under comparable transport conditions, to your final destination, where seats are available, at the earliest opportunity.

**Or** to take an alternative flight to your destination, under comparable transport conditions and where seats are available, at a later date. (You will be responsible for any hotel accommodation; meals and other transport costs should you choose this option).

### Plus

We will provide you with meals and refreshments in reasonable relation to the waiting time, plus two short telephone calls, or telex, or fax, or email messages. If your new flight departure involves an overnight wait, we will offer hotel accommodation and transport to and from the hotel. (This provision will not apply if you have chosen to take an alternative Virgin Atlantic flight at a later date).

### Volunteers and boarding priorities

If a flight is oversold and we are unable to find enough passengers to surrender their seats on a voluntary basis other passengers may be denied boarding involuntarily. In accordance with the following boarding priority:

- Last to check in or arrive at the baggage drop off desks, self service check in kiosks, or the boarding gate.

### Important note

These provisions and services will only apply on the condition that passengers have a confirmed reservation on the flight concerned and have presented themselves at check in at least 60 minutes prior to the scheduled departure time of their flight.

These provisions and services do not apply to passengers travelling free of charge, or at a reduced fare not available directly or indirectly to the public. However it does apply to passengers having tickets issued under a frequent flyer programme.

If you are denied boarding for justifiable reasons such as health, safety, security or inadequate travel

documentation we will be under no obligation to provide care, assistance, compensation, ticket refunds or alternative travel arrangements.

## **Passengers denied boarding departing from US airports**

This notice is presented in accordance with the regulations of the US department of Transportation 14CFR 250.9

### **Compensation for denied boarding**

If you have been denied a reserved seat on a Virgin Atlantic operated flight departing from the US, you are probably entitled to monetary compensation. This notice explains the airlines obligations and the passengers rights in the case of an oversold flight, in accordance with regulations of the US Department of Transportation.

### **Volunteers and boarding priorities**

If a flight is oversold (more passengers hold confirmed reservations than there are seats available), no one may be denied boarding against his or her will until we have first asked for volunteers to give up their reservation willingly, in exchange for compensation of the airlines choosing.

If there are not enough volunteers, other passengers may be denied boarding involuntarily. In accordance with the following boarding priority of Virgin Atlantic.

- Last to check in or arrive at the baggage drop off desks or self service check in kiosks, or the boarding gate.

### **Compensation for involuntary denied boarding**

If you are denied boarding involuntarily, you are entitled to a payment of "denied boarding compensation" from the airline unless

- (1) You have not fully complied with the airlines ticketing, check in and reconfirmation requirements, or you are not acceptable for transportation under the airlines usual rules and practices; or
- (2) you are denied boarding because the flight is cancelled; or
- (3) you are denied boarding because a smaller capacity aircraft was substituted for safety or operational reasons; or
- (4) on a flight operated with an aircraft having 60 or fewer seats, you are denied boarding due to safety-related weight/balance restrictions that limit payload; or
- (5) you are offered accommodations in a section of the aircraft other than specified in your ticket, at no extra charge (a passenger seated in a section for which a lower fare is charged must be given an appropriate refund); or
- (6) the airline is able to place you on another flight or flights that are planned to reach your next stopover or final destination within one hour of the planned arrival time of your original flight.

## Amount of denied boarding compensation

### International Transportation

Passengers travelling from the United States to a foreign point who are denied boarding involuntarily from an oversold flight originating at a U.S. airport are entitled to:

- (1) No compensation if the carrier offers alternate transportation that is planned to arrive at the passenger's destination or first stopover not later than one hour after the planned arrival time of the passenger's original flight;
- (2) 200% of the fare to the passenger's destination or first stopover, with a maximum of \$775, if the carrier offers alternate transportation that is planned to arrive at the passenger's destination or first stopover more than one hour but less than four hours after the planned arrival time of the passenger's original flight; and
- (3) 400% of the fare to the passenger's destination or first stopover, with a maximum of \$1,550, if the carrier does not offer alternate transportation that is planned to arrive at the airport of the passenger's destination or first stopover less than four hours after the planned arrival time of the passenger's original flight.

0 to 1 hour arrival delay	1 to 4 hour arrival delay	Over 4 hours arrival delay
No compensation	200% of one-way fare (but no more than \$675)	400% of one-way fare (but no more than \$1,350)

### Alternate transportation

"Alternate transportation" is air transportation with a confirmed reservation at no additional charge (by any scheduled airline licensed by DOT), or other transportation accepted and used by the passenger in the case of denied boarding.

### Method of payment

Except as provided below, the airline must give each passenger who qualifies for involuntary denied boarding compensation a payment by cash or check for the amount specified above, on the day and at the place the involuntary denied boarding occurs. If the airline arranges alternate transportation for the passenger's convenience that departs before the payment can be made, the payment shall be sent to the passenger within 24 hours. The air carrier may offer free or discounted transportation in place of the cash payment. In that event, the carrier must disclose all material restrictions on the use of the free or discounted transportation before the passenger decides whether to accept the transportation in lieu of a cash or check payment. The passenger may insist on the cash/check payment or refuse all compensation and bring private legal action.

### Passenger's options

Acceptance of the compensation may relieve Virgin Atlantic from any further liability to the passenger caused by its failure to honor the confirmed reservation. However, the passenger may decline the payment and seek to recover damages in a court of law or in some other manner.

## Further information and feedback

Please visit

**[www.virginatlantic.com/euregulations](http://www.virginatlantic.com/euregulations)**

Our Customer Relations department welcomes your questions, comments or concerns at

**[www.virginatlantic.com/feedback](http://www.virginatlantic.com/feedback)**

If you are dissatisfied with the assistance you were offered during your flight disruption and the response you received from Customer Relations you may wish to contact the body responsible for the enforcement of the EC regulation.

The Civil Aviation Authority

4th Floor, CAA House

45-59 Kingsway

London WC2B 6TE

**[www.caa.co.uk/passengercomplaints](http://www.caa.co.uk/passengercomplaints)**

This leaflet provides a summary of the relevant EC261 Compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights: (EC) No 261/2004. Any legal claim or action taken in the event of a dispute should be based solely on the legal texts concerned.