

05/2010

Dear Sirs,

Flight Only Guidance Notes

In response to the eruption of Iceland's Eyjafjallajokull volcano resulting in air traffic control restrictions and causing flight cancellations, rescheduling and delays please find below a template to follow if you booked a flight only or booked accommodation separately.

These guidance notes are applicable if you booked a flight only within the EU, EEA or Switzerland.

When following the letter template please select the most appropriate paragraphs to your claim. This is only intended as a guidance of what to include within your claim, therefore please feel free to add, edit or remove sections which are not applicable to you. We have provided a brief explanation of the possible paragraphs to include within your claim, followed by a suggested format. Please insert the information relevant to your claim in the areas marked xxx.

Letter Template

1. Firstly, you should mark your letter with a heading indicating that you wish to make a claim and provide a brief introduction.

Address the letter to your airline.	XX/XX/XX
Dear Sirs	
Claim Arising From Volcanic Ash Disruption	
Reference:	
Further to the recent air traffic control restrictions imposed due to the eruption of Iceland's Eyjafjallajokull volcano, I wish to make a claim for expenses incurred as a result of my flight being cancelled.	

2. Please provide a brief description of the flight/s you had booked.

On xxx I booked a flight with xxx. I was scheduled to fly on xxx at xxx on flight number xxx. The flight was scheduled to depart from xxx and due to land in xxx at xxx. However, on the xxx I was advised by the airline that my flight had been cancelled due to volcanic ash. My booking reference was xxx.
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Under the EC Regulation on Air Passengers Rights No 261/2004, you are entitled to a full refund on cancelled flights and associated flights which no longer serve their purpose, such as a return flight. Alternatively, at no extra cost you are entitled to request that your flight be rescheduled at a later date.

3. If you would like to claim a refund for your cancelled flight and associated flight please use the paragraph below and attach a copy of your booking confirmation and/or invoice where possible.

Please be advised that I do not wish to reschedule my cancelled flight. Instead, I would like to request a full refund in the sum of £xxx in respect of my cancelled flight and associated flight which I was unable/do not intend to use. Please find enclosed a photocopy of my booking confirmation.

4. If you would prefer to reschedule your flight for a later date we would suggest contacting your airline, as they will have live updates on availability. Please bear in mind that availability may be severely limited in the coming weeks, therefore it may be advisable that you request a refund and book a new flight at your own convenience. However, if you do decide to notify the airline in writing please include the following paragraph.

As a result of my flight being cancelled, I understand that I am able to request a rescheduling of my flight. I wish to reschedule my flight from xxx to xxx. I understand that I will not have to make any further payment towards the rescheduled flight. If the alternative flight that I have requested is not available, please send me a full refund in respect of my cancelled flight in the sum of £xxx or contact me on xxx. Please find enclosed a copy of my booking reference.

5. If you were delayed at the airport for a significant period of time you may be able to recover the cost of meals, refreshments and two telephone calls or emails. Please note that if you travelled to the airport after the airports had advised you not to, it is unlikely that the airline will reimburse you for expenses incurred.

When I arrived at xxx airport on xxx at xxx I was advised that my flight was delayed for xxx hours. I waited at the airport for xxx hours and was told at xxx that my flight had been cancelled. Whilst I was at the airport I was not offered any refreshments or a meal and had to purchase my own supplies from xxx at a cost of £xxx. I understand that it is the airline's duty to take care of delayed passengers at the airport, therefore I would like to be reimbursed for food and beverages purchased at the airport in the sum of £xxx.

Furthermore, whilst I was stranded at the airport, I was not offered the use of any communication facilities. I had to make calls from my own mobile phone. I understand that you are required to provide stranded passengers with the use of a phone to make alternative arrangements, as this was not offered I look forward to receiving reimbursement of the highlighted calls on my attached mobile phone bill.

6. If you were stranded in resort as a result of your return journey being delayed your airline should have provided care appropriate to the length of your delay, this may include meals, refreshments and accommodation. Please note that it is unlikely that your airline will pay for any unnecessary extravagancies or if you made alternative arrangements to travel home, such as hiring a car. In this circumstance you will only be entitled to a refund on the delayed flight.

Whilst in xxx I was advised by xxx that my return flight to xxx had been cancelled. The cancelled flight was flight number xxx. As a result of my flight being cancelled I was stranded in xxx for xxx additional days until an alternative flight was available on xxx. During this time I received no assistance from my airline and had to make my own reservations at xxx at a cost of xxx per night, the total cost incurred for the additional accommodation was xxx.

Additionally, whilst stranded in resort I also had to purchase food and beverages at my own expense during the xxx day period. The total cost of the food and beverages was £xxx. I understand that as my airline, you should have made appropriate provisions for my care, as this was not the case please find enclosed a photocopy of my hotel bill and receipts for meals. I trust that you will find my expenses to be reasonable and appropriate given the circumstances.

7. In closing your letter to your tour operator you should specify the law that you are relying upon, confirm the total amount claimed and detail when you expect to receive a response.

In submitting my claim for a refund on my cancelled flight and for additional expenses incurred I rely on the EC Regulation on Air Passengers Rights No 261/2004.

I trust that a full refund in the sum of £xxx will be provided within 28 days of this letter. Whilst I appreciate that you may be experiencing a high number of claims at this time, I feel that 28 days is an appropriate period of time for you to consider my claim. Should I not receive a response within this time limit I will commence your internal complaints procedure.

I look forward to receiving a full refund within 28 days.

Yours faithfully

Unfortunately, if your outbound flight was delayed or cancelled, your airline is not responsible under EC Regulation 261/2004 for individually booked elements of your holiday, such as accommodation, that you could not obtain the benefit of. Please contact the individual providers for a copy of their terms and conditions and to request a refund.

If you have difficulties in achieving a settlement with your airline please commence their respective complaints procedures, details of which should be available online. Additionally, if you paid for your flight with a credit card, please contact your credit card provider, as they will be able to assist you under section 75 of the Consumer Credit Act 1974 in pursuing the airline.

We are sorry if your holiday plans have been affected by the volcanic ash crisis and hope that you find this guidance note of use.