

# Air passenger rights

2013/0072(COD) - 21/01/2026 - Text adopted by Parliament, 2nd reading

The European Parliament adopted by 632 votes to 15, with 9 abstention, a legislative resolution on the Council position at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending 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 and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air.

The European Parliament's position at **second reading** amends the Council's position as follows:

## *Denied boarding*

When an operating air carrier reasonably expects to deny boarding on a flight, it should immediately inform the passengers concerned and specify to the passengers concerned their specific rights under this Regulation applicable to the case, in particular as regards the right to reimbursement, rerouting and compensation and the right to assistance. It should inform the volunteers of their rights. Passenger should not be denied boarding at the return journey on the grounds that the passenger did not take the outbound flight of a return ticket or did not pay an additional charge for this purpose.

## *Cancellations*

The operating air carrier should inform the passengers concerned by electronic means of the reasons for the cancellation as soon as this information is available, and in any event **no later than 30 minutes** after the scheduled departure time. An operating air carrier should not be obliged to pay compensation if it can prove that the cancellation was caused by extraordinary circumstances and the cancellation could not have been avoided even if the air carrier had taken all reasonable measures. If the carrier fails to provide written proof of the existence of extraordinary circumstances, it will still be required to pay compensation.

**Extraordinary circumstances** include, inter alia, natural disasters, weather conditions incompatible with flight safety, wars, political unrest, acts of sabotage or terrorism, health risks, disruptive passenger behaviour that leads the pilot to divert the flight, and unforeseen labour disputes affecting the airline operator, airport, or air navigation service provider, excluding strikes by airline staff unless they result from demands that only public authorities can fulfil.

Members want this list to be exhaustive and for the Committee to update it regularly.

In the event of cancellation of a flight owing to **insolvency, bankruptcy, or the suspension or cessation of the activities of an air carrier**, passengers who are stranded should be entitled to a reimbursement, the return flight to the point of departure or re-routing, and to care. Equally, air passengers who have not yet started their journey should be entitled to reimbursement. Air carriers should prove that they have taken all necessary measures, such as taking out an insurance policy or creating guarantee funds, to provide for the care, reimbursement or re-routing of stranded passengers where applicable. These rights should apply to all passengers concerned irrespective of their place of residence, point of departure or where they bought their ticket.

## *Delays*

The operating air carrier should, as soon as this information is available, and in any event **no later than 30 minutes** after the scheduled departure time. The operating air carrier of the delayed flight should send to passengers the **pre-filled common form** within 48 hours following travel disruption for the purpose of reimbursement and compensation.

### ***Right to compensation***

Passengers must receive compensation, the amount of which is set at: i) **EUR 300** for all journeys of 1 500 km or less; ii) **EUR 400** for all journeys of more than 1 500 km and up to 3 500 km; iii) **EUR 600** for all journeys of more than 3 500 km. The Council wishes to set the compensation between EUR 300 and EUR 500.

In the event of a delayed arrival following rerouting after a cancellation, a delayed arrival, or a delayed arrival after a missed connection, the right to compensation should apply to delays **of three hours or more**, regardless of the distance of the journey. The Council, however, proposes that the right to compensation should only apply to delays of between four and six hours, depending on the flight distance.

Compensation claims must be submitted by the passenger using the standard pre-filled form provided by the carrier, within **one year** of the date the flight was operated or scheduled. Within **seven business days** of receiving the claim, the carrier must either pay the compensation or provide the passenger with an explanation for non-payment.

### ***Assistance: right to reimbursement or rerouting***

Parliament agrees with the Council to maintain, in all circumstances, the obligation to take care of stranded passengers, including the provision of refreshments every two hours from the initial departure time, a meal after three hours, and overnight accommodation in the event of a prolonged delay, up to a maximum of three nights.

### ***Right to personal item and hand luggage***

Parliament wants passengers to have the right to bring one **personal item** (such as a handbag, backpack, or laptop) and one **small piece of hand luggage** on board the aircraft, free of charge. The maximum dimensions of these items (length, width, and height) must not exceed 100 cm, and the maximum weight must not exceed seven kilograms. Carriers will be required to provide clear, transparent, and easily accessible information on the weight and size requirements for personal effects both at the time of booking and afterward.

### ***Check-in***

Passengers should be able to **check in either online or at the airport** without incurring any additional charges. For this purpose, air carriers may provide self-service check-in stations at the airport to facilitate the check-in process. Passengers should have the right to choose, at their discretion, to use a boarding pass either in paper format or in digital format.

Members also propose eliminating the additional fees that travellers are sometimes forced to pay for correcting errors in passenger names or for checking in for their flights.

### ***People with reduced mobility and other people with specific needs***

At the time of boarding, operating air carriers must give priority to passengers with reduced mobility and any person or recognised assistance dog accompanying them, as well as to **children** in strollers and their

accompanying adult. Companions must be seated **next to them** at no extra charge. When passengers with disabilities, passengers with reduced mobility, or unaccompanied minors miss their flights, the air carrier will be responsible for providing compensation, re-routing, and assistance to these passengers.