

### Necessary documents to execute a correct complaint:

- The affected customer's boarding card.
- The original tickets or air lane emitted by e-mail where appear the numbers of the original flights.
- The tickets of the possible flights lost because the cancellation.
- A sealed copy of the complaint to the airline company.
- Bills that proof damages for the cancellation.

If you already have all these documents don't put it off, and send us the next electronic formulary, and we'll give you a personalized answer about your case, as soon as possible.

**Complete the claim form on the site <http://www.retrasos.net>**

What can we do when we suffer overbooking or boarding denial?

You must know you are protected by several rights, that in most cases are not fulfilled by the airline companies, they go even further blocking any complaint (most of them never have an answer), usually the companies's strategy.

Everybody has suffered overbooking or boarding denial while traveling. The community regulation lays down rules about compensation and assistance of the aerial passengers, in the case of boarding denial and clearly establishes that the affected people must be compensated by the companies.

This regulation establishes four basic rights for the passengers affected by overbooking or boarding denial:

The company must ask for volunteers, Obligated boarding denial must be the last resort,

Right for economical compensation, in cash, bank transfer, check, or previous agreement, traveling bonds or any other services.

Right to reimbursement or an alternative transportation.

Right to assistance. In every case, despite the distance, the company must offer two free calls, telex or fax message, or e-mails and also enough food and drink, and accommodation according to the waiting time.

Right to be informed. Every aerial carrier must give to each passenger an information booklet about their rights, if there is overbooking or boarding denial.

Overbooking or boarding denial, are a licit practice, that usually all the airline companies carry out, as many aerial passengers know. To justify this practice, the airlines plead that many flights are reserved for customers that never buy them, with the resulting economical damages.

To buy an air ticket doesn't make sure a flight place. It's the boarding card what give you a right for an airplane seat. Therefore it's convenient to be present to the booking counter in due time, usually established by the company.

Even though this behaviour is legally permitted, the damages and the defencelessness are unavoidable for the customer, that owns a payed ticket but has no place and can't take the flight.

Firstly, the affected airline company must ask for volunteers willing to give up their reservations, in exchange for some compensations that both parts have to agree in advance. The company only can denied boarding to a customer against his will if there isn't enough volunteers to free places.

Since february 17 of 2005, the indemnification for cancelled flights (!!!!!) has been increased to 250€ for trips as far as 1.500 Km. and to 400 € for trips from 1.500 to 3.500 Km. For trips longer than 3.500 Km, it's up to 600€. Beside the indemnification, the airline company must offer to the affected passengers the possibility to chose between repayment of their ticket (and a return flight to the origin point if it's a conexion flight) or an alternative flight to go on their trip. Also the carrier must offer free assistance with meals, enough drinks, according to the waiting time; hotel accommodation if it's necessary to spend the night o several nights; transport from the airport to the hotel, and two calls, fax messages o e-mails. (As a minimum).

Just as happens when a flight is cancelled, the Regulation considers the possibility to reduce in a 50% the compensations, depending on the difference between the arrival times expected and the distance from the destination point.

These compensations must be payed in cash, bank transfer, check, or, in accordance with the affected passenger, in travel bonds or other services.

Beside these compensations, the passengers affected by boarding denied, can choose among the options that offer the Regulation we have been referring to, that is, the reimbursement of the ticket's price or the transport up to the final destination as soon as possible, or the transport up to the final destination any other time that suits the customer, depending on the available places.

The complaint must be made to the airline company, just when the customer has contracted only the transport. But when the transport has been contracted with a group travel or combined travel, the complaint must be made to the travel agency. Later, the agency can make the complaint to the airline company.

Obviously, the indemnification obtained by direct compensation in applying the european legislation, don't exclude from recovery of moral and economical damages caused because the boarding denial. In this sense, the automatic indemnifications admitted in the Regulation for certain cases of boarding denial, mustn' never be interpreted as a limit to the responsibility of aerial carriers in these particular cases, but as minimal indemnifications that don't exclude the rights of the passengers to demand additional compensations in regard with the harms and damages suffered because the aerial carrier behaviour.

The regulations about overbooking and delays are complementary, because the boarding denial imply a direct and objective compensation for the only fact of tickets over-sale, and the delay regulate the bad effects of the denial; [the overbooking's compensation with a delay](#)

longer than 2 hours, can't have the same economic result that a boarding denial with a posterior delay of 22 hours.

That is what means the Regulation (EC) nº 261/2004 art. Nº 12, when says that “this Regulation will be applied without prejudice of the passenger’s rights to get an additional compensation.”

### Recomendations:

- Don't leave the airport without the boarding card ( the bit of paper given in boarding)
- Don't give any original document to the airline company.
- When it's a question of contracted meals, taxis, or hotels, as a result of a cancellation, it's very important to prove that, with bills of every economical damage.
- A complaint to the company must be made, taking always a sealed copy.

If you have suffered a cancelled flight send us the electronic formulary that we supply next, and we'll offer a personalized answer as soon as possible.

Don't forget that our study is completely free and in the case is viable we'll carry out the process free of charge. (Our fees will be a percentage amount from the compensation obtained, if you don't get any money, we don't either)

Complete the claim form on the site <http://www.retrasos.net>