

Customer Service Department  
PO Box 11451  
Swords  
Co Dublin  
Ireland

[...gg/mm/aaaa...]

Dear Sir/Madam,

Flight [...codice del volo...] on date [...gg/mm/aaaa...] for which I held a confirmed reservation was delayed for more than three hours by your airline. Enclosed with this letter you will find the completed EU Report Form for air passengers containing the details of this incident, a copy of my ID card and a copy of my flight ticket.

Under EC Regulation 261/2004 article 6 and 7, I request that your airline compensate me. In addition, based on article 9 of the Regulation, I am entitled to meals, refreshments, two telephone calls, potentially a hotel stay and transfer.

In the Judgment in joined cases C-402/07 and C-432/07, Sturgeon v. Condor and Böck v. Air France of 19 November 2009, the Court stated that passengers whose flights are delayed for more than three hours upon arrival are entitled to compensation as specified in article 7 of the Regulation 261/2004.

Should you decide to reject my claim due to extraordinary circumstances under article 5 sub 3 of Regulation EC 261/2004, I would like to refer you to the Judgment of the Court in Wallentin-Hermann v. Alitalia C-549/07. The European Court of Justice decided that only circumstances which stem from sabotage, terrorism or hidden manufacturing defects may be defined as extraordinary. Only if the airline can prove that the circumstances which arose are not inherent in the normal exercise of the activity of the air carrier, may an appeal on article 5 sub 3 of EC Regulation 261/2004 succeed. Furthermore it is the airline that has to demonstrate it could not have acted differently even if all reasonable measures had been taken.

Moreover the airline is, pursuant to the Montreal Convention 2001/539/EC under article 19 and 22, liable for any damages I incurred as a result of this delay. All the relevant documentation and information concerning the costs and damages incurred by me can be found in the enclosed EU Report Form for air passengers.

Your general terms and conditions of carriage may in no manner limit my consumer rights as defined by European Regulations.

*[..se la compagnia non ha avvisato i passeggeri dei loro diritti:*

*At the time of the incident the airline failed to inform me of my rights in the prescribed manner, therefore you are already in breach of the Regulation. As I was not appropriately informed of my rights it was not possible for me to request proper compliance of my rights and receive that to which I was entitled. This fact gives me the right to claim (further) damages as per article 15 sub 2 of EC Regulation 261/2004. ]*

Based on the above, I request that you respond to this writing within six weeks from the date of this letter. In your response please detail your decision in relation to my application for compensation and restitution of incurred costs. Should you decide to reject my application, I request that you specify the reasons for this decision.

Sincerely,

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**AIR PASSENGER RIGHTS  
EU COMPLAINT FORM**

THIS FORM CAN BE USED TO LODGE A COMPLAINT WITH AN AIRLINE AND/OR A NATIONAL ENFORCEMENT BODY.

Passenger rights in case of denied boarding, downgrading, cancellation or long delay of their flight under Regulation (EC) 261/2004

**Complaint submitted by:**

Name: .....  
Surname: .....  
Address: .....  
Postcode, city: .....  
Country: .....  
E-mail: .....  
Telephone number: .....

**Complaint concerning the following flight:**

Airline: .....  
Flight number: .....  
Ticket number: .....  
Booking reference: .....  
Airport of departure: .....  
Airport of arrival: .....  
Connecting airport (if any): .....  
Date of your flight: .....  
Scheduled time of departure: .....  
Actual time of departure: .....  
Scheduled time of arrival: .....  
Actual time of arrival: .....  
Airport(s) where the incident occurred: .....

**Passenger details for flight detailed above:**

Name of Passenger	Please indicate if Adult, Child or Infant (less than 2 years)	Please indicate if special assistance was required
.....	<b>Adult</b>	<b>No</b>

Please carefully read these definitions, and indicate with a cross [X] that which applies to this complaint.

[X] 'Long delay' means when a flight does not depart until after the scheduled departure time by:

- i) two or more hours, for flights of up to 1500 km;
- ii) three or more hours for intra-EU flights of 1,500 km and longer, or for other flights between 1501 and 3000 km;
- iii) four or more hours, for all other flights.

[ ] 'Cancellation' means the non-operation of a flight that was previously planned.

[ ] 'Denied boarding' means a refusal by the airline to carry a passengers on a flight on which

they hold a confirmed reservation and where have presented themselves for check-in and at the boarding gate not later than the time advised by the airline, tour operator or travel agent (if no time was indicated, not later than 45 minutes before the scheduled departure time). This does not include situations where the airline or its agent has reasonable grounds to deny passengers boarding, such as reasons of health, safety, and/or security, or in cases of inadequate travel documentation.

'Downgrading' means the passenger involuntarily travelled in a class of service lower than the class of service for which they had a confirmed reservation.

Did the passenger(s) hold a confirmed reservation on the flight concerned?

YES

NO

Did the passenger(s) present themselves at the check-in desk at the latest at the time indicated by the airline (or if no time was indicated: not later than 45 minutes before the published departure time of the flight)?

YES

NO

Did the passenger(s) present themselves at the boarding gate before the time indicated on the boarding card?

YES

NO

Did the airline provide the passenger(s) with information on their rights?

YES

NO

#### **IN CASE YOUR FLIGHT WAS DELAYED:**

Did you receive assistance from the airline or its agent during your long delay?

YES

What kind of assistance has been provided to you?

Meals

Refreshments

Place of accommodation (hotel or other) (in case the delay resulted in an overnight stay)

Transfer between airport and place of accommodation (in case the delay resulted in an overnight stay)

Communication facilities (telephone calls, fax or e-mail messages)

Other services (please specify):

NO

If the delay of your flight was of 3 hours or more after the arrival time originally scheduled, did you receive any financial compensation?

YES

Amount: €

NO

If the delay of your flight was longer than 5 hours

• Did your flight still serve a purpose?

YES

NO

• In case your answer to the previous question is 'no' and in case your journey had already commenced: were you offered a seat on a flight back to your first point of departure?

YES

NO

• In case you decided not to continue your journey, were you offered a refund?

YES

for the whole ticket price

for the non-used flight coupons  
 NO

**Additional:**

Redress sought by the passenger(s)

Financial compensation

Total amount: € 250.00

Reimbursement of expenses in lack of assistance

Total amount:

Additional explanations or remarks:

***Only information I received was about some plane breakdown. We had to wait in the departure hall for many hours. RyanAir staff did not communicate with us about our rights, I knew that I could have a free meal talking with other passengers.***

I hereby declare that all of the information provided in this form is true and accurate in all respects and for all the passengers concerned.

Signature(s) of all adult passengers :

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