

## Flight Delay Compensation: Claim up to £530 Six Years Later

You've spend weeks if not months, planning the perfect holiday and stuck to a budget to make it a reality. Then bad news comes your way; the flight's been delayed or even cancelled, completely changing your plans. For most of us, this means we're starting our holiday off in a bad mood, effectively wrecking the rest of our vacation. For others, you might loose out on paid plans you've made, that may not be refundable. Either way, your plans have been disrupted.

The good news is that under EU rule 261/2004, you can claim up to £530 six years after the fact!

There can be big money in flight delay compensation, since the European Court of Justice, ruled that passengers were entitled to compensation for long delays (at least 3 hours), as long as they met the set criteria. Since then, over 500,000 people have been fighting to receive their compensation.

The Civil Aviation Authority (CAA), enforce that whether its short haul or medium haul or long haul, if a flight is more than three hours late within the EU, you are entitled to compensation.

### How much can I get?

In 2014, the UK Court of Appeal ruled in the Dawson v Thompson case that customers can claim up to £530 for flight delays on flights going back at least six years in England and Wales and five years in Scotland. To anyone who's been unfortunate enough to be delayed, this is amazing news, morally, legally and financially.

On a short haul you can claim €250 for over three hours delay, on a medium haul you can claim €400 for over three hours delay and on long haul you can claim €300 for 3-4 hours and €600 for more than four hours.

It's up to you to decide if your claim is worth the trouble, but we urge you to consider. After all, you've had your time wasted, regardless of whether your ticket cost £20 or £900. You're are completely within your legal rights to be compensated for your flight delay, so why not take advantage of this? The money can come in handy for the next holiday, or simple the next emergency.

### Connecting Flights

If you were delayed as a result of a missed connection, the CAA's decision means:

- **If you haven't already claimed, CLAIM!** You are entitled for up to six years, but the longer you wait the more likely you are to end up in court.
- **If you claimed against a delayed flight, within the past six years was rejected, claim again.** The legislation, means the airline is required to pay. You can try going back to the airline to claim, but if you're turned down again, turn to the CAA scheme.

### How?

If you think you have a right to compensation, lodge a claim with your airline. If they agree that your claim should receive compensation, they will pay you.

Write to the airline and then to the relevant regulator. If the airline isn't receptive, it's worth paying for representation in court. Remember, the solicitor will have a share of your payout. On the bright side, claims firms only like cases they have a good chance of winning, so if they'll happy to support you, luck is on your side.

### The Brexit shaped Elephant in the room.

Given that the flight delay compensation is centred around the European Union, the topic of Brexit, is the million pound question on everyone's mind.

At this point, its too early to tell how the legislation will look in a Brexit society, but thankfully, whatever happens with Brexit, the Government has taken a firm stand that flight delay compensation rules won't alter by writing EU261 into UK law.

Going forward, bear in mind that if you fly between European union countries post-Brexit, you'll still be covered under EU261, whether you're an EU citizen or not.

Whatever happens, the CAA has confirmed that if you're delayed before 29 March, and are eligible to claim under EU261, even if you claim after we leave the EU, rest assured you will still be able to and entitled to your financial compensation.

### Non EU

Unfortunately, if you weren't on an EU-regulated flight then needless to say you won't be covered by the EU flight delay compensation scheme and can't take advantage of it. Don't give up hope though, to claim flight delay compensation internationally, you still have some choices:

- **Check if similar compensation schemes exist.** To keep customers happy, the airline may have a flight delay compensation scheme, so check what your options are, and if there's deadlines and a criteria to meet.
- **See if you can claim under the Montreal Convention**-Usually, this is used to pursue claims for missing baggage. But you may be able to use it to make a claim for a flight delay.

If you can provide sufficient evidence, that the delay has caused you a financial loss, The Montreal Convention could help you claim compensation. Remember, traditionally this is about reclaiming losses.

- **Complain directly to your airline.** If you tell them you wish to reclaim your cash under the Montreal Convention, they may be willing to be flexible with your options. For example, the airline may have a dispute resolution scheme for these situations.
- **Check if you're covered by your travel insurance-** Your travel insurance policy may offer some limited cover for delays. Some may pay you a lump sum based on the length of delay, while others will simply refund costs you've incurred such as hotels or alternative transport.

### Final Thoughts

The longer it's been since the flight, the more complicated it will be to claim compensation, so the sooner you claim, the sooner you get your money. Remember when dealing with the airline stay professional and be as diplomatic as possible. The airline may be less willing to help you, or pay less to you, if you are verbally aggressive towards their staff.

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