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**COMMISSION STAFF WORKING PAPER**

**Accompanying document to the**

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT AND THE COUNCIL**

**on the operation and the results of Regulation (EC) 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**

{COM(2011) 174 final}

## 1. Delay Quantitative Data

### Comparison for all delays<sup>1</sup>

The data on which the graphics below are based have been provided by Eurocontrol. In order to analyse flight delay data in the light of the relevant provisions of Regulation 261/2004<sup>2</sup> (the Regulation), the data indicate the number of flights experiencing long delays divided into short-haul flights (less than 1500km), medium-haul flights (more than 1500km but less than 3500km) and long-haul flights (more than 3500km). This information is based on voluntary data provided by airlines and represents almost 18 million total flights (departing from, and arriving in, the EU) over the period observed (2006-2009), which represents approximately 60% of all flights during this time. Of these 18 million flights, 79,3% were less than 1500km, 16,4% were between 1500-3500km, and 4,3% exceeded 3500km.

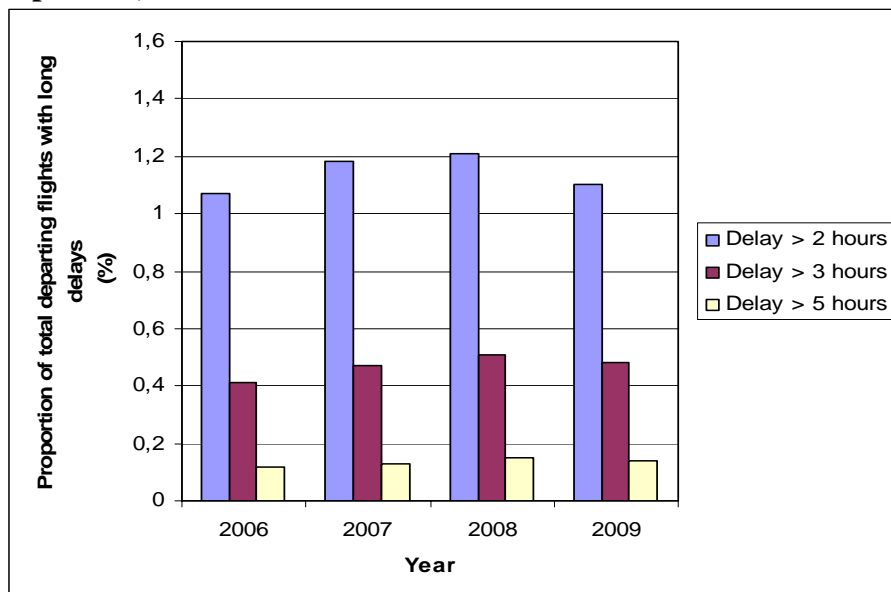
It should be noted that the information below presents delays by *at least* 2 hours, *at least* 3 hours, *at least* 4 hours and *at least* 5 hours given their relevance in the light of the provisions of the Regulation. This means that figures for delays of at least 2 hours will represent flights delayed by 2 hours or more, and will therefore include 3, 4 and 5 hour delays. Similarly, figures for delays of at least 3 hours will represent flights delayed by 3 hours or more, and will therefore include 4 and 5 hour delays.

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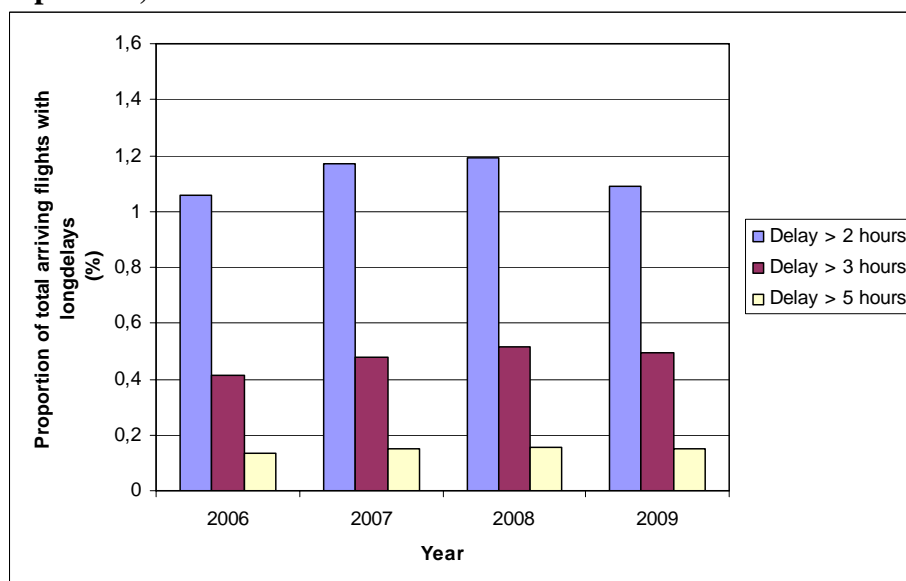
<sup>1</sup> Source: Eurocontrol  
<sup>2</sup> OJ L46/1 of 17.2.2004

## General overview

### Proportion of total flights departing from EU airports that experienced long delays at departure, 2006-2009



### Proportion of total flights arriving at EU airports that experienced long delays at departure, 2006-2009<sup>3</sup>



<sup>3</sup> According to Article 3, the Regulation only applies to passengers departing from an airport located in a third country to an airport situated in the territory of a Member State to which the Treaty applies, unless they received benefits or compensation and were given assistance in that third country, if the operating air carrier of the flight concerned is a Community carrier. The figures presented in this graphic are an overestimate of the proportion of flights covered by the Regulation, since they include *all* delayed flights arriving at EU airports.

These graphs present a general overview of long delays, at departure, to all flights (short, medium and long-haul together) departing from the EU over the period 2006-2009. They present data for departing flights and arriving flights in relation to the time they are delayed. Further analysis in respect of the Regulation is carried out in the following sections (see below).

On average, less than 1,2% of flights potentially fall under the scope of the Regulation's measures on long delays (i.e. where flights are delayed by at least 2 hours). This figure includes two hour delays on short, medium and long-haul flights. Since the right to care after two hours only applies to short-haul flights (it applies after 3 and 4 hours for medium and long-haul flights respectively), the proportion of total flights affected by the Regulation is therefore likely to be even less than 1,2%.

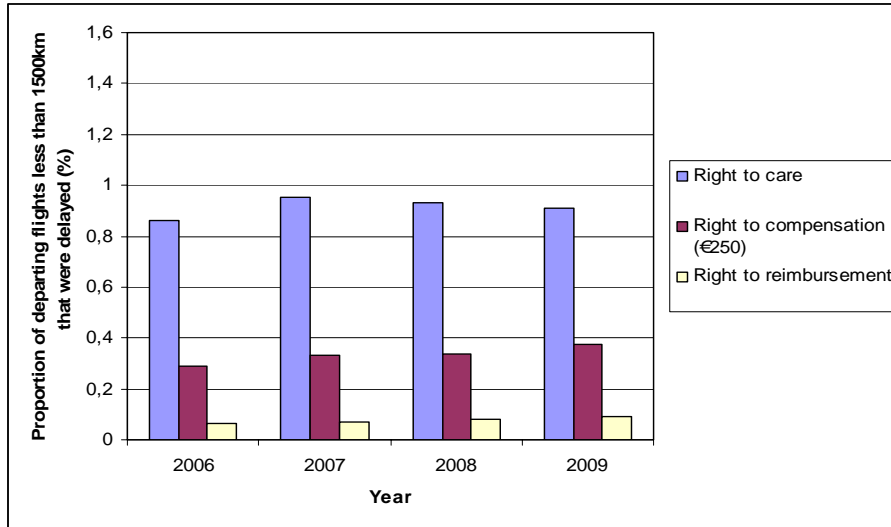
In some limited cases, passengers may be entitled to compensation for flights where arrival is delayed by 3 hours and when the delay is not due to extraordinary circumstances. According to the data available, this only potentially affects less than 0,5% of all flights (those which are delayed for more than 3 hours). In fact, this figure is an overestimate because it represents all delays, including those caused by extraordinary circumstances (in which case the obligation to offer compensation does not apply).

The proportion of flights affected by the Regulation's obligation to offer reimbursement for long delays is, on average, less than 0,15%.

A comparison of these two graphs illustrates that delays of at least 2, 3 and 5 hours are relatively similar for those flights departing from the EU as for those flights arriving in the EU (arrival data includes flights that have departed from within the EU as well as flights that have departed from third countries). Delays of at least 2, 3 and 5 hours all peaked in 2008, and fell slightly in 2009. Although this decrease may be due to a number of factors, it should be noted that 2009 witnessed a decrease in overall air traffic. This is likely to be one of the contributing factors to the reduction in delays.

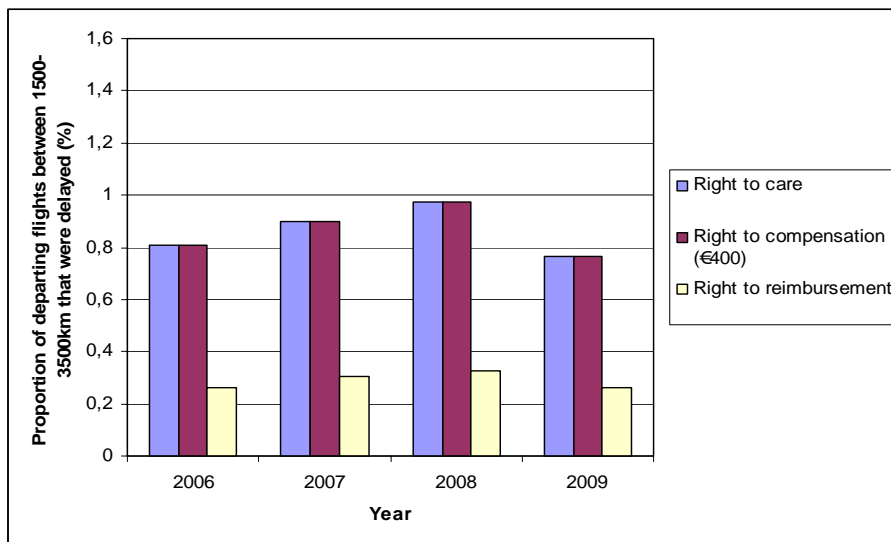
Given the similarities in the data for departing and arriving flights, and in order to avoid repetition, the graphics below are based on departing flights only. The graphs present long delays divided by the length of the flight in relation to articles 7 (right to compensation), 8 (right to reimbursement of the full cost of the ticket) and 9 (right to care) of the Regulation. Regarding the right to compensation, it must be noted that only a percentage of the total number of flights listed below actually lead to the right to compensation, since all those flights whose delay was caused by extraordinary circumstances are excluded from the application of article 7.

### Short-haul flights (less than 1500km) experiencing long delays



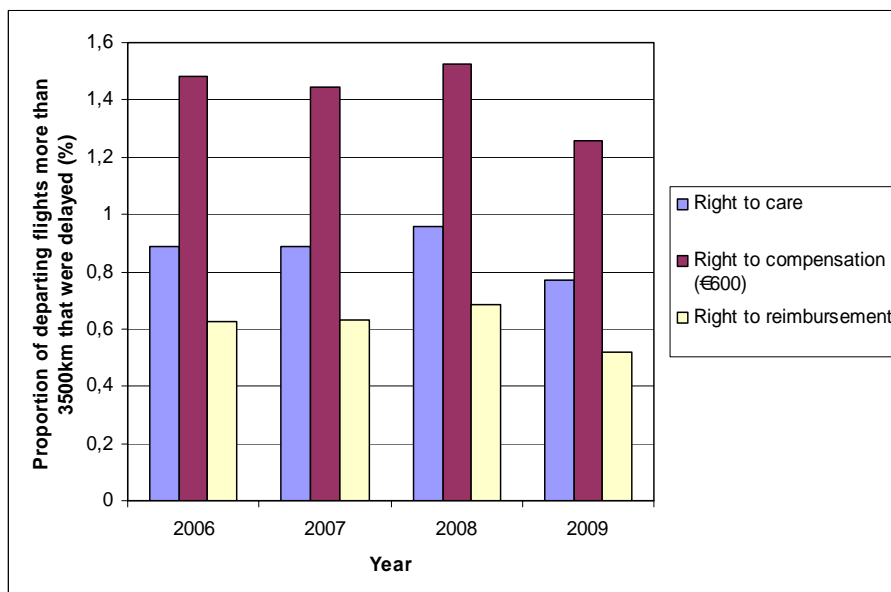
Passengers are entitled to care after 2 hours, to compensation after 3 hours and reimbursement after 5 hours

### Medium-haul flights (1500-3500km) experiencing long delays



Passengers are entitled to care and compensation after 3 hours and reimbursement after 5 hours

### Long-haul flights (more than 3500km) experiencing long delays



Passengers are entitled to compensation after 3 hours, to care after 4 hours and reimbursement after 5 hours

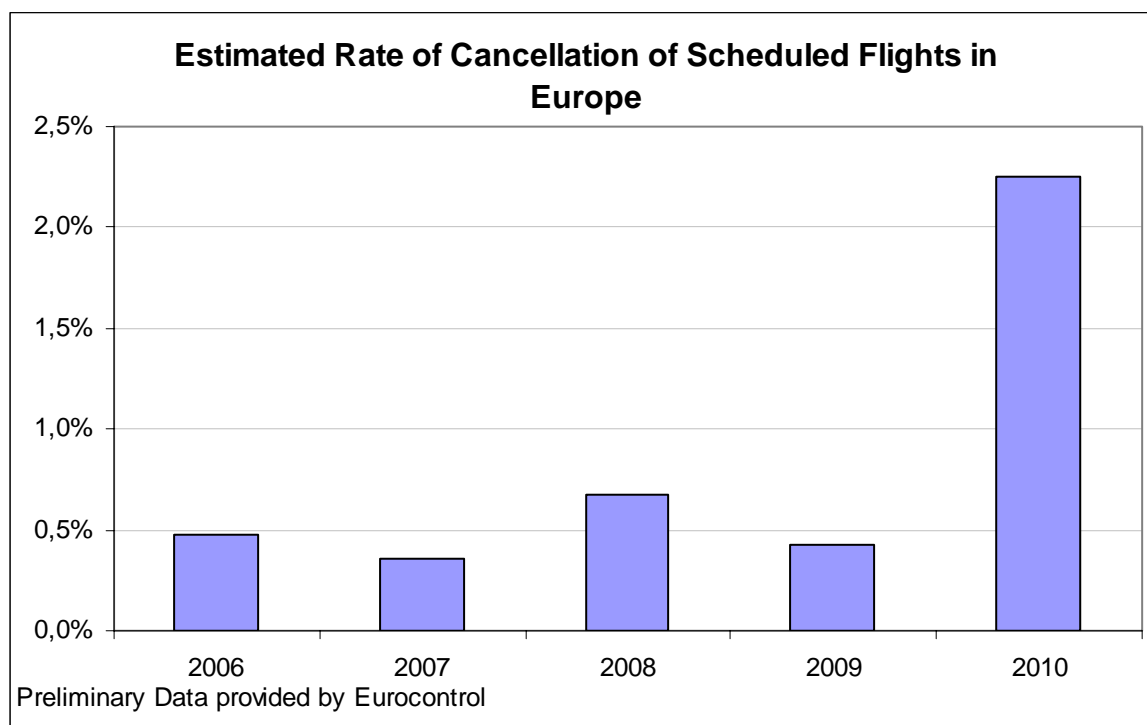
These graphs illustrate the rights of passengers experiencing long delays on flights departing from the EU, separated by the distance of flights in order to assess the information in the context of the Regulation.

From given data, the provisions of the Regulation regarding long delays may apply to less than 1% of the short and mid-haul flights and 1.5% of long-haul flights. Over the period 2006-2009 passengers were entitled to:

- care on less than 1% of all flights;
- reimbursement on at least 0,5% of long-haul flights compared to less than 0,1% of short-haul flights and 0,35% of medium-haul flights.
- compensation on potentially 1,5% of long-haul flights compared to less than 0,4% of short-haul and less than 1% for medium-haul flights. However, this may be an overestimate. These graphs present information on all long delays for departing flights based on the available information and therefore include data on flights that may be delayed due to "extraordinary circumstances" for which carriers do not have to pay compensation. Furthermore, this also captures delay upon departure, yet the right to compensation only applies to three hour delays upon arrival. Some flights that are delayed by 3 hours upon departure may reduce the length of delay during flight and therefore may, upon arrival, fall outside scope of the obligation to pay compensation.

## 2. Comparison of cancellations

As specific data collection on cancelled flights will only start from 2011, the graph showing the proportion of cancelled flights for the years 2006 to 2010 is based on estimations by Eurocontrol (comparison of published schedules with recorded scheduled flights). Note that such estimations are subject to a more significant error margin than the data on delays, but they do give an idea of the order of magnitude of flight cancellations.



It appears from the graph that the cancellations oscillate roughly around 0.5% of the scheduled flights. About half of the cancellations in 2010 were due to the volcanic ash cloud crisis in April 2010. The volcanic ash cloud crisis aside, the increase of cancellations in 2010 may be related to severe weather conditions but this increase still needs to be further assessed. Similarly, the increase in cancellations in 2008 may be due, in part, to the impact of the economic crisis, however this needs to be analysed further. These preliminary data do not yet allow us to distinguish the causes for the cancellations and therefore do not give the proportion of cancelled flights that would give rise to a right for compensation. The proportion of flights for which compensation is due will therefore be only a percentage of the figures presented here.

## 2. Complaint handling by the National Enforcement Bodies (NEBs)

### 2.1. Complaint handling 2007<sup>4</sup>

2007	Complaints received in total	Delay	Cancellation	Denied Boarding	Others	Number of cases closed	Number of cases engaged for sanctioning
AT	793	190 (24%)	533 (67%)	39 (5%)	31 (4%)	757 (95%)	0
BE	276	na	na	na	na	na	0
BG	25	na	na	na	na	25 (100%)	0
CY	109	68 (62%)	12 (11%)	7 (6%)	22 (20%)	74	na
CZ	82	na	na	na	na	na	0
DE	3.105	963 (31%)	1.770 (57%)	372 (12%)	0	1.397 (45%)	11 (0,4%)
DK	303	na	na	na	na	na	0
ET	5	na	na	na	na	na	0
EL	508	51 (10%)	305 (60%)	152 (30%)	0	na	5 (1%)
ES	10.791	3.161 (29%)	2.963 (27%)	929 (9%)	3.738 (35%)	na	na
FI	60	na	na	na	na	na	na
FR	2.254	777 (34%)	1.150 (51%)	327 (15%)	na	na	0
HU	145	na	na	na	na	na	4 (3%)
IE	331	na	na	na	na	na	0
IT	7.154	3.096	2.968	423	667	na	127 (2%)
LT	41	26	13	2	na	41	0 <sup>5</sup>
LV	25	5 (20%)	12 (48%)	7 (28%)	1 (4%)	25	1 (4%)
LU	18	6	4	1	7	11	0
MT	43	na	na	na	na	na	0
NL	279	na	na	na	na	na	na
PL	1.208	206 (17%)	534 (44%)	99 (8%)	369 (31%)	na	32 (3%)
PT	8.233	na	na	na	na	na	0
RO	249	na	na	na	na	na	5 <sup>4</sup> (2%)
SK	56	na	na	na	na	na	na
SV	2	na	na	na	na	na	0 <sup>4</sup>
SE	162	na	na	na	na	na	na
UK	5.483	na	na	na	na	5.481 (99.9%)	na
<b>Total<sup>6</sup></b>	<b>41.740</b>	<b>8.543</b>	<b>10.260</b>	<b>2.357</b>	<b>4.828</b>	<b>7.726</b>	<b>185</b>

<sup>4</sup> All percentage figures have been rounded to the nearest whole number

<sup>5</sup> Some NEBs provided the combined number of sanctions for 2007 and 2008. For fair comparison, the totals have been split; half for 2007 and half for 2008. Where totals are uneven, the remainder has been added to 2008. (eg RO reported 11 sanctions for 2007 and 2008, we attributed 5 to 2007 and 6 to 2008)

<sup>6</sup> Percentages for the total could not be calculated. The majority of NEBs could only provide us with the total number of complaints received, but not with the exact number of delays, cancellations and denied boardings. Therefore, calculating the total percentage per type of incident would not be meaningful.

## 2.2. Complaint handling 2008<sup>7</sup>

2008	Complaints received in total	Delay	Cancellation	Denied Boarding	Other	Number of cases closed	Number of cases engaged for sanctioning
AT	1.171	246 (21%)	835 (71%)	34 (3%)	56 (5%)	994 (85%)	0
BE	370	na	na	na	na	na	0
BG	81	na	na	na	na	66 (8%)	0
CY	114	56 (49%)	32 (28%)	10 (9%)	16 (14%)	89	na
CZ	142	na	na	na	na	na	0
DE	3.968	1.151 (29%)	2.399 (60%)	414 (10%)	4 (0.1%)	1.876 (47%)	11 (0.3%)
DK	317	na	na	na	na	na	0
ET	5	na	na	na	na	na	0
EL	577	58 (10%)	346 (60%)	173 (30%)	0	na	6 (1%)
ES	7.989	2.321 (29%)	2.285 (29%)	844 (11%)	2.539 (32%)	na	na
FI	100	na	na	na	na	na	na
FR	3.034	875 (29%)	1.774 (58%)	385 (13%)	na	na	4
HU	242	48 (20%)	150 (62%)	7 (0.3%)	37 (15%)	na	4 (2%)
IE	413	70 (17%)	304 (74%)	20 (5%)	19 (5%)	na	0
IT	4.811	1.851	664	124	2.172	na	127 (3%)
LT	59	15	31	13	na	34	1 <sup>4</sup> (2%)
LV	67	8 (12%)	42 (63%)	17 (25%)	0	67	3 (4%)
LU	39	8	18	0	13	26	0
MT	11	na	na	na	na	na	0
NL	540	na	na	na	na	na	na
PL	1.538	142 (9%)	816 (53%)	78 (5%)	502 (33%)	na	110 (7%)
PT	7.765	2.573 (33%)	691 (9%)	551 (7%)	3.950 (51%)	1.104 (15%)	4 (0.05%)
RO	370	na	na	na	na	na	6 <sup>4</sup> (2%)
SK	83	na	na	na	na	na	na
SV	3	na	na	na	na	na	1 <sup>4</sup> (33%)
SE	150	na	na	na	na	na	na
UK	5.318	na	na	na	na	5.307 (99,8%)	31 <sup>8</sup> (0,001%)
<b>Total<sup>9</sup></b>	<b>39.277</b> <b>(-6%)<sup>10</sup></b>	<b>9.414</b>	<b>10.369</b>	<b>2.670</b>	<b>9.295</b>	<b>9.448</b>	<b>308</b>

<sup>7</sup> All percentage figures have been rounded to the nearest whole number

<sup>8</sup> The UK NEB amalgamates in its statistics the corrective actions that it has taken to resolve a trend of non-compliance with EC Regulation 261/2004 with any sanction proceedings it has initiated through the Courts. For the avoidance of doubt the UK NEB initiated no Court sanctions within the period, resolving the issues it identified through other means such as corrective guidance and sanction warnings

<sup>9</sup> Percentages for the total could not be calculated. The majority of NEBs could only provide us with the total number of complaints received, but not with the exact number of delays, cancellations and denied boardings. Therefore, calculating the total percentage per type of incident would not be meaningful.

<sup>10</sup> In 2008 NEBs received 6% less complaints in total compared to 2007

### 2.3. Complaint handling 2009<sup>11</sup>

2009	Complaints received in total	Delay	Cancellation	Denied Boarding	Others	Number of cases closed	Number of cases engaged for sanctioning
AT	856	354 (41%)	418 (49%)	15 (2%)	69 (8%)	783 (91%)	0
BE	530	na	na	na	na	na	0
BG	57	na	na	na	7 (12%)	40 (70%)	0
CY	108	48 (44%)	30 (28%)	13 (12%)	17 (16%)	93 (86%)	0
CZ	143	34 (24%)	75 (52%)	11 (8%)	23 (16%)	138 (97%)	0
DE	3.060	819 (27%)	1.821 (60%)	413 (13%)	7 (0.2%)	964 (32%)	800 <sup>12</sup> (26%)
DK	237	46 (19%)	155 (65%)	17 (7%)	19 (8%)	125 (53%)	0
ET	17	4 (24%)	11 (65%)	2 (12%)	0	na	0
EL	487	49 (10%)	292 (60%)	146 (30%)	0	na	11 (2%)
ES	6.931	2.684 (39%)	3.152 (45%)	1.095 (16%)	0	3.466 (50%)	60 (1%) <sup>8</sup>
FI	100	19 (19%)	54 (54%)	15 (15%)	12 (12%)	85 (85%)	0
FR	3.073	865 (28%)	1.716 (56%)	492 (16%)	na	na	9 (0,003%)
HU	178	60 (34%)	113 (63%)	5 (3%)	na	na	17 (10%)
IE	311	60 (2%)	204 (8%)	44 (2%)	3 (0,1%)	na	0
IT	2.625	828	1.331	254	212	na	na
LT	40	20 (50%)	17 (43%)	3 (8%)	na	35	0
LV	62	16 (26%)	35 (56%)	9 (15%)	2 (3%)	62	1 (2%)
LU	15	2 (13%)	11 (73%)	2 (13%)	na	15 (100%)	na
MT	na	na	na	na	na	na	na
NL	749	133 (10%)	458 (36%)	82 (6%)	76 (6%)	na	0
PL	1.035	63 (6%)	538 (52%)	72 (7%)	362 (35%)	na	129 (12%)
PT	7.055	1.387 (20%)	1.069 (15%)	386 (5%)	4.213 (60%)	2.598 (37%)	1 (0%)
RO	300	8 (3%)	16 (5%)	29 (10%)	247 (82%)	na	1 (0,3%)
SK	275	na	na	na	na	na	na
SV	26	2 (8%)	19 (73%)	5 (19%)	0	26 (100%)	8 (31%)
SE	124	29 (23%)	79 (64%)	16 (13%)	0	54 (44%)	0
UK	4.666	1.345 (29%)	2.795 (60%)	483 (10%)	43 (1%)	na	28 <sup>13</sup> (0,001%)
<b>Total</b>	<b>33.060</b> <b>(-16%)<sup>14</sup></b>	<b>8.875</b> <b>(27%)</b>	<b>14.409</b> <b>(44%)</b>	<b>3.609</b> <b>(11%)</b>	<b>5.312</b> <b>(16%)</b>	<b>8.484</b> <b>(26%)</b>	<b>1.075</b> <b>(3%)</b>

<sup>11</sup> All percentage figures have been rounded to the nearest whole number

<sup>12</sup> Number of opened regulatory offence procedures against airlines, their outcome is still pending

<sup>13</sup> The UK NEB amalgamates in its statistics the corrective actions that it has taken to resolve a trend of non-compliance with EC Regulation 261/2004 with any sanction proceedings it has initiated through the Courts. For the avoidance of doubt the UK NEB initiated no Court sanctions within the period, resolving the issues it identified through other means such as corrective guidance and sanction warnings

In 2009 a total of 35.198 complaints were received. The majority of these complaints (41%) were due to cancellations, and 25% were due to delays. Nearly a quarter (24%) of all complaints in 2009 were resolved, and in 3% of cases (1.075) sanctions were issued. Notably Spain received the most complaints (9.069), followed by Portugal (7.055) and the UK (4.666). In assessing trends during the period from 2007 to 2009, it is important to note that NEBs have been able to provide the Commission with more detailed information in 2009 than in the preceding years, and this disparity in the provision of data will impact upon the analysis. For example in 2008, 13 Member States were unable to provide figures for the specific type of complaint, where as in 2009 only four Member States were still unable to provide this information. As a consequence, it will appear as though the number of complaints per category have risen when, in fact, this may not be the case. This highlights both the importance of collecting comparable data and the commitment of NEBs to improve data collection.

All Member States provided data for the total number of complaints in all years (with the exception of Malta for 2009). The tables indicate that a number of countries have witnessed an increase in the total number of complaints received. Notable examples include the Netherlands which reported an increase from 279 complaints in 2007 to 749 in 2009.

Regarding the number of sanctions, in 2009 1075 cases have been engaged for sanctioning, this figure has risen from 308 in 2008. It is likely that the number of these cases in 2009 is even higher than the table suggests, since two big aviation markets have not been able to provide the relevant data. Notably however there has not been a corresponding rise in the total number of complaints. The increase in the proportion of cases engaged for sanctioning is likely to be attributed to a significant increase in Germany from 11 in 2008 to 800 in 2009. It is possible that this increase is due to the conclusion of cases that were initiated in previous years.

### 3. Structure of NEBs

Country	Organisation
Austria	Enforcement and complaints: Bundesministerium für Verkehr, Innovation und Technologie (Ministry for Transport, Innovation and Technology)
Belgium	Enforcement and complaints: Service Public Fédérale Mobilité et Transports (Mobility and Transport, Federal public service)
Bulgaria	Enforcement and complaints: Главна Дирекция "Гражданска въздухоплавателна администрация" (Directorate-General Civil Aviation Authority)
Cyprus	Enforcement and complaints: Τμήμα Πολιτικής Αεροπορίας (Department of Civil Aviation)
Czech Republic	Enforcement and complaints: Úřad pro civilní letectví (Civil Aviation Authority)
Denmark	Enforcement and complaints: Trafikstyrelsen (Danish Transport Authority)
Estonia	Enforcement and complaints: Tarbijatekaitseamet (Consumer Protection Board)
Finland	Enforcement: Kuluttajavirasto, asiamies (Finnish Consumer Agency & Ombudsman) Enforcement and Complaints: Liikenteen turvallisuusvirasto TraFi (Finnish Transport Safety Agency) Dispute Resolution and Complaints: Kuluttajariitalautakunta (Consumer Disputes Board)
France	Enforcement and complaints: Direction générale de l'Aviation civile (DGAC) (Civil Aviation Authority)
Germany	Enforcement and complaints: Luftfahrt-Bundesamt (Civil Aviation Authority)
Greece	Enforcement and complaints: Υπηρεσία Πολιτικής Αεροπορίας (Hellenic Civil Aviation Authority)
Hungary	Enforcement: Polgári Légiközlekedési Igazgatóság (Civil Aviation Authority) Complaints: Nemzeti Fogyasztóvédelmi Hatóság (Hungarian Authority for Consumer Protection)
Ireland	Enforcement and complaints: Commission for Aviation Regulation
Italy	Enforcement and complaints: Ente Nazionale per l'Aviazione Civile (ENAC) (Civil Aviation Authority)
Latvia	Enforcement and complaints: Patērētāju tiesību aizsardzības centrs (Consumer Rights Protection Centre)
Lithuania	Enforcement and complaints Civilinės Aviacijos Administracija (Civil Aviation Administration)
Luxembourg	Enforcement and complaints: Ministère de l'Economie et du Commerce extérieur (Ministry for the market and external trade)
Malta	Enforcement and complaints: Department of Civil Aviation
Netherlands	Enforcement and complaints: Inspectie Verkeer en Waterstaat (Civil Aviation Authority)
Poland	Enforcement and complaints: Urząd Lotnictwa Cywilnego (Civil Aviation Authority)
Portugal	Enforcement and complaints: Instituto Nacional de Aviação Civil (Civil Aviation Authority)

Romania	Enforcement and complaints: Autoritatea Națională pentru Protecția Consumatorilor (National Authority for Consumer Protection)
Slovakia	Enforcement and complaints: Slovenská obchodná inšpekcia – Ústredný inšpektorát (Slovak Trade Inspection – Central Inspectorate)
Slovenia	Enforcement and complaints: Ministrstvo za promet, Direktorat za civilno letalstvo (Ministry of Transport, Civil Aviation Directorate)
Spain	Enforcement and complaints: Agencia Estatal de Seguridad Aérea (AESA) (Air Safety State Agency)
Sweden	Enforcement: Konsumentverket (Swedish Consumer Agency) and Konsumentombudsmannen (Swedish Consumer Ombudsman) Complaints and dispute resolution: Allmänna Reklamationsnämnden (National Board for Consumer Complaints)
UK	Enforcement: Civil Aviation Authority Complaints: UK Air Transport Users Council

### **Differences in Member States:**

In 23 Member States both enforcement and complaint handling tasks are the responsibility of a single authority; in 18 Member States this is the Civil Aviation Authority or relevant Government Ministry; in 3 Member States this is a consumer authority; in Ireland it is the responsibility of an independent economic regulatory authority; and in Slovakia these tasks are managed by a central trade inspectorate, supported by a number of regional inspectorates.

In three Member States the enforcement and complaint handling tasks are separated. In two Member States (Hungary and the UK) enforcement is the responsibility of the Civil Aviation Authority, and complaint handling is carried out by a consumer authority. In one Member State (Sweden) there are two separate authorities for enforcement and individual complaint handling, although both are consumer authorities – the Civil Aviation Authority is not involved.

In one Member State (Finland) the Regulation is implemented by three designated authorities, with different but complementary duties and powers. The Finnish Transport Safety Agency handles complaints filed by business travellers and may take actions against airlines for not fulfilling their obligation under Regulation (EC) 261/2004. The Consumer Disputes Board is an independent and impartial alternative dispute resolution body and issues recommendations in disputes between consumers and traders. The Consumer Agency / Ombudsman does not handle individual complaints, it monitors consumers' position in the market and acts in the collective interest of consumers. As an enforcement body, its duty is to ensure that the contract terms and general practices of airlines are in line with their statutory obligations.

## 4. Sanctions

### 4.1. Legal basis for sanctions

Country	Legislation
Austria	Civil Aviation Act (Federal Law Gazette Nr. 253/1957), paragraph 169
Belgium	Amendment to Articles 32 (on 18 June 2006) and of Articles 45-51 (on 22 December 2008) of Law of 27 June 1937 concerning regulation of air navigation
Bulgaria	Civil aviation act of the Republic of Bulgaria, Art. 147b
Cyprus	N213(I)/2002 Civil Aviation Law and Statutory Instrument 283/2005.
Czech Republic	The Civil Aviation Act (number 49/1997), and The Administrative Code (number 500/2004)
Denmark	Air Navigation Act, Articles 31(a) and 149(11)
Estonia	Aviation Act of Estonia, Article 584
Finland	Finnish Aviation Act (1194/2009), and Finnish Conditional Fine Act (1113/1990)
France	Civil Aviation Code, Articles 6 and R 330-20
Germany	Air Traffic Licensing Regulation Air Traffic Law Law on Administrative Offences
Greece	Directions of Minister and Transport Communications: D1/D44137/2978/8-11-2004 D1/D/1333/148/16-1-07 D3/52598/7561/18-12-95 D3/B/47159/9521/15-11-2001
Hungary	Government Decree 25/1999, as amended by Government Decree 33/2005 Hungarian Consumer Protection Act Section 47/C
Ireland	S45A of the Aviation Regulation Act 2001 (as amended) Statutory instrument 274/2005
Italy	Legislative Decree 69/2006 of 27 January 2006
Latvia	Latvian Administrative Violations Code, paragraph 155.14
Lithuania	Law on Aviation Number VIII-2066, Article 70, and Code of Administrative Violations, and Amendment of Government decision No. 285
Luxembourg	Law of 23 April 2008 on sanctions and violations, Article 9
Malta	Legal Notice 63 of 2005, as amended by Legal Notices 13 and 411 of 2007 Legal Notice 297 of 2005, as amended by Legal Notice 411 of 2007 Legal Notice 205 of 2007, as amended by Legal Notice 411 of 2007
Netherlands	Civil Aviation Act, Articles 11.15 and 11.16 General Administrative Law Act, chapter 4
Poland	Polish Aviation Act, Article 209b (1-5) and Enclosure No 2 Administrative Procedure Code

Portugal	Decrees-Law nº 10/2004, of 09.01.2004 and 209/2005, of 29.11.2005 Decree-Law nº 209/2005 Joint Order 357/2006
Romania	Government Decision no 1912/2006
Slovakia	Act No 128/2002 Coll. on state control of internal market in the consumer protection issues, and Act No 250/2007 Coll. on consumer protection
Slovenia	Regulation, Official Gazette No. 61/2005
Spain	Regulation 21/2003, July 7th, of Air Security
Sweden	Swedish Aerial Transportation Act (2010:510), Section 14 Marketing Practices Act
UK	The Civil Aviation (Denied Boarding, Compensation and Assistance) Regulations 2005

#### 4.2. Maximum amount of sanction which can be imposed on an airline

AT	up to 22.000 €
BE	Up to 4.000.000 €
BG	up to 1.000 €
CY	Administrative fine of up to 8.543 € or 10% of the total annual turnover of the company)
CZ	up to +/- 203.173 € (5.000.000 CZK)
DE	up to 25.000 €
DK	no sanctions imposed yet, so maximum amount unknown
ET	up to 640 € (10.000 EEK)
EL	Between 500 and 3.000 €
ES	up to 4.500.000 €
FI	there is no upper limit
FR	up to 7.500 €
HU	Between 15.000 and 2 billion HUF (55 – 7.150.000 €)
IE	NEB cannot sanction directly, it is a criminal based system and the passenger has to go to court which can hold the airline liable and impose a fine of up to 150.000 €
IT	Between 5.000 and 50.000 €
LT	Between 1.000 and 3.000 Litas (290 – 870 €)
LV	up to 999 €
LU	between 251 and 50.000 €
MT	up to 2.329 € per complaint
NL	punitive sanction can be up to 74.000 € per infringement
PL	maximum amount is variable and depends on the infringement
PT	up to 250.000 €
RO	up to 583 € (2.500 Lei)
SK	between 3.319 and 66.000 €
SV	up to 33.383 €
SE	financial penalty between 43.000 and 53.000 € (400.000 and 500.000 Swedish Crowns); if the case is taken to court, it can impose a fine of up to 106.700 € (1.000.000 SEK)
UK	Non compliance with the Regulation is a criminal offence and subject to a fine of up to 5851€ (5.000 GBP)