

## COMPENSATION AND ASSISTANCE FOR PASSENGERS

### In the event of:

- Denied boarding due to insufficient seat capacity
- Cancellation of flight
- Delayed flight

These rules apply to passengers:

- Departing from an airport located in the territory of the European Union,
- Departing from an airport located in a third country to an airport located in the European Union (unless they received benefits or compensation and were provided assistance in that third country),
- With a confirmed reservation on the flight concerned presenting themselves for check-in as stipulated (if no time is indicated, not later than 45 minutes before the published departure time),
- Having tickets issued under the published fare/conditions.

### A) DENIED BOARDING OR FLIGHT CANCELLATION

- If there is an overbooked flight, Smartwings will seek volunteers who will give up their reservations in Exchange for benefits agreed upon between the passengers and Smartwings. If there is an insufficient number of volunteers, Smartwings may deny boarding against the passenger's will
- If passengers are denied boarding against their will or due to flight cancellation, they are entitled to the following rights:

#### 1) RIGHT TO FINANCIAL COMPENSATION AS SPECIFIED IN THE FOLLOWING TABLE

COMPENSATION METHOD	FLIGHT OF 1500 KM OR LESS	FLIGHT OF MORE THAN 1500 KM WITHIN EU AND FLIGHT BETWEEN 1500 AND 3500 KM OUTSIDE EU	FLIGHT OF MORE THAN 3500 KM OUTSIDE EU
FINANCIAL COMPENSATION IN THE FORM OF ELECTRONIC VOUCHER	300 EUR	480 EUR	720 EUR
FINANCIAL COMPENSATION IN THE FORM OF BANK TRANSFER	250 EUR	400 EUR	600 EUR
COMPENSATION METHOD	FLIGHT OF 1500 KM OR LESS, if the passenger is re-routed to the destination with a delay not exceeding the originally scheduled arrival by 2 hours	FLIGHT OF MORE THAN 1500 KM WITHIN EU AND FLIGHT BETWEEN 1500 AND 3500 KM OUTSIDE EU, if the passenger is re-routed to the destination with a delay not exceeding the originally scheduled arrival by 3 hours	FLIGHT OF MORE THAN 3500 KM OUTSIDE EU, if the passenger is rerouted to the destination with a delay not exceeding the originally scheduled arrival by 4 hours.
FINANCIAL COMPENSATION IN THE FORM OF ELECTRONIC VOUCHER	150 EUR	240 EUR	360 EUR
FINANCIAL COMPENSATION IN THE FORM OF BANK TRANSFER	125 EUR	200 EUR	300 EUR

#### Notice:

The above financial compensation is not provided to passengers who were informed of the flight cancellation

- Earlier than 14 days before the scheduled time of departure, or
- Between 14 and 7 days before the scheduled time of departure and who were offered re-routing allowing them to depart not earlier than 2 hours before the scheduled time of departure and to reach destination not later than 4 hours after the scheduled time of arrival, or
- Less than 7 days before the scheduled time of departure and who were offered re-routing allowing them to depart not earlier than 1 hour before the scheduled time of departure and to reach the destination not later than 2 hours after the scheduled time of arrival

- Passengers are not entitled to financial compensation if the flight cancellation occurred due to circumstances beyond the carrier's control that could not have been prevented even when all necessary measures had been taken.

## 2) RIGHT TO REIMBURSEMENT OR RE-ROUTING

Passengers are entitled to:

- Reimbursement of the total amount paid for the unused ticket within 7 days, or
- Reimbursement of the total amount paid for the partially used ticket within 7 days and provision of transport back to the first point of departure, if completion of the originally planned journey will no longer serve its purposes, or
- Re-routing for an alternative flight (next available Smartwings flight, or a flight of another carrier with respect to local conditions and circumstances)

## 3) RIGHT TO CARE

Passengers are entitled to:

- Refreshments in a reasonable amount with respect to the waiting time
- Provision of 2 telephone calls at the expense of Smartwings, with a maximum length of 3 minutes, or if technically possible, two telexes, faxes or e-mails
- Hotel accommodation if necessary and transportation between airport and hotel.

## B) FLIGHT DELAY

If a flight is delayed beyond its scheduled time of departure for

- Two or more hours in case of the flights of 1 500 km or less; or
- Three and more hours in case of the flights of more than 1 500 km within EU and flights between 1 500 and 3 500 km outside EU; or
- Four and more hours in case of the flights of more than 3 500 km outside EU,
- The passengers are entitled to:
- Refreshments in a reasonable amount with respect to the waiting time,
- Provision of 2 telephone calls at the expense of Smartwings, with a maximum length of 3 minutes, or if technically possible, two telexes, faxes or e-mails,
- Hotel accommodation and transport between the airport and the hotel if necessary,
- Reimbursement of the total amount paid for the ticket within 7 days, if completion of the originally planned journey will no longer serve its purposes

If a flight is delayed beyond the scheduled time of arrival for more than three hours, passengers may claim the same compensation as in case of flight cancellation, unless the delay is caused by extraordinary circumstances. If a flight is delayed beyond the scheduled time of arrival for more than three hours, passengers are entitled to reimbursement of the cost of ticket and a return flight to the first point of departure at the earliest opportunity

### Notice

In case of your dissatisfaction or complaints, please contact:

**SMARTWINGS interactive form available at:** <https://claim.smartwingsgroup.com/>

Contact details of the national authority for the enforcement of Regulation [\(EC\) 261/2004](#) for flights from airports in the

Czech Republic, Slovakia, Poland and Hungary and flights from a third country to such airports

### Internet Link:

<https://www.caa.gov.cz/en/passengers/denied-boarding-delay-or-cancellation-of-flight/>

List of national enforcement bodies for other flights is available at the following

Internet link: [https://ec.europa.eu/transport/sites/transport/files/2004\\_261\\_national\\_enforcement\\_bodies.pdf](https://ec.europa.eu/transport/sites/transport/files/2004_261_national_enforcement_bodies.pdf)

A complaint to the national authority may be lodged only after the passenger has first complained to the air carrier which has not provided a satisfactory response to the passenger within two months.