

# EU court fails to overturn compensation legislation

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The European Court of Justice has failed to overturn Regulation 261/2004 on compensation to passengers in cases of denied boarding, cancellations and long delay of flights. The European Low Fares Airline Association and IATA had challenged the regulation maintaining that it is discriminatory and limits consumer choice. And that it also does nothing to ameliorate delays and cancellations in air transport because, in their view, the vast majority of delays are beyond the control of the airlines such as adverse weather and air traffic control delays.

Under the Regulation, low fares airlines are forced to pay compensation and assistance that can often be several times the amount of the fare paid by the consumer.

ELFAA and IATA also maintained that the legislation was unnecessary as the Montreal Convention already enables passengers to seek compensation in cases where an airline is at fault for a delay.

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