

Passenger rights in case of denied boarding, downgrading, cancellation or long delay of their flight under Regulation (EC) 261/2004, of the European Parliament and of the Council of 11 February 2004.

INSTRUCTIONS

Passenger complaints should be:

1. First, sent by the passengers to the operating air carrier;
2. Forwarded to the civil aviation authorities where the situation originated, if the passengers have not received a reply from the air carrier within six weeks from the date of receipt, or if the reply from the air carrier was not satisfactory.

Complaints submitted to ANAC must include the following:

- Copy of the complaint form, duly completed and signed by the passenger (one individual form per booking);
- Copy of the complaint sent to the air carrier;
- Copy of the carrier's reply;
- Copy of the reservation.

Please note that in the exercise of its sanctioning powers, ANAC investigates the infractions committed, resulting from the violation of legal and regulatory provisions, instructs the corresponding sanctioning procedures and misdemeanor proceedings and applies fines and other penalties provided for by law to the offenders.

However, the power to impose penalties does not include the determination of compensation or refunds due to passengers.

Therefore, if unhappy with the air carrier reply, passengers may use judicial or extrajudicial means.

Data protection clause:

The personal data collected (name; address; telephone and email contact(s) of the reservation holder and other passengers on the reservation in question, as well as any other personal information contained in the complaint submitted) are processed by ANAC, as Data Controller, under the terms of Law no. 58/2019, of 8 August - Personal Data Protection Law (that implements Regulation 2016/679 of the European Parliament of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data). The purpose of processing the personal data collected in this way is to process and manage complaints that fall within the scope of Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, or other consumer rights legislation, as well as for the purpose of exchanging information with the air carrier, other entities concerned/involved in the complaint and/or Civil Aviation Authorities of other Member States of the European Union. All the information contained in the complaint (including the complainant's personal data) will also be duly processed, and whenever justified, for the purpose of instituting administrative offence proceedings against the air carrier concerned by the complaint. The personal data processed in this context will be kept for as long as the process to which it relates remains active, and after its inactivity, for a period of 5 years from the date of inactivity, unless a longer injunction period is legally applicable. The holder of the personal data has the right to consult their personal data, identified above, and rectify it on request through the following contacts:

E-mail address: consumidor@anac.pt

Postal address: Rua B, Edifício 4 - Aeroporto Humberto Delgado 1749-034 Lisboa Portugal

The holder of the personal data also has the right to request access, rectification, deletion, limitation of processing, portability and opposition to the processing of their data from ANAC, via the email address of the Personal Data Protection Officer, epd@anac.pt. In the event of any violation, the holders of the personal data in question have the right to lodge a complaint with the national supervisory authority, the National Data Protection Commission. The communication of the personal data requested here is necessary for processing and analyzing the complaint and failure to provide this data will result in ANAC being unable to process it. For further information on ANAC's personal data protection policy, please visit ANAC website at www.anac.pt.

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

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

- '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

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 :

.....

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

IN CASE YOUR FLIGHT WAS CANCELLED BY THE AIRLINE:

Were you informed about the fact that your flight was cancelled

- after your arrival at the airport ?
- before you arrived at the airport ?
 - less than 1 week before the planned departure time of your flight?
 - between 7 days and 2 weeks before the planned departure time of your flight?
 - more than 2 weeks before the original scheduled departure date of your flight?

Were you offered an alternative flight?

- YES
- NO

Were you informed about the reason why your flight was cancelled?

- YES
What was the reason given to you?
.....

- NO

Did you receive assistance from the airline or its agent at the airport?

- YES
What kind of assistance has been provided to you?
 - Meals
 - Refreshments
 - Place of accommodation (hotel or other) (in case the cancellation resulted in an overnight stay)
 - Transfer between airport and place of accommodation (in case the cancellation resulted in an overnight stay)
 - Communication facilities (telephone calls, fax or e-mail messages)
 - Other services (please specify):

- NO

Did you receive any financial compensation for this cancellation?

- YES
Amount: €

- NO

Were you offered the choice between a re-fund OR a re-routing to your final destination?

- YES
 - I chose the refund option
 - I was offered a refund for the whole ticket price
 - I was offered a refund for non-used flight coupons [please specify]
.....
 - I chose the rerouting option:
.....

- NO
 - Only refund was offered
 - Only re-routing to my final destination was offered [please specify]
.....

IN CASE YOU WERE DENIED BOARDING AGAINST YOUR WILL:

Did the airline call for volunteers?

- YES
- NO
- I don't know

Did you volunteer not to board the aircraft?

- YES if so, the questions below do not apply
- NO in this case, please answer next questions

Did the airline refuse your boarding for reasons of safety, security, health or inadequate travel documents?

- YES
- NO
- I don't know

Did you present yourself at the boarding gate not later than the time indicated on your boarding pass?

- YES
- NO

Did you receive assistance from the airline or its agent after you were denied boarding?

- YES
 - What kind of assistance has been provided to you?
 - Meals
 - Refreshments
 - Place of accommodation (in case the denied boarding resulted in an overnight stay)
 - Transfer between airport and place of accommodation (in case the denied boarding resulted in an overnight stay)
 - Communication facilities (telephone calls, fax or e-mail messages)
 - Other services (please specify):
- NO

Did you receive any financial compensation after you were denied boarding against your will?

- YES
 - Amount: €
- NO

Were you offered the choice between a re-fund OR a re-routing to your final destination?

- YES
 - I chose the re-fund option
 - I was offered a refund for the whole ticket price
 - I was offered a refund for non-used flight coupons
 - I chose the rerouting option:
 -
- NO
 - Only refund was offered
 - Only re-routing to my final destination was offered [please specify]
 -

IN CASE YOU WERE DOWNGRADED:

I had a reservation in:

- First Class
- Business Class

I actually travelled in:

- Business Class
- Economy Class

Did you receive any refund as a consequence of this downgrading?

- YES

Amount: €

- NO

What was the price of your ticket?