

ALTERNATIVE DISPUTE RESOLUTION PROCEDURE (ADR)

On 2nd June 2023, the new alternative dispute resolution procedure (“ADR”), as per Order TMA 201/2022¹, concerning passenger (“PAXs”) complaints arising from EC Regulation 261/2004 and EC Regulation 1107/2006² came into force. For this purpose, the Spanish Aviation Safety Agency (Spanish NEB) has been appointed as the ADR authorise entity³.

SCOPE OF APPLICATION OF THE ADR

TEMPORAL

Incidents that occur after its entry into force –2nd June 2023–.

MATERIAL

Claims arising from incidents regarding air passengers' rights provided in the aforementioned EC Regulations 261/2004 and EC 1107/2006.

Destruction, damage, loss, or delayed transportation of baggage and/or claims for non-material damages of passengers cannot be brought before this ADR.

GEOGRAPHICAL

Outbound flights from Spanish territory, regardless of whether it is an EU or non-EU air carrier, and inbound flights from a non-EU country to Spanish territory, provided that it is an EU air carrier, and that there is no system similar to that provided for in EC Regulation 261/2004 in the country of origin.

ADR PROCEDURE

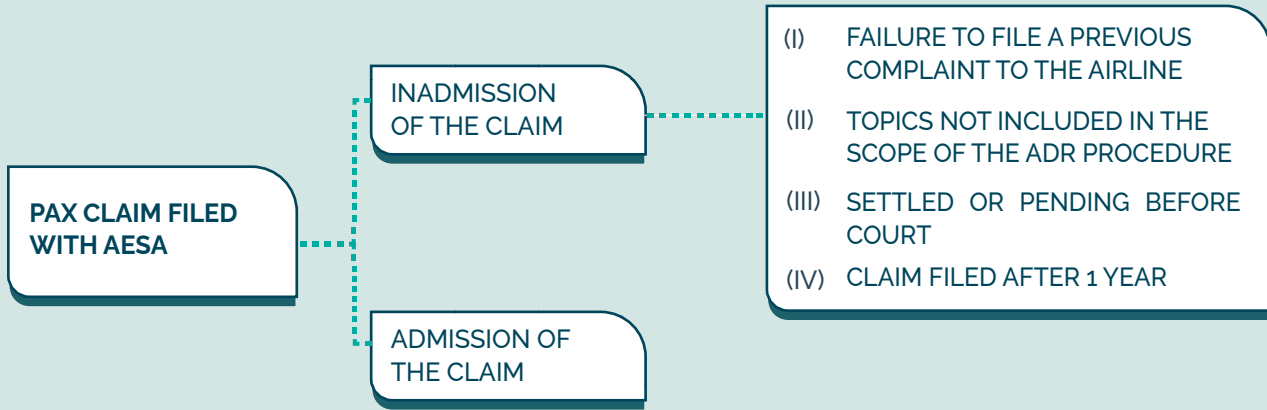


¹ Order TMA/201/2022, of 14th March, which regulates the procedure for alternative dispute resolution of air transport users, introduces into our system an alternative dispute resolution (ADR) mechanism.

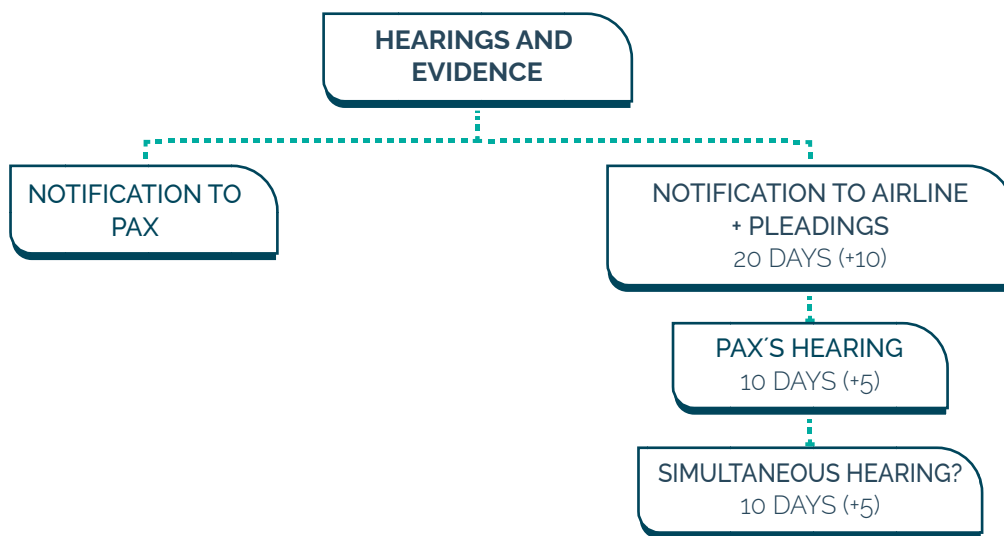
² Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11th February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5th July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air.

³ Order TMA/469/2023, of 17th April, appointing AESA as an alternative dispute resolution entity in the field of air transport.

CLAIM FILED WITH AESA



HEARING PHASE



AESA'S DECISION

