



## Air Passenger Rights following the United Kingdom's withdrawal from the European Union

Following the United Kingdom's withdrawal from the European Union, the previous Regulation (EC) 261/2004 (referred to as "EU261") stopped applying in the UK at 11.00pm on 31 December 2020.

However, the UK has chosen to keep a great deal of the previous Regulation 261 in a new UK law called the Air Passenger Rights and Air Travel Organisers' Licensing (Amendment) (EU Exit) Regulations 2019 (referred to as "the APR Regulations").

***CEDR's Aviation Adjudication Scheme will therefore no longer apply EU261 to claims brought to the Scheme, as it is no longer in force in the UK. We will apply the APR Regulations instead.***

Passengers who wish to claim against an airline under EU261 should do so via an ADR body located within an EU Member State. For more information on ADR bodies in the EU, please visit the EU ODR Portal at <https://ec.europa.eu/consumers/odr/>.

Other than some small changes to the wording of the previous EU261 (which is to ensure that it operates effectively in light of the UK no longer being an EU Member State), the two most important changes that appear in the APR Regulations are as follows:

### 1. Fixed compensation amounts are now in Pounds Sterling (GBP)

Where a flight has been cancelled or has incurred a long delay that entitles a passenger to fixed compensation, the sums of compensation (dependent upon the distance of the flight) are now in Pounds Sterling (GBP) instead of Euros (EUR).

The updated figures (per passenger) are as follows:

Flight length	Original EUR amount	New GBP amount
1500 km or less	EUR 250	GBP 220
Between 1500 km and 3500 km	EUR 400	GBP 350
3500 km or more	EUR 600	GBP 520

### 2. Flights to and from Gibraltar Airport (GIB) are covered by the APR Regulations

Under EU261, flights to and from Gibraltar Airport (GIB) were excluded from the air passenger rights provided by that Regulation. Under the APR Regulations, passengers booked to travel on flights to and from GIB now have the same rights as passengers booked to travel to and from other airports.