



## EASY ITALIA: 1<sup>st</sup> Quarter 2011 BEST PRACTICES – TOURIST RIGHTS

1)

**AN ITALIAN TOURIST ASKS:** I would like to know my rights in relation to a case of overbooking occurred with an airline company: the evening before my departure I got contacted by the company and I was informed that, because of overbooking, I would have had to take an alternative flight and leave from another airport.

**ANSWER:** In the Charter of Rights for Passengers provided by ENAC (the National Civil Aviation Authority) is established that passengers who are denied boarding in case of overbooking are entitled to receive a compensation of € 400,00 from the airline company (for intra-EU flights over 1500 km - the case of interest of the client).

We provide the customer with all the information related to the claim submission procedure to the airline in order to obtain a monetary compensation from them.

We also inform the customer that the company can reduce the total amount of compensation by 50% if the passenger is given the opportunity to take an alternative flight, whose arrival time does not exceed three hours compared to the originally booked flight (travel type: intra-EU flights over 1500 km).

The compensation must be paid in cash by electronic bank transfer, via bank deposit or check, or, in agreement with the passenger, in travel vouchers and / or other services, regardless of the full price at the time of ticket purchase.

Furthermore, we verify that the Service Charter of the specific airline company confirms the instructions indicated above.

2)

**AN ITALIAN TOURIST ASKS:** I am supposed to leave for a trip organized by a well-known Tour Operator to Marsa Alam on the next 12<sup>th</sup> of February and I have already paid the deposit for the whole journey. After recent events, following the warning advice from the Ministry of Foreign Affairs, the travel agency I referred to proposed me the following options:

- 1) A cost-free change in the destination (leaving no later than the 28<sup>th</sup> February), with payment of the differential (for Canary Islands € 640,00 of additional fee);
- 2) A change in the date of departure (keeping the package in standby until October), with refund on registration fees not included (to the value of about € 300,00).

I would like to know if this procedure is valid or if I could be entitled to compensation, although I have already agreed to change the destination for the Canary Islands at extra charge.

How can I proceed to make a claim to the travel agency?

**ANSWER:** We verify that the Tour Operator subscribed, since February 3<sup>rd</sup>, to what expressed in the press release transmitted by ASTOI and Assotravel associations with regard to the the state of emergency in Egypt and therefore regarding departures from Italy to Egypt from the 4<sup>th</sup> to the 10<sup>th</sup> of February 2011.

For following departures, if the warning advice persists, it will be applied what stated in the joint press release transmitted by ASTOI / Consumer Associations. For departures scheduled over seven days, clients who do not accept the alternative proposals suggested by travel agencies (other destination with possible adjustment of the fee or travel voucher) can wait for eventual changes in the situation and, if within 7 days of scheduled departure the warning advice persists, eventually decide to definitely cancel the departure.

If clients do not want to wait for an eventual change in the actual situation and if the departure was scheduled 7 days after the validity of the warning advice, the general contract conditions will be applied in case of cancellation. The Tour Operator will of course endeavour to offer the best conditions and present all the available alternatives which could meet the customer's needs.

For claims against the travel agency, and in case that all the necessary conditions are fulfilled, we provide hereby the contact details of the consumer associations of the local province to refer to.