

# **The Passengers' Bill of Rights**

*Courtesy translation*

Sixth edition  
Revision for internet  
November 2009

*"What are my rights in case my flight has an extended delay? To whom should I send a complaint in case of a denied boarding or cancellation? I've lost my baggage, what can I do?"*

**The Passengers' Bill of Rights**, now at its sixth edition, will try to provide an answer to these and to many more questions, by offering once again a practical tool containing information and updates on the basic rights and on the assistance passengers may expect in case of disruptions in air transport. Among the most significant changes included in this new edition are, besides its graphic design, the recent provisions issued by the European Union concerning the rights of disabled persons and persons with reduced mobility, the regulations concerning safety surveillance/control at the airport and screening of foreign operators. It is important to keep in mind that the Bill intends to be essentially informative and does not replace any regulation in force that pertain to the sector.

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**The Bill summarizes the essential points of the applicable law.  
Any claims and legal procedures filed in case of disputes shall be based exclusively  
on the applicable laws, available on the website [www.enac.gov.it](http://www.enac.gov.it) at  
"Info in English - Passengers' Rights"**

## 1.1 FLIGHT RESERVATION

How it can be made:

- at any travel agency
- at the agencies and offices of the air carrier
- by phone with the air carrier or with the travel agency
- by Internet, based on each air carrier's policy

Upon making a reservation passengers<sup>1</sup> have the right to access information concerning:

- the air carrier that will carry out the flight
- the flight schedule • the type of aircraft
- the airfare and any restrictions that may apply to it
- the reservation code (PNR - *Passenger Name Record*)
- liability limits of air carriers in case of death or injury of passengers
- liability limits in case of damage, destruction or loss of baggage

Each air carrier generally informs its passengers on the *procedures* and the timetable concerning the check-in process. The carriage contract becomes effective by purchasing the ticket.

## 1.2 TICKET PURCHASE

During this phase, passengers have the right to obtain a travel receipt from the air carrier (*Itinerary Receipt*) containing all flight details.

The flight ticket, issued individually or for a group, proves of the effectiveness of the carriage contract. The contract is regulated, in addition to the general rules, also by the General Conditions of Carriage (GCC) and passengers should be able to access the relevant information at all points of sale of the air carrier (including online purchasing).

1 - For disabled passengers and those with reduced mobility (PRM) see page 18

## 2 PASSENGERS' RIGHTS IN THE MAJOR CASES OF INEFFICIENCY

### APPLICABLE LAW:

- Regulation (EC) n. 261/2004 of the European Parliament and the Council, of 11 February 2004, that establishes common rules as regards compensation and assistance to passengers in case of denied boarding, flight cancellation or extended delay and that repeals Regulation (EEC) n. 295/91
- Legislative Decree of 27 January 2006, n. 69 bearing "penalty provisions for violation of Regulation (EC) n. 261/2004 that establishes common rules in terms of compensation and assistance to passengers in case of denied boarding, flight cancellation or long delay"

Additional protection provisions have been foreseen by the European Union in case of:

<b>DENIED BOARDING</b>	THE PASSENGER IS NOT BOARDED DUE TO OVERBOOKING
<b>FLIGHT CANCELLATION</b>	THIS OCCURS WHEN THE AIRCRAFT DOES NOT TAKE OFF
<b>EXTENDED FLIGHT DELAY</b>	THIS OCCURS WHEN THE AIRCRAFT'S TAKE OFF IS DELAYED AS TO THE SCHEDULED DEPARTURE TIME INDICATED

### These safeguards apply:

- to flights (scheduled, charter, low cost) departing from EU airports
- to flights (scheduled, charter, low cost) departing from a non- EU airport, with expected arrival at an EU airport, but only when the air carrier belongs to the European Community and no benefits were previously granted in compliance with local law

### They do not apply:

- to flights departing from a non EU airport and arriving in an EU Country, that are operated by non EU air carriers. In this case the safeguards that apply are those ensured by local laws and by the laws that regulate the carriage contract

Passengers entitled to these types of safeguard are those that:

- hold a flight ticket (including those issued within a programme such as *Frequent Flyer* or any other trade programmes of air carriers or tour operators)
- hold a confirmed reservation
- show up in time at the check-in, compliant with the requirements provided in writing by the air carrier, by the tour operator or by an authorized travel agent or, in the absence of specific instructions, no later than forty-five minutes prior to the scheduled departure time

The safeguards will apply also whenever the air carrier or the tour operator transfers a passenger from the flight originally booked to a different flight, regardless of the reasons.

Passengers are not entitled to these safeguards:

- when travelling for free or at a reduced fare that is not available, directly or indirectly, to the general public (for instance, employees of air carriers, travel agencies and tour operators)
- when boarding is denied due to health or safety related reasons, or in case of invalid travel documents

## 2.1 SAFEGUARD OPTIONS IN CASE OF DENIED BOARDING

**CALLING FOR VOLUNTEERS**, as initial attempt of the air carrier, in order to ascertain if there are any volunteers among the passengers that are willing to give up their seat in exchange for benefits to be agreed upon.

When no volunteers show up, the passenger whose boarding is denied is entitled to receive, from the air carrier:

**PECUNIARY COMPENSATION**, calculated based on the route (intra or international) and on the distance travelled:

Intra-community flights	1500 Km or less	euros <b>250</b>
Intra-community flights	More than 1500 Km	euros <b>400</b>
International flights	1500 Km or less	euros <b>250</b>
International flights	Between 1500 and 3500 Km	euros <b>400</b>
International flights	In excess of 3500 Km	euros <b>600</b>

The carrier may reduce the amount of the compensation of 50% when passengers are offered the option of an alternative flight whose scheduled arrival time does not exceed the arrival time of the flight initially booked, respectively, by more than **two**, or **three**, or **four** hours.

The pecuniary compensation shall be paid cash, by wire transfer, bank deposit or cheque or, upon agreement with the passenger, with travel coupons and/or other services, regardless of the amount of the fare paid when purchasing the ticket.

**REIMBURSEMENT** of the cost of the ticket for the unused portion

or, alternatively

**ACCOMMODATION** as early as possible or at a later date that better suits the passenger, with comparable travel conditions

### ASSISTANCE

- meals and beverages in relation to the length of the wait
- adequate hotel accommodation, in case lodging for one or more nights becomes necessary
- roundtrip transfer between the airport and the hotel
- two phone calls or messages via telex, fax or e-mail

Persons with reduced mobility and any travel companion, as well as unaccompanied children have the right of priority when receiving assistance.

## 2.2 SAFEGUARD OPTIONS IN CASE OF FLIGHT CANCELLATION

In case of flight cancellation passengers have the right to:

**REIMBURSEMENT** of the cost of the ticket for the unused portion

or, alternatively

**ACCOMMODATION** as early as possible or at a later date that better suits the passenger, with comparable travel conditions

#### **ASSISTANCE**

- meals and beverages in relation to the length of the wait
- adequate hotel accommodation, in case lodging for one or more nights becomes necessary
- roundtrip transfer between the airport and the hotel
- two phone calls or messages via telex, fax or e-mail

Persons with reduced mobility and any travel companion, as well as unaccompanied children have the right of priority when receiving assistance.

**IN SOME CASES ALSO TO PECUNIARY COMPENSATION** calculated based on the route (intra-EC or international) and on the distance travelled:

Intra-community flights	1500 Km or less	euros <b>250</b>
Intra-community flights	More than 1500 Km	euros <b>400</b>
International flights	1500 Km or less	euros <b>250</b>
International flights	Between 1500 and 3500 Km	euros <b>400</b>
International flights	In excess of 3500 Km	euros <b>600</b>

The carrier may reduce the amount of the compensation by 50% when passengers are offered the option of an alternative flight whose scheduled arrival time does not exceed the arrival time of the flight initially booked, respectively, by more than two, or three, or four hours.

The pecuniary compensation shall be paid cash, by wire transfer, bank deposit or cheque or, upon agreement with the passenger, with travel coupons and/or other services, regardless of the amount of the fare paid upon purchasing the ticket.

#### **THE PECUNIARY COMPENSATION IS NOT DUE** when

either the air carrier can prove that the flight cancellation was due to exceptional circumstances: for instance, adverse weather conditions, safety related alarms, or strikes or when passengers were notified of the cancellation:

- with at least two weeks notice
- during the period between two weeks and seven days prior to the departure date, and in case an alternative flight option is offered that is scheduled to depart no more than two hours prior to the original schedule and that arrives at the final destination with a maximum of four hours delay compared to the original schedule
- less than seven days earlier, and an alternative flight option is offered that is scheduled to depart no more than one hour prior to the original schedule and that arrives at the final destination with a maximum of two hours delay compared to the original schedule



## 2.3 SAFEGUARD OPTIONS - LONG DELAY OF FLIGHTS

In this case passengers have the right to:

### ASSISTANCE

- meals and beverages in relation to the length of the wait
- adequate hotel accommodation, in case
- lodging is required for one or more nights
- roundtrip transfer between the airport and the hotel • two phone calls or messages via telex, fax or e-mail

**THE RIGHT TO ASSISTANCE** is granted based on the route (intra-EC o international) and on the distance travelled:

Intra-community flights	1500 Km or less	Flight delay at least 2 hours
Intra-community flights	More than 1500 Km	Flight delay at least 3 hours
International flights	1500 Km or less	Flight delay at least 2 hours
International flights	Between 1500 and 3500 Km	Flight delay at least 3 hours
International flights	In excess of 3500 Km	Flight delay at least 4 hours

### RENOUNCING THE FLIGHT

If the delay is equal to or longer than five hours, passengers shall be offered the choice to renounce to fly without being subject to any penalties and have the right to obtain reimbursement for the unused portion of the ticket.

Persons with reduced mobility and any travel companion, as well as unaccompanied children have the right of priority when receiving assistance.

## 2.4 COMPLAINT INSTRUCTIONS

Any complaints must be submitted, in the first place, to the airline with which the passenger has stipulated the carriage contract.

If an adequate response is not received within six weeks, a complaint may be submitted:

- to the offices of Enac at the national airport where the inconvenience took place, or where the aircraft landed in case of inefficiencies that occurred outside the European Union, Norway, Iceland and Switzerland
- to the appointed Organizations<sup>2</sup> that belong to the European Union, Norway, Iceland or Switzerland for flights from and to these States

### COMPLAINTS TO ENAC

It is possible to submit a complaint, besides sending it by mail, fax, or e-mail, also by completing the online form that allows to enter all pertinent information easily and to expedite the process. The form is available on the Agency's web portal [www.enac.gov.it](http://www.enac.gov.it) at the link "Passengers' Rights".

The complaints contribute to activate Enac's verifications aiming at ascertaining any violation of Regulation (EC) 261/2004, besides facilitating supervision of the quality of the services offered to customers.

Enac, as Agency in charge in Italy of ensuring passengers' rights in case of denied boarding, flight cancellation and extended delay, can sanction the airlines that are noncompliant.

It being understood that sanctions may be applied, the outcome of the investigation will be notified to the passenger that may use it to support any legal action filed against the airline.

2 - Addresses are listed at page 13

*Following the ECJ - the Court of Justice of the EC - ruling adopted on November 2009, when passengers, due to a flight delay, reach their final destination three hours later or more after the published scheduled time of arrival, they have the same right to compensation as provided for certain cases of flight cancellation, unless the airline can prove the delay is caused by extraordinary circumstances.*

## **USEFUL TIPS**

- Arriving at the airport early enough to complete all check-in and boarding operations easily. In all cases, it is important to observe the timetable given by the air carrier, tour operator or travel agent
- Prior to purchasing the ticket, verifying all restrictions connected with the fare offered. Normally, fares that are financially more appealing come with higher levels of restrictions such as, for instance, fixed and unchangeable dates and/or flights, once booked. When the purchase is made through Internet, it is usually required to review the attached terms and conditions and to confirm their acceptance by selecting the appropriate option
- When passengers make a purchase bearing a promotional fare that includes restrictions and then decide not to travel, they are not entitled to a full refund of the cost of the ticket, but only to the amounts referring to airport fees and to the municipal and government surtax (see "Transparent fees" on the cover page)
- When travelling abroad, it is essential to verify which documents are required by the Authority of the destination Country and to make sure that their expiration date complies with any compulsory time requirements. In fact, some Countries require that the documents' expiration date is at least three months or at least six months later than the arrival date. It is furthermore essential to verify in advance if an entry visa is required, as well as the procedure for its issuance, and, also, if any vaccinations or medical treatments are necessary. It is always advisable, for Italian passengers who travel temporarily abroad, to enter their data on the website of the Ministry of Foreign Affairs <https://www.dovesiamonelmundo.it>. Thanks to this record, the Unit of Crisis would be able to plan adequate interventions of assistance in case of a situation of serious emergency

### 3 PASSENGERS' ADDITIONAL RIGHTS

#### APPLICABLE LAW:

- Regulation (EC) n. 889/2002 of the European Parliament and the Council, of 13 May 2002, that amends
- Regulation (EC) n. 2027/97 concerning air carriers' liability in case of accidents
- Convention for the unification of some of the rules regulating international air carriage (signed in Montreal on 28 May 1999 and effective as from 4 November 2003)
- Regulation (EC) n. 261/2004 of the European Parliament and the Council, of 11 February 2004, that establishes common rules concerning compensation and assistance available to passengers in case of denied boarding, flight cancellation or extended delay, and that repeals Regulation (EEC) n. 295/91
- Regulation (EC) n. 2111/2005 of the European Parliament and the Council, of 14 December 2005, concerning the creation at the European Community level of a list of air carriers subjected to a ban to operate within the EC, and the information to be provided to air travel passengers on the actual identity of the air carrier, and that repeals art. 9 of Directive 2004/36/EC FLIGHTS INTERNATIONAL FLIGHTS

#### 3.1 RIGHT TO INFORMATION

In case of denied boarding, flight cancellation or extended delay the air carriers have the obligation to inform the passengers on the safeguard options granted by the laws of the European Community.

#### 3.2 ACCOMODATION IN HIGHER OR LOWER CLASS

Passengers are not required to make additional payments when the air carrier offers seating in a class above the one indicated on the ticket purchased.

When, instead, the air carrier moves a passenger to a class below the one indicated on the ticket purchased, it will have to give back a reimbursement (in cash, by wire transfer, bank deposit or cheque or, upon agreement signed by the passenger, with travel coupons and/or other services) within seven days:

##### **Reimbursement for transfer from a higher to a lower class**

Intra-community flights	1500 Km or less	reimbursement 30% ticket cost
Intra-community flights	More than 1500 Km	reimbursement 50% ticket cost
International flights	1500 Km or less	reimbursement 30% ticket cost
International flights	Between 1500 and 3500 Km	reimbursement 50% ticket cost
International flights	In excess of 3500 Km	reimbursement 75% ticket cost

### 3.3 INALIENABILITY

Passengers cannot be subject to limitations, enforced through restrictive contractual clauses, that may affect the protection established by Regulation (EC) 261/2004.

### 3.4 COMPENSATION

The enforcement of the forms of safeguard foreseen in case of inefficiency, does not prevent passengers from having the capacity to file for any compensation procedures.

### 3.5 DAMAGES CAUSED BY DELAY

If a passenger suffers direct damage due to a delay, that is to say that it can be recognized as a foreseeable consequence of the air carrier's<sup>3</sup> negligence or misconduct, he/she may request compensation up to a maximum of 4,150 SDRs , Spécial Drawing Rights, (corresponding to approx. 4,831.00 euros).

Compensation is not due if the air carrier can prove that it took all the necessary and possible measures in order to avoid the delay, or that taking any measures was actually not possible.

Compensation for damages caused by delays may be requested to airlines registered in Countries that adhere to the Montreal Convention.

### 3.6 IDENTITY OF THE AIR CARRIER

Passengers have the right to be informed in advance about the actual airline that will operate the flight (operative air carrier) in case it is different from the one with which the flight was booked (contractual air carrier).

<sup>3</sup> As defined by the International Monetary Fund (IMF) and subject to fluctuations compared to the euro (using the rate of 30 January 2009: 1 SDR = 1.164110 euros). Information on the rates is published on major financial newspapers and is also available on the IMF's website [www.imf.org](http://www.imf.org).

Address of the European Organizations of reference regarding cases of denied boarding, flight cancellation or long delay

	Austria	fluggastrechte@bmvit.gv.at
	Belgio	passenger.rights@mobilite.fgov.be
	Bulgaria	caa@caa.bg
	Cipro	director@dca.mcw.gov.cy
	Danimarca	dcaa@slv.dk
	Estonia	info@consumer.ee
	Finlandia	posti@kuluttajavirasto.fi
	Francia	tel. +33 1 58 09 39 79 fax +33 1 58 09 38 45
	Germania	fluggastrechte@lba.de
	Grecia	d1d@hcaa.gr
	Irlanda	info@aviationreg.ie
	Islanda	fms@caa.is
	Lettonia	ptac@ptac.gov.lv
	Lituania	tel. +370 5 27 39 038 fax +370 5 27 39 237
	Lussemburgo	passagersaeriens@eco.etat.lu
	Malta	civil.aviation@gov.mt
	Norvegia	post@flyklagenemnda.no
	Paesi Bassi	denied-boarding@ivw.nl
	Polonia	kancelaria@ulc.gov.pl
	Portogallo	tel. +351 21 842 35 00 fax +351 21 847 35 85
	Regno Unito	tel. +44 20 72 40 60 61 fax +44 20 72 40 70 71
	Rep. Ceca	caa@caa.cz
	Romania	tel. +40 21 312 12 75 fax +40 21 314 34 62
	Slovacchia	helena.molekova@soi.sk
	Slovenia	dunja.lujic-ferjancic@gov.si stanislav.krivec@gov.si
	Spagna	tel. +34 91 597 83 21 fax +34 91 597 86 43
	Svezia	konsumtverket@konsumtverket.se
	Svizzera	passengerrights@bazl.admin.ch
	Ungheria	nfh@nfh.hu

## 4 RIGHTS OF DISABLED PERSONS AND PERSONS WITH REDUCED MOBILITY

### APPLICABLE LAW:

- Regulation (EC) n. 1107/2006 of the European Parliament and the Council, of 5 July 2006, concerning the rights of disabled persons and persons with reduced mobility in air transport
- Ministerial Decree of 24 July 2007, n. 107/T bearing "Appointment of the organization in charge of enforcing the regulation of the European Parliament and the Council of 5 July 2006, n. 1107, concerning the rights of disabled persons and persons with reduced mobility in air transport"

The European Union has established specific forms of protection for disabled persons and those with reduced mobility (PRM, Passenger with Reduced Mobility).

The entitlement to the forms of protection established by the laws of the European Community is granted to passengers that have difficulty in using air transport because of:

- any physical disability (sensory or of mobility, permanent or temporary), mental disability or any other condition of disability
- for reasons of age

These safeguards apply:

- to all flights (scheduled, charter, low cost) departing from or in transit at an airport of the European Community
- to all flights (scheduled, charter, low cost) departing from a non-EU airport, with expected arrival at an airport of the European Union, when the flight is carried out by an airline that belongs to the European Community

These safeguards do not apply:

- to flights departing from a non- EU airport and arriving in an EU Country, that are operated by non- EU air carriers. In this case the safeguards that apply are those ensured by local laws and by the laws that regulate the carriage contract

### 4.1 FORMS OF PROTECTION ENSURED BY THE AIRLINE

Airlines, their agents and tour operators cannot refuse to accept a reservation or boarding of PRMs, as long as they hold a valid ticket and reservation.

The airline with which the flight was booked and the assistance was requested (contractual air carrier), shall send the information as soon as possible to the airline that will carry out the flight (operating air carrier).

A refusal to accept a reservation and boarding may take place only:

- for safety reasons
- if the size of the aircraft or of its doors make it physically impossible to allow boarding and carriage of the PRM. Such limitation is enforced in order to give top priority to safety, both of disabled passengers or those with reduced mobility and in general of all passengers, especially when an emergency may require evacuating the aircraft.

In case of refusal, the airline, its agent or the tour operator shall:

- inform immediately the passenger about the reasons of the refusal and, upon request, provide the same in writing within five business days
- offer an alternative flight or the reimbursement of the ticket



Airlines, their agents and tour operators shall make available to the public, in accessible formats, the applicable safety regulations as well as any restrictions.

Ultimately, while compliant with safety requirements, the air carrier shall make nonetheless all reasonable attempts to assign the seats requested by a PRM and any travel companion.

### **PRESENCE OF A TRAVEL COMPANION**

Air carriers, furthermore, may request that PRMs be accompanied by a travel companion able to provide

the assistance needed, when they are not self-reliant when performing the following:

- breathing, passengers should not be reliant on supplementary oxygen
- eating, passengers should be capable to feed themselves. In case of vision impairment the cabin crew may assist passengers by opening food containers and describing the meals being served
- getting up, passengers should be able to move from the passenger's seat to the on-board wheel chair
- communicating, passengers should be able to interact with the cabin crew and understand their advice/instructions
- using the lavatories, passengers should be able to use the lavatories unaided. Cabin crew is expected to assist a passenger to move through the cabin in an on-board wheelchair
- taking medications, passengers should be able to use their medications and treatments on their own da controllare il sottolineato

## **4.2 HOW TO REQUEST THE SERVICE**

In order to be given assistance passengers need to request the service to the airline, to its agent or the tour operator with whom they reserve the flight, with at least 48 hours notice prior to the scheduled departure.

The airline that receives the request for assistance must reserve the service at least 36 hours prior to the scheduled departure of the flight, by providing the information to the managing bodies of the airports of departure, arrival and transit .

Passengers have the right to be informed in advance about the airline that operates the flight (operative air carrier) when it is different from the one with which the flight was booked (contractual air carrier). The airline that accepted the reservation and the request for assistance (contractual air carrier), must provide the information as soon as possible to the airline that will operate the flight (operative air carrier), if different.

### **IDENTIFICATION ABBREVIATIONS OF GROUND ASSISTANCE SERVICES SHARED INTERNATIONALLY**

**BLND**, Blind and visually impaired passengers

**WCHR**, Passengers unable to walk long distances, but able to walk up and down the stairs and move along autonomously

**WCHS**, Passengers unable to walk long distances and to walk up and down the stairs, but are self-reliant on board the aircraft

**WCHC**, Passengers totally immobilized, that are not self-reliant on board the aircraft and require full assistance

**DEAF**, Passengers with hearing impairment

**DPNA**, Passengers with mental or behavioural disability

## 4.3 FORMS OF PROTECTION ASSURED BY THE AIRPORT MANAGING BODY

The airport managing body shall provide at no charge the assistance needed by PRMs in order for them to:

- communicate their arrival at the airport, using
- designated points inside and outside the terminal
- move from a designated point to the check-in desk
- fulfil the check-in formalities for the passenger and the checked baggage
- proceed from the check-in desk to the aircraft, after going through immigration, customs and security
- board the aircraft and disembark the aircraft, by using elevators, wheelchairs or other specific means of assistance
- proceed from the door of the aircraft to the designated seat and vice versa
- store hand baggage on board and retrieve it, as well as any wheelchair or other boarded device
- proceed from the aircraft to the baggage claim area and retrieve the baggage, and fulfil immigration and customs formalities
- be escorted to a designated point
- board a connecting flight, if the PRM is in transit, with the assistance provided inside each terminal and between them, based on specific needs
- be capable to reach the toilet facilities when needed
- be assisted at the airport, upon request, by one's own companion for the boarding and disembarking operations
- receive, based on 48 hours prior notice, ground assistance for all devices needed for mobility
- receive ground assistance for approved assistance dogs, when appropriate
- be able to access flight information

## 4.4 COMPLAINT INSTRUCTIONS

Complaints should be submitted to the airline or to the airport managing body. Complaints may also be sent to Enac or to the appointed National Enforcement Bodies of the European Union and Norway (listed in the next page) for flights departing and arriving in these States.

### COMPLAINT TO ENAC

It is possible to send complaints by using the on-line form, prearranged to collect all pertinent information and to expedite the process. The form is available on the Agency's web portal [www.enac.gov.it](http://www.enac.gov.it) at the section dedicated to the Rights of Passengers with disabilities or reduced mobility.

Alternatively, complaints can be mailed to the organization at Carta dei Diritti Enac - Viale Castro Pretorio 118, 00185 Roma, or sent by Fax at +39 06 44596493 or by e-mail to the address:

[pax.disabili@enac.gov.it](mailto:pax.disabili@enac.gov.it).

The complaints contribute to activate Enac's verifications aiming to ascertain any violation of Regulation (EC) 1107/2006, besides facilitating supervision of the quality of the services offered to customers.

Enac is the Authority in charge in Italy of ensuring the rights of disabled passengers and of those with reduced mobility. At press time of the Bill of Rights, the Italian Government adopted permanently the framework of the legislative Decree bearing the penalties system, which gives Enac the authority to apply sanctions to subjects that are non-compliant.

It being understood that sanctions may be applied, the outcome of the investigation will be notified to the passenger that may use it to support any legal action filed against the airline, the airport managing body or the tour operator.



## USEFUL TIPS

- The maximum number of PRMs permitted on the same flight by EC safety regulations depends upon various factors, such as the type of aircraft and its configuration, the type and level of mobility impairment of the PRMs that request boarding, as well as the number of persons with normal conditions of mobility. It is recommended to submit the request for assistance upon purchasing the ticket
- It is necessary to give exact information to the airline about one's needs in order to get the appropriate assistance
- Verify that the code that identifies the type of assistance shown on the travel document actually matches the one requested at the time of the reservation
- It is not possible to bring wheelchairs inside the cabin; these need to be placed in the hold of the aircraft. There are restrictions as to carrying battery powered wheelchairs. In fact, the wheelchairs admitted in the hold must be equipped with batteries that are non-spillable; the battery, besides being properly tied to the body of the wheelchair, must also be disconnected and with the terminals properly isolated. If travelling with this type of equipment is nonetheless desired, it is necessary to contact the airline prior to booking, in order to obtain the proper authorization

**Address of the European Organizations of reference  
regarding cases of failure to respect the rights of disabled  
passengers and those with reduced mobility**

	Austria	fluggastrechte@bmvit.gv.at
	Belgio	tel. (fr) +32 2 277 43 99 / fax (fr) +32 2 277 42 58 tel. (nl) +32 2 277 44 04 / fax (nl) +32 2 277 44 05
	Bulgaria	tel. +359 2 937 10 14 fax +359 2 987 64 32
	Cipro	passengerrights@dca.mcw.gov.cy
	Danimarca	dcaa@slv.dk
	Estonia	tel. +372 639 76 39 fax: +372 631 36 60
	Finlandia	kirjaamo@ilmailuhallinto.fi
	Francia	tel. + 33 1 70 39 94 14 fax + 33 1 70 39 94 07
	Germania	fluggastrechte@lba.de
	Grecia	Gestore aeroportuale: d3b@hcaa.gr Compagnie aeree: d1d@hcaa.gr
	Irlanda	info@aviationreg.ie
	Lettonia	prm@latcaa.gov.lv
	Lituania	tel. +370 527 391 16 fax +370 527 392 37
	Lussemburgo	tel. + 352 4781/24 78 24 78 fax + 352 46 77 90
	Malta	tel. +356 21 22 29 36
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## 5 TOUR PACKAGES

### APPLICABLE LAW:

- Legislative Decree of 6 September 2005, n. 206 "Code of consumption, compliant with article 7 of law 29 July 2003, n. 229"

Tour packages - all inclusive travel, vacation, circuits - besides having a duration over 24 hours or being inclusive of at least one overnight, are defined by being the combination of at least two of the following elements:

- carriage
- lodging
- other services (e.g. trips, events and performances)

### 5.1 OBLIGATIONS OF THE ORGANIZER AND THE RETAILER

For this typology of travel consumers should receive from the organizer or from the retailer, prior to signing the contract, accurate information on the itinerary selected, which may be provided through a booklet or catalogue.

#### INFORMATION BOOKLET OR CATALOGUE

The organizer or the retailer must give to the consumer a copy of the contract duly printed or signed and must guarantee all types of assistance.

The booklet shall display with clarity and accuracy:

- destination, duration, and details of the tour package
- details and typology of the means of transportation, of the air carrier, the hotel and the services
- itinerary, tours and trips
- the presence of any guide or tour escort
- applicable formalities for European Union citizens concerning passports and visas with the details of the issuance requirements
- compulsory health requirements
- cost of the tour package, percentage to be deposited for down payment (never to exceed 25% of the total cost) and deadlines for the balance
- any minimum required number of participants

The information contained in the booklet is binding for the organizer and the retailer.

### 5.2 CONSUMERS' RIGHTS

Consumers have the right to:

- transfer their own reservation to another person in case of inability to personally enjoy the tour package, by giving notice to the organizer or the retailer no later than 4 business days prior to the departure date
- select, prior to the date of departure, a similar tour package (same cost as shown on the catalogue) or one of higher quality, at no additional cost, in any of the circumstances of

renunciation foreseen in the contract or in case of cancellation of the package not for their fault. Should the replacement package be of lower quality, consumers have the right to a reimbursement covering the difference

- travel at the cost agreed upon, which cannot be changed, unless this was explicitly specified in the contract; in such case, however, any increase shall not exceed by more than 10% the original cost and may not be applied during the 20 days prior to the departure date

## **COMPLAINT PROCEDURE**

Consumers shall notify to the organizer, to its local representative or to the tour escort any breach of the terms of the contract, in order to allow them to look for prompt solutions.

Furthermore, consumers may submit a complaint by certified mail with return receipt, addressed to the organizer or the retailer by or before 10 business days following the date of the return

## 6 LIABILITY LIMITATIONS FOR AIR CARRIERS

### APPLICABLE LAW:

- Convention for the unification of some of the rules regulating international air carriage, signed in Warsaw on 12 October 1929, as amended by the protocol of The Hague on 28 September 1955
- Regulation (EC) n. 889/2002 of the European Parliament and the Council, of 13 May 2002, that amends Regulation (EC) n. 2027/97 concerning the air carriers' liability in case of accidents
- Convention for the unification of some of the rules regulating international air carriage (signed in Montreal on 28 May 1999 and in force as from 4 November 2003)
- Regulation (EC) n. 785/2004 of the European Parliament and the Council, of 21 April 2004, concerning the insurance requirements applicable to air carriers and to aircraft operators
- Legislative Decree 6 November 2007, n. 197 bearing "Directives on penalties for violations of the provisions of Regulation (EC) n. 785/2004 concerning the insurance requirements applicable to air carriers and to aircraft operators

### 6.1 BAGGAGE

The term hand baggage stands for all items that passengers may bring with them inside the cabin to be placed in the overhead compartments or underneath the seat in front of them

The term checked baggage indicates those items that are handed over to the air carrier for carriage in the hold of the aircraft and are not available to passengers during the flight. Checked baggage is weighed, labelled and recorded on the passengers' ticket for proper identification at the arrival.

Upon arrival at destination, in case of missed redelivery or of damage to the checked baggage (for which the "Baggage Identification Tag" was issued), passengers should fill up a loss or damage report.

The acknowledgement of the incident shall be notified, prior to leaving the baggage claim area, to the Lost and Found office of the arrival airport, by submitting the specific form known as PIR (Property Irregularity Report).

#### 6.1.1 LOST

If within 21 days from the start of the PIR there is still no news of retrieval, it is necessary to send all documentation below specified to the Office of Customer Services and/or Baggage Assistance of the airline that operates the flight in order to put in place the compensation procedure.

#### 6.1.2 FOUND

In case of retrieved baggage, within 21 days from its actual return to the passenger, it is necessary to send all documentation listed below to the Office of Customer Services and/or Baggage Assistance of the airline that operates the flight, in order to initiate the procedure for the refund of any costs sustained.

## DOCUMENTATION REQUIRED IN CASE OF LOST AND FOUND BAGGAGE

- Flight reservation code in case of Internet purchase or original receipt in case of paper ticket
- Original PIR issued at the airport
- Original baggage identification tag and proof of payment for any baggage in excess
- List of baggage contents in case of lost baggage
- List of any missing items in case of retrieved baggage
- Original receipts and/or tax receipts showing the typology of the merchandise purchased (relatively to the length of the wait) to replace one's own personal property contained in the missing baggage
- Confirmation of complete bank account coordinates: name of account holder, IBAN and SWIFT code - for foreign bank accounts. If the account details do not match those of the person making the claim, the claimant should also indicate the address, telephone number, fax and email (if available) of the account holder
- If the aforementioned data do not refer to the beneficiary of the claim, also home address, phone number, fax number (if available), and e-mail address (if available) must be specified

### 6.1.3 DAMAGE

In case of damages of the baggage, within 7 days from the date of start of the PIR, it is necessary to send all the documentation listed below to the Office of Customer Services and/or Baggage Assistance of the airline that operates the flight in order to start the compensation procedure.

## REQUIRED DOCUMENTATION

- Flight reservation code in case of Internet purchase or original receipt in case of paper ticket
- Original PIR issued at the airport
- Original baggage identification tag
- List of any items contained in the baggage that suffered damages

### 6.1.4 COMPENSATIONS

In case of loss, damage, or delayed return of checked baggage, passengers are entitled to compensation up to 1,000 DSPs (approx. euros 1,164.00) in case of airlines of the European Union and Countries that signed the Montreal Convention, up to 17 DSPs (approx. euros 19.00) per kg in case of airlines of Countries that signed the Warsaw Convention, unless the passenger holds an additional insurance contract.

#### **Countries that signed the Convention for the Unification of some of the Rules regulating international air transport (signed in Montreal on 28 May 1999 and in force as from 4 November 2003)**

Albania, Arabic Republic of Syria, Australia, Austria, Bahrain, Barbados, Belgium, Belize, Benin, Bosnia-Herzegovina, Botswana, Brazil, Bulgaria, Cameroun, Canada, Capo Verde, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gambia, Germany, Greece, Hungary, Iceland, Ireland, Isles Cook, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Lebanon, Lithuania, Luxemburg, Macedonia, Madagascar, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Namibia, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Principedom of Monaco, Qatar, Republic of Korea, Rumania, Saint Vincent and Grenadines, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tonga, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Vanuatu.

List updated as of February 2009, available on the website of the International Civil Aviation Organization (ICAO) at the page <http://www.icao.int/icao/en/leb/mtl99.pdf>

## **USEFUL TIPS**

Valuables, important documents and cash, lifesaving prescriptions and fragile items (cell phones and battery chargers, cameras, videocameras, CD players, etc.) should be placed inside carry-on bags or carried personally

The total weight of checked baggage allowed varies from one airline to another; in order to avoid additional costs, it is advisable to verify in advance the specific weight allowance. This is specified on the ticket and, in case of electronic tickets, in the confirmation e-mail.

## **6.2 LIABILITIES CONCERNING PERSONS IN CASE OF ACCIDENT**

There is no financial limitation to the liability of air carriers of the European Community and air carriers of the Countries that signed the Montreal Convention of 1999 concerning damages relating to death, wounding and bodily injuries suffered by passengers.

For damages up to 100,000 DSPs (approx. euros 116,411.00) per passenger, the air carrier has the obligation to pay without having the option to bring forward any reasons to avoid its liability.

For damages exceeding 100,000 DSPs per passenger, the air carrier may dispute a compensation claim only if it can prove that it is not responsible for the damage.

In all cases compensation is not due or is due only partially if the air carrier can prove that the passenger suffering the damage is personally responsible or contributed to it for negligence, illegal action or omission.

The right to compensation for damages expires two years after the day of the actual arrival of the aircraft at its destination or in any case from the day of the expected arrival of the aircraft at its destination.

### **6.2.1 MINIMAL INSURANCE REQUIREMENTS FOR AIR CARRIERS**

In order to safeguard more effectively the users of air transport, the European Union prescribes that the air carriers must be insured in order to fulfil their liability towards passengers, baggage, cargo and third parties, relating to the risks existing in air transport, including risks due to events of war, terrorism, air piracy, sabotage, illegal seizure of the aircraft and riots.

For liability concerning passengers the minimum insurance coverage required is 250,000 DSPs (approx. euros 291,027.50) per passenger. The European regulation do not bring prejudice to the laws concerning liabilities that refer to international Conventions, European law and national law of the member States.

Insurance obligations apply to all air carriers that operate flights within the territory of a member State of the European Union, and flights arriving at or departing from or flying over it. Enac, as National Enforcement Body in charge in Italy of ensuring the compliance with the European regulation of reference, may apply penalties to airlines that are non compliant.



## USEFUL INFORMATION

### 7 THE SCREENING SYSTEM FOR AIR CARRIAGE SAFETY

#### APPLICABLE LAW:

- Chicago Convention of 7 December 1944, concerning international civil aviation
- Technical Annexes of the Chicago Convention (Annexes)
- Regulation (EC) n. 1702/2003 of the Commission, of 24 September 2003, that establishes the rules for the implementation concerning the certification of aeronavigability and environmental compliance of aircraft and relating products, parts and pertinences, as well as for the certification of design and manufacturing companies
- Regulation (EC) n. 2042/2003 of the Commission, of 20 November 2003, concerning maintenance of navigability of aircraft and aviation products, parts and pertinences, as well as the approval of companies and staff authorized to perform these tasks
- Directive 2004/36/EC of the European Parliament and the Council, of 21 April 2004, concerning safety matters for aircraft of foreign countries that use EC airports
- Regulation (EC) n. 2111/2005 of the European Parliament and the Council, of 14 December 2005, concerning the implementation of a list of air carriers subject to a ban to operate within the European Community and concerning information to be provided to air transport passengers on the identity of the actual air carrier, which also repeals article 9 of Directive 2004/36/EC
- Regulation (EC) n. 473/2006 of the Commission, of 22 March 2006, that establishes the implementation procedure concerning the list of air carriers subject to a ban to operate within the European Community as for Paragraph II of Regulation (EC) n. 2111/2005 of the European Parliament and the Council
- Regulation (EC) n. 768/2006 of the Commission, of 19 May 2006, bearing the implementation of Directive 2004/36/EC of the European Parliament and the Council, of 21 April 2004, concerning safety matters for aircraft of foreign countries that use EC airports and relating to the management of the information system
- Regulation (EC) n. 216/2008 of the European Parliament and the Council, of 20 February 2008, bearing common rules in the sector of civil aviation and which creates a European Agency for air safety, and that repeals Directive 91/670/EEC of the Council, Regulation (EC) n.1592/2002 and Directive 2004/36/EC
- Regulation (EC) n. 1008/2008 of the European Parliament and the Council, of 24 September 2008, bearing common rules for the provision of air services within the European Community (reimbursement)
- Regulation (EC) n. 1131/2008 of the Commission, of 14 November 2008, bearing amendments to Regulation (EC) n. 474/2006 that establishes a common list of air carriers subject to a ban to operate within the European Community

#### 7.1 SAFETY OF AIRCRAFT AND AIR CARRIERS

The safety of the operations of air carriers and their aircraft is guaranteed by a set of international rules (safety standards) and by surveillance of their actual implementation. The rules are based on the Technical Annexes (Annexes) of the Chicago Convention that created the International Civil Aviation Organization (ICAO), in charge of regulating the aviation sector.

The responsibility of guaranteeing the compliance with the safety standards pertains to the State to whom the airline belongs. Based on this principle, the States being flown over or where international flights are operated, accept the certifications of navigability and suitability issued by aviation operators of foreign Countries, without obligation of further investigation.



The Chicago Convention, in any case, allows performing inspections of foreign aircraft in transit at airports of the signatory Countries.

## 7.2 SUPERVISION OF NAVIGABILITY AND MAINTENANCE OF NATIONAL AIRCRAFT

The control on system of the Italian air transport operators is perfectly aligned with the ICAO standards and the European laws that regulate the different aspects of air transport (public transport). In this context, Enac received from the European Air Safety Agency (Easa) the confirmation of its status as standardization authority for the European validation of certifications for aircraft and air carriers. ENAC performs supervision of aircraft used by national airlines through issuing, and subsequently renewing, the Navigability Certificate, which certifies the conformity of the aircraft to operate safely.

The assessment is carried out through inspections on the ground as well as in flight. Specifically, the maintenance programme of aircraft is compulsorily reassessed on a regular basis to ascertain its efficiency.

In case of lease without crew of foreign aircraft by Italian air carriers (dry lease), Enac is delegated to the supervision on behalf of the authority of the State of their registration; the inspections performed to verify the state of navigability are the same as those performed for aircraft registered in Italy, plus any additional provision included in the agreements with the foreign Authority.

In case of lease with crew of foreign aircraft by Italian air carriers (wet lease), Enac issues the flight authorization only if in the country of origin the safety requirements are equivalent to those applied nationally.

As for the maintenance of the aircraft, this has to be compulsorily performed by air carriers that are duly certified according to European regulation.

## 7.3 THE AIR OPERATOR CERTIFICATE (AOC)

The AOC, in accordance with the technical-operational rules provided for Public Transport, certifies that the operator has the professional ability and the organizational skills required to assure the operations of its aircraft under safe conditions.

The AOC is issued by the aviation Authority of the State where the operator has its registered office. Also in case of dry lease or wet lease, the foreign operator must hold an AOC.

Main areas subject to Enac's surveillance for the issuance and validation of the Air Operator's Certificate:

- maintenance: concerning technical compliance of each individual aircraft and management of the maintenance programmes
- crew: concerning having proper pilot license and qualification for the specific aircraft type, and a current medical certificate, passing regularly tests and fulfilling basic and follow up (theory and practice with flight simulators)
- security: concerning suitability of procedures for prevention of unlawful acts of interference, and related training, basic and recurrent
- operative procedures: concerning activities ahead of flight (for instance, refuelling, de-icing), during flight (for instance, verification of route) and following flight (for instance, report of anomalies recorded during flight)
- performance: concerning flight parameters and ability of aircraft to follow the expected routes
- equipment: concerning on-board equipment and maintenance of efficiency of instruments required for flight operations and navigation (for instance, radio, computers, extinguishers, lifejackets)

- operations with low visibility: concerning crew members' qualifications, suitability of instrumentation, landing procedures, for instance in case of fog
- weights and counterbalance: concerning procedures and methods to assess the aircraft's weight and that of its cargo

## 7.4 THE AIR TRANSPORT OPERATING LICENSE

The execution of air transport activities by national operators is subject to obtaining the specific Operating License issued by Enac.

The Operating License allows a company to carry out and receive payment for air transport of passengers, mail and/or cargo, in conformity with the provisions of the licence. Regulation (EC) 1008/2008 establishes the requirements for the issuance and reconfirmation of operating licenses of EC airlines; these requirements refer particularly to the technical-operative and legal-economic-financial aspects.

## 7.5 SCREENING OF FOREIGN AIR OPERATORS, THE SAFA PROGRAMME AND THE BLACK LIST

Each State has the right to perform inspections of foreign aircraft at the national airports that host flight connections.

These verifications, compulsory in all Countries of the European Union, are carried out by following procedures shared in the ambit of the SAFA Programme (Safety Assessment of Foreign Aircraft) that foresees ramp inspections (assessment of documentation concerning use of aircraft, operator, flight crews, and general condition of the aircraft) during transit at EU airports.

The outcome of the ramp inspections and the input in a single European data bank (for rapid elimination of any flaws identified relating to a particular operator) provide a reference point for the compilation of the Black List, the list of non-EU companies subject to restrictions in the EU airspace.

The Black List derives from a specific regulation of the European Community and aims at guaranteeing passengers by means of a high level of protection against risks that may affect flight safety. The Black List is regularly updated through surveillance performed activities in the EU Countries.

The list is available on Internet at: [http://ec.europa.eu/transport/air-ban/list\\_it.htm](http://ec.europa.eu/transport/air-ban/list_it.htm).

## 7.6 ADDITIONAL SCREENING ACTIVITIES OF FOREIGN AIR OPERATORS

Besides ramp inspections, Enac's screening activities of foreign operators is carried out also through documental inspections on board aircraft, which take place at transit airports based on programmes established in conformity with internal regulation.

These screenings aim at verifying the existence of certifications and qualifications of the aircraft, the operator and of its crew.

## 8 AIRPORT SAFETY SUPERVISION

APPLICABLE LAW:

- Regulation (EC) n. 820/2008 of the Commission of 8 August 2008 that establishes apposite means of implementation of the basic common laws regulating air safety

The typologies and the levels of safety measures (security) in all airports have changed since the events of 11 September 2001. It was necessary to open a new chapter concerning screening

activities structured on international standards, in addition to the constant supervision activity applied to the entire air transport organization: infrastructures, managing bodies, airlines, flight schools, in addition to passengers, baggage, cargo and aircraft.

Enac is in charge of defining and coordinating the security measures for air transport by drafting the National Security Programme, and constantly verifying the state of implementation as well as foreseeing appropriate updates when necessary; furthermore, the Body is in charge of the fulfilment of the activities concerning subcontracting security services and supervising their being carried out adequately and efficiently, in close coordination with the Public Security Authority.

## 8.1 ARTICLES ALLOWED IN THE CABIN

Only one hand baggage is allowed in the cabin, whose sum of the sides shall not exceed 115 cm.

### Example



$A+B+C = \text{maximum } 115 \text{ cm}$

Passengers may bring other items on board with them as well, unless specifically restricted by the air carrier, for instance:

- handbag or document wallet or portable PC
- camera, videocamera or CD player
- mobile phone, other small electric/electronic devices commonly used
- coat or raincoat
- umbrella
- crutches or other walking device
- reading material for the trip
- portable crib/stroller and milk/food for infants, needed during the trip
- articles purchased at "duty frees" and other shops inside the airport and on-board the aircraft
- essential liquid/solid prescriptions needed for medical-therapeutic and dietary purposes, strictly personal and necessary during the trip. Concerning liquid medications, a proper doctor's prescription is required
- liquid substances within the limits permitted.

## SECURITY REGULATIONS CONCERNING LIQUIDS BROUGHT AS CARRY-ON

In order to protect passengers from terrorist threats in the form of liquid explosives, the European Union has adopted security rules that limit the amount of liquid substances that travellers may bring on-board with them.

These restrictions apply to all passengers departing from European Union airports, including national airports, regardless of their destination, as well as to those departing from airports in Norway, Iceland and Switzerland.

While there are no restrictions for liquids in checked baggage, concerning carry-on only limited quantities of liquid substances are permitted.

In fact, they must be carried in containers each one with a capacity of no more than 100 millilitres (1/10 of litre) or equivalent (e.g. 100 grams) and placed in a transparent re-closable plastic bag, with a capacity not exceeding 1 litre (that is, with a size of approx. cm 18 x 20, for instance).

All containers shall fit comfortably inside the plastic bag so that it can be closed easily. Each passenger (including infants) is allowed to carry only one plastic bag. Liquid prescription medications and dietary products, as well as food for infants, are not subject to volume restrictions and do not require to be placed in the plastic bag. It may be required to provide proof of actual necessity (doctor's prescription) and of authenticity of these items. Inspection at checkpoints is fulfilled separately from that of carry-on baggage.

Liquids include:

- water and other beverages, soups, syrups
- creams, lotions and oils
- perfumes
- sprays
- gel, including hair-gel and shower-gel
- contents of pressurized containers, including shaving foam, other foams and deodorants
- paste type substances, including toothpaste
- mixtures of liquids and solids
- mascara
- any other product of comparable texture.

### Products with texture comparable to liquids

Products with texture comparable to liquids	
Not admitted	Admitted
Chocolate cream	Sandwiches prepared with chocolate cream
Peanut butter	Sandwiches prepared with peanut butter
Liquid mascara	Solid lipstick
Liquid lip gloss	Cheese in solid form (e.g. edam, parmesan)
Yogurt, fresh cheese	
Creamy cheese (e.g. certosa, camembert)	
Aerosol, roll-on deodorants	

EU regulations do not restrict liquid substances, such as beverages and perfumes, that are purchased in the shops and duty frees located in the areas beyond the checkpoints or on board the aircraft operated by EU air carriers.

It is recommended not to open any purchased products contained in sealed bags, until the arrival at the final destination. Or else, when in transit at any intermediate airport, liquid products purchased may be confiscated at security checkpoints.

Transit at EU airports for passengers arriving from non-EU airports

Liquid products purchased at shops and duty frees of non-EU airports, and outside of Norway, Iceland and Switzerland, may be confiscated at any EU airport of transit, whenever there is no equivalence of security measures between the concerned Country and the European Union.

In case of direct flights, instead, these liquids may be carried regularly on board.

To this date, the airports that have been equated are the Singapore airport and the Croatian airports of Dubrovnik, Fiume, Pula, Spalato, Zara, and Zagreb. Verifications to assess equivalence are ongoing for several other airports.

It may be useful to remind that, in order to expedite security procedures, it is compulsory to:

- show all carry-on liquid products to the agents
- remove jacket, belt and coat
- pull out portable PCs and other large size electric and electronic devices from the carry-on baggage.

## 8.2 ARTICLES PROHIBITED IN THE CABIN

The following articles are prohibited in the cabin:

- **Guns, firearms and other arms**

Any object that actually does or may appear to be able to shoot a bullet or cause injuries, including:

- lighters shaped as firearms
- toy guns of any kind
- crossbows
- parts of firearms (except telescopic aiming devices and gun sights)
- numbing devices and those producing an electric shock, such as electric goads for cattle, and ballistic guns that shoot energy (taser)
- slings
- harpoon shooters and harpoon guns
- ball pistols
- air pistols, pellets rifles and guns
- industrial pistols with darts and nail guns
- rocket launchers
- starter guns
- replicas and imitations of firearms
- equipment to put animals to sleep painlessly
- all firearms (pistols, revolvers, carbines, rifles, etc.)

- **Sharp and pointy objects or with rough edges**

Sharp items or with a blade that may cause injuries, including:

- harpoons and spears
- axes and hatchets
- artisans' tools that could be used as pointy weapons or with rough edges (for instance drills and drill bits,
- trimmers, cutters, all types of saws, screwdrivers, crowbars, hammers, pliers, pipe wrenches, welders)
- ski poles and walking / hiking sticks
- scalpels
- knives, including those for ceremonies, with blades longer than 6 cm, made of metal or of any other material sufficiently
- robust to make them potentially harmful
- scissors with blades longer than 6 cm
- arrows and darts
- machetes
- butchers' cleavers
- skates for ice-skating
- ice axes
- crampons
- open razors and razor blades (except safety or one-time razors with the blades incorporated in the cartridge)
- sabres, swords and sticks with a hidden blade
- throwing-stars
- penknives and flick knives with blades of any length

- **Tools with bevelled edges**

Any bevelled tool that may cause injuries, including:

- equipment for martial arts (for instance, brass knuckles, clubs, truncheons, chains, num chucks, kubatons, kubasaunts)
- fishing-rods
- baseball and softball bats •
- cricket bats
- golf clubs
- hockey sticks
- lacrosse sticks
- rigid or flexible clubs and sticks (for instance truncheons, baton charges and sticks)
- paddles for kayaks and canoes
- skate-boards
- billiard cues and the like

- **Explosives and flammable substances**

Any explosives or highly flammable substances representing a risk for the wellbeing of passengers and crew or for the safety of the aircraft and the cargo, including:

- turpentine and solvents for varnish
- alcoholic beverages with a contents of volumetric alcohol over 70% (140% in degrees proof)
- tear gas grenades and cartridges
- flammable liquid fuels (for instance oil/gas, diesel oil, fuel for lighters, alcohol, ethanol)
- detonators

- detonators and fuses
- explosives and explosive devices
- non-safety matches
- fireworks, rockets (any type) and other pyrotechnic articles (including bangers and toy cartridges)
- gas and containers for gas (for instance butane, propane, acetylene, oxygen) of considerable size
- grenades of all types
- mines and other military explosive devices
- ammunitions
- replicas or imitations of explosive materials and devices
- underwater torch with batteries inserted
- spray paint with aerosol

- **Chemical and toxic substances**

Any chemical or toxic substance that may constitute a risk for the wellbeing of passengers and crew or for the safety of the aircraft or cargo, including:

- acids and alkalis (for instance "wet-cell" spillable batteries)
- extinguishers
- dangerous infectious matter or biological matter (for instance, infected blood, bacteria and viruses)
- radioactive matter (for instance medical or commercial isotopes)
- self-igniting or spontaneous combustion matter
- corrosive or bleaching substances (for instance mercury, chlorine)
- disabling or paralyzing sprays (for instance, irritant sprays, tear gas)
- poison

- **Liquid substances not contained in the re-sealable transparent plastic bag**

## 8.3 ARTICLES PROHIBITED IN THE HOLD

The following articles are prohibited in the hold:

- spray cans for self-defence
- parts of the fuel system of vehicles that have contained fuel
- alarm devices
- explosives, including detonators, fuses, grenades, mines and bombs
- gas, including propane and butane
- flammable liquids, including gasoline and methanol
- irritant and cooling liquids
- radioactive matter, including medical and commercial isotopes
- flammable solids and reactive substances, including magnesium, ignition devices, pyrotechnic articles and rockets
- corrosive substances, including mercury and batteries for vehicles
- liquid/solid flammable substances including alcohol over 70 degrees
- magnetizing substances
- oxidizing substances and organic peroxide, including whitener and kits for automobile bodywork
- toxic or infectious substances, including rat poison and infected blood
- underwater torch with batteries inserted



## 9 STRIKE OCCURENCES IN THE AIR TRANSPORT SECTOR

### APPLICABLE LAW:

- Law 12 June 1990, n. 146 amended by Law 11 April 2000, n. 83 "Regulations concerning exercising the right to go on strike with reference to essential public services and the safeguard of people's constitutional rights. Institution of the Guarantee Committee for the implementation of the law"
- Temporary regulation of the essential provisions and of the other measures of art. 2, paragraph 2, Law n. 146/1990 as amended by Law n. 83/2000 concerning the air transport sector (Decision n. 01/92 of 19/07/01 Guarantee Committee for the implementation of the law regulating strikes affecting essential public services)

### Based on current law:

- Periods during which no strike can take place:
  - from 18 December to 7 January
  - from 24 April to 2 May
  - from 27 June to 4 July
  - from 27 July to 5 September
  - from 30 October to 5 November
  - from Thursday before to Thursday after Easter
  - from the third day before to the third day after polling day for national, European and regional elections, and national referendums
  - from the day before to the day after political by-elections or partial regional and administrative elections, limited to the areas concerned only
- The normal effectuation is guaranteed for all flights (including charter flights) whose programmed departure is, based on published schedules, during the 7.00-10.00 and 18.00-21.00 time slots, as well as for international flights arriving within half an hour of the expiration of the above mentioned time slots.
- During the hours outside the 7.00-10.00 and 18.00-21.00 time slots
  - a) In case of strike of airlines personnel, for each air carrier the effectuation of the following is guaranteed:
    - one intercontinental flight departing from each continent (geographic areas as defined by IATA - International AirTransport Association)
    - one single daily connection from and to the islands, from each national airport serviced - charter flights connecting with the islands, regularly authorized or notified prior to the date of the announcement of the strike
  - In case the strike should force to cancel charter flights that had been authorized and notified prior to the date of the announcement of the strike, in order to safeguard the rights of the users to re-programme the departure, the airlines concerned are bound to inform immediately the tour operators on the terms of the strike and on any alternative available options.
  - b) In case of strike of the employees of the National Company for Flight Assistance (Enav spa), the following is guaranteed for each air carrier:
    - arrival at destination of all national flights underway at the start of the strike
    - arrival at destination of all intercontinental flights, including transits at national airports
    - departure of intercontinental flights, 50% of flights scheduled by each airline -
    - one single daily connection from and to the islands, from each national airport serviced

The list of guaranteed flights is available on the website of Enac [www.enac.gov.it](http://www.enac.gov.it).



## USEFUL TIPS

The dates of announcement, revocation and postponement of strikes are published on the website of the Guarantee Committee for the implementation of the Law regulating strikes affecting essential public services [www.commissione-garanziasciopero.it](http://www.commissione-garanziasciopero.it) or on the website of the Ministry of Infrastructures and Transport [www.infrastrutturetrasporti.it](http://www.infrastrutturetrasporti.it).

## ENAC OFFICES

<b>Aeroporto di Alghero</b>	Regione Nuraghe Biancu 07040 Loc. S. Maria La Palma (Sassari) tel. +39 079 9369716 / 702 / 712 fax +39 079 9369720 aero.alghero@enac.gov.it
<b>Aeroporto di Ancona</b>	Piazzale Sordani, 1 60015 Falconara Marittima (Ancona) tel. +39 071 9156083 fax +39 071 9156036 aero.ancona@enac.gov.it
<b>Aeroporto di Bari</b>	Viale Enzo Ferrari 70128 Bari Palese tel. +39 080 5361400 fax +39 080 5361417 aero.bari@enac.gov.it
<b>Aeroporto di Bergamo</b>	Via Aeroporto, 13 24050 Orio al Serio (Bergamo) tel. +39 035 311269 / 317375 fax +39 035 311408 aero.bergamo@enac.gov.it
<b>Aeroporto di Bologna</b>	Via Triumvirato, 84 40132 Bologna tel. +39 051 6479690 fax +39 051 6486909 aero.bologna@enac.gov.it
<b>Aeroporto di Bolzano</b>	Via Francesco Baracca, 1 39100 Bolzano tel. +39 0471 252238 fax +39 0471 254022 aero.bolzano@enac.gov.it
<b>Aeroporto di Brindisi</b>	Contrada Baroncino 72011 Brindisi Casale tel. +39 0831 416511 fax +39 0831 416516 aero.brindisi@enac.gov.it
<b>Aeroporto di Cagliari</b>	09030 Elmas (Cagliari) tel. +39 070 210547 fax +39 070 210536 aero.cagliari@enac.gov.it
<b>Aeroporto di Catania</b>	Via Fontanarossa 95121 Catania tel. +39 095 340710 fax +39 095 349544 aero.catania@enac.gov.it
<b>Aeroporto di Firenze</b>	Via del Termine, 11 50127 Firenze tel. +39 055 317123 fax +39 055 308036 aero.firenze@enac.gov.it
<b>Aeroporto di Genova</b>	16154 Genova Sestri Ponente tel. +39 010 6512309 / 729 fax +39 010 6503258 aero.genova@enac.gov.it

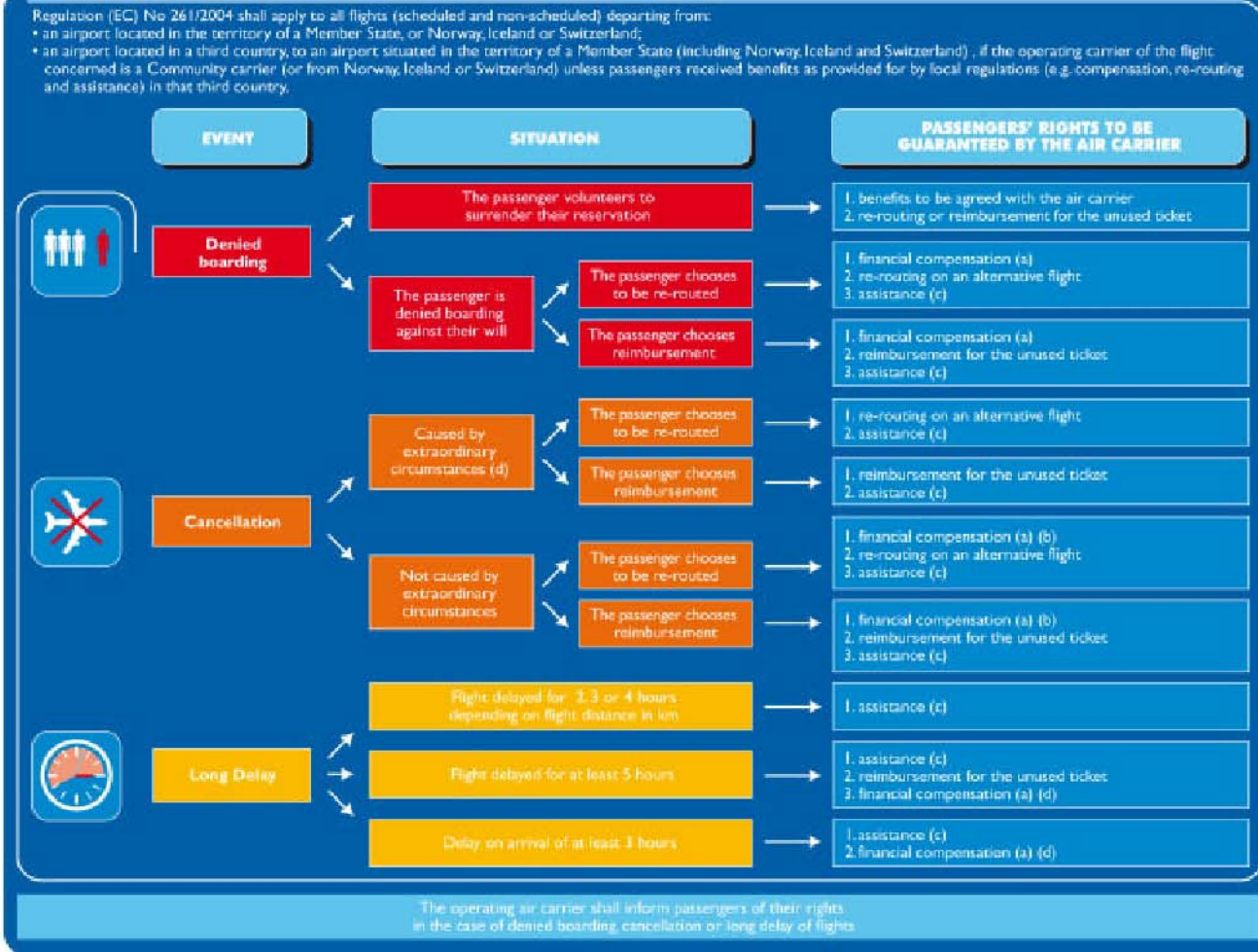
<b>Aeroporto di Lamezia</b>	88046 Lamezia Terme (Catanzaro) tel. +39 0968 414345 / 309 fax +39 0968 414360 aero.lamezia@enac.gov.it
<b>Aeroporto di Lampedusa</b>	Via Bonfiglio 92010 Lampedusa (Agrigento) tel. +39 0922 970006 fax +39 0922 971090 aero.lampedusa@enac.gov.it
<b>Aeroporto di Milano Linate</b>	20090 Milano Linate tel. +39 02 74852952 fax +39 02 7560264 aero.linate@enac.gov.it
<b>Aeroporto di Milano Malpensa</b>	21010 Ferno (Varese) tel. +39 02 74867702 fax +39 02 74867703 aero.malpensa@enac.gov.it
<b>Aeroporto di Napoli</b>	Viale Fulco Ruffo di Calabria 80144 Napoli tel. +39 081 5951153 / 225 fax +39 081 5951112 aero.napoli@enac.gov.it
<b>Aeroporto di Olbia</b>	07026 Olbia (Sassari) tel. +39 0789 69101 / 228 fax +39 0789 642009 / 191 aero.olbia@enac.gov.it
<b>Aeroporto di Palermo</b>	90045 Cinisi (Palermo) tel. +39 091 7020795 fax +39 091 591023 aero.palermo@enac.gov.it
<b>Aeroporto di Pantelleria</b>	Località Margana 91017 Pantelleria (Trapani) tel. +39 0923 911172 fax +39 0923 912464 aero.pantelleria@enac.gov.it
<b>Aeroporto di Parma</b>	Via dell'Aeroporto, 44/A 43010 Parma tel. +39 0521 992986 / 951518 fax +39 0521 992986 aero.parma@enac.gov.it
<b>Aeroporto di Perugia</b>	06080 S.Egidio (Perugia) tel. +39 075 6920169 / 494 fax +39 075 5926696 aero.perugia@enac.gov.it
<b>Aeroporto di Pescara</b>	Via Tiburtina Valeria 65100 Pescara tel. +39 085 4311962 fax +39 085 4311992 aero.pescara@enac.gov.it

<b>Aeroporto di Pisa</b>	Piazzale D'Ascanio, 1 56121 Pisa tel. +39 050 44325 / 40132 fax +39 050 506001 aero.pisa@enac.gov.it
<b>Aeroporto di Reggio Calabria</b>	89131 Ravagnese (Reggio Calabria) tel. +39 0965 638219 fax +39 0965 638223 aero.reggiocalabria@enac.gov.it
<b>Aeroporto di Rimini</b>	Via Flaminia, 409 47831 Miramare di Rimini (Rimini) tel. +39 0541 373244 fax +39 0541 375259 aero.rimini@enac.gov.it
<b>Aeroporto di Roma Ciampino</b>	00043 Ciampino (Roma) tel. +39 06 79348320 fax +39 06 79340369 aero.ciampino@enac.gov.it
<b>Aeroporto di Roma Fiumicino</b>	00054 Fiumicino (Roma) tel. +39 06 65953139 fax +39 06 65010844 aero.fiumicino@enac.gov.it
<b>Aeroporto di Ronchi dei Legionari</b>	Via Aquileia, 44 34077 Ronchi dei Legionari (Gorizia) tel. +39 0481 773234 fax +39 0481 776360 aero.trieste@enac.gov.it
<b>Aeroporto di Torino</b>	10072 Caselle Torinese (Torino) tel. +39 011 5678407 / 5678413 / 5676800 fax +39 011 4704320 / 5676418 aero.torino@enac.gov.it
<b>Aeroporto di Trapani</b>	91020 Trapani Birgi tel. +39 0923 841130 fax +39 0923 841800 aero.trapani@enac.gov.it
<b>Aeroporto di Venezia</b>	Viale Galileo Galilei, 16/I 30173 Venezia Tessera tel. +39 041 2605701 / 13 fax +39 041 2605711 aero.venezia@enac.gov.it
<b>Aeroporto di Verona</b>	37060 Caselle di Sommacampagna (Verona) tel. +39 045 8619056 / 7 fax +39 045 8619014 aero.verona@enac.gov.it

The structure Passengers' Chart of Rights, part of the Directorate of Airport Coordination of Enac, coordinates the activities of the territorial offices with reference to the implementation of Regulations (EC) 261/2004, (EC) 1107/2006 and of the Quality of the airport services.



PASSENGER RIGHTS IN THE EVENT OF DENIED BOARDING AND OF CANCELLATION OR LONG DELAY OF FLIGHTS - REGULATION (EC) No. 261/2004



INTRA-COMMUNITY FLIGHTS	1500 KM OR LESS	€ 250
INTRA-COMMUNITY FLIGHTS	MORE THAN 1500 KM	€ 400
INTERNATIONAL FLIGHTS	1500 KM OR LESS	€ 250
INTERNATIONAL FLIGHTS	BETWEEN 1500 AND 3500 KM	€ 400
INTERNATIONAL FLIGHTS	IN EXCESS OF 3500 KM	€ 600



- a) Compensation is payable to the passenger relative to the flight (intra-community or international) and distance in km (see table). The air carrier can reduce the total compensation by 50% if re-routing involves a delay in arrival of not more than 2, 3, or 4 hours (based on the respective distances in km) compared to the scheduled arrival time of the original flight.
- b) The passenger does not have the right to compensation if they are informed of the cancellation: at least two weeks before the scheduled time of departure; between two weeks and seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than two hours before the scheduled time of departure and to reach their final destination less than four hours after the scheduled time of arrival; less than seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than one hour before the scheduled time of departure and to reach their final destination less than two hours after the scheduled time of arrival.
- c) The Passenger has the right to receive, free of charge the following assistance: meals and refreshments in reasonable relation to the waiting time; hotel accommodation in cases where a stay of one or more nights becomes necessary; transport between the airport and place of accommodation; two telephone calls, telex or fax messages, or e-mails.
- d) The Passenger does not have the right to compensation where the air carrier can prove that a cancellation/long delay has been caused by extraordinary circumstances (e.g. meteorological conditions incompatible with the operation of the flight, security risks or strikes).

Complaints must be addressed in the first instance to the air carrier with whom the Passenger booked their flight. Should the passenger not receive a satisfactory response within six weeks, complaints can be made to:

- The ENAC offices of the national airport where the infringement took place, or where the flight landed for an event taking place outside the Member States, Norway, Iceland and Switzerland.
- The relevant Bodies of Member States, Norway, Iceland and Switzerland for flights originating and arriving in those States from third countries - the contact details are available on the ENAC web site [www.enac.gov.it](http://www.enac.gov.it), in the section "I Diritti dei Passaggi (Passengers' Rights)".

**Complaints to ENAC**

It is possible to send complaints by post, fax and email, or by using the on-line form specially designed to collect all relevant information and facilitate the complaints procedure. The form is available on the ENAC web site [www.enac.gov.it](http://www.enac.gov.it) in the section "I Diritti dei Passaggi (Passengers' Rights)".

ENAC is the Body responsible for the application of Regulation (EC) 261/2004 relative to the rights of passengers in the event of denied boarding and of cancellation or long delay of flights, and has the power to sanction those air carriers failing to comply with the regulation.

The results of any investigations carried out by ENAC will be communicated to the passenger who will be able to use them to support any legal action they may take.

