

Airline Tariff Publishing Company, Agent
INTERNATIONAL PASSENGER RULES AND FARES TARIFF
NO. IPR-2

6th Revised Page 80-J
 Cancels 5th Revised Page 80-J

RULE	SECTION III - REFUNDS AND REROUTING
C87	<p>[C] DENIED BOARDING COMPENSATION PART 16 - VIA SK</p> <p>Notice on passenger rights in the event of long delay or cancellation of flights or denied boarding by Scandinavian Airlines This Notice is required by regulation EC 261/2004 of the European Parliament and of the Council of European Union</p> <p>(A) APPLICABILITY The following rules shall apply:</p> <ol style="list-style-type: none"> (1) In respect of flights departing from an airport in the EU and flights operated by a Community air carrier departing from an airport in a third country to an airport in the EU (unless the passenger received benefits or compensation and were given assistance in that third country. (2) On condition that the passenger has a confirmed reservation on the flight concerned and presented themselves for check-in at the time indicated or, if no time is indicated, not later than 45 minutes before the published departure time; (3) Cancellations: In the event of the non-operation of a flight which was previously planned to be operated and in which at least one place was reserved; (4) Applicable for passengers travelling at a fare available directly or indirectly to the public, or on tickets issued under a frequent flyer program or other commercial program; (5) Where SK is the operating carrier of the flight. (6) Unless the passenger has volunteered to surrender their reservation assistance described in this folder will apply without prejudice to any rights the passenger may have under applicable law to further compensation. Such assistance granted may be deducted from any such further compensation. <p>(B) FLIGHT CANCELLATION If a flight is cancelled, SK will offer the following assistance:</p> <ol style="list-style-type: none"> (1) A choice between: <ol style="list-style-type: none"> (a) reimbursement within seven days of the full cost of the ticket, at the price at which it was bought, for the part or parts of the journey not made, and for the part or parts already made if the flight is no longer serving any purpose in relation to the original travel plan together with, when relevant, a return flight to the first point of departure, at the earliest opportunity; or (b) rerouting, under comparable transport conditions, to the final destination, at the earliest opportunity; or (c) rerouting, under comparable transport conditions, to the final destination at a later date at the passengers convenience, subject to availability of seats. (2) In addition, SK will offer, free of charge: <ol style="list-style-type: none"> (a) meals and refreshments in a reasonable relation to the waiting time; and (b) two telephone calls, telex or fax messages or e-mails. (3) In the event of re-routing in connection with the cancelled flight, if the reasonably expected time of departure of the new flight is at least the day after the departure as it was planned for the cancelled flight, SK will also offer: <ol style="list-style-type: none"> (a) hotel accommodation, <ol style="list-style-type: none"> (i) where a stay of one or more nights becomes necessary, or where a stay additional to that intended becomes necessary, and (ii) transport between the airport and place of accommodation. (4) In certain situations the passenger may also be entitled to compensation as follows: <ol style="list-style-type: none"> (a) EUR 250 for all flights of 1500 km or less; (b) EUR 400 for all intra-community flights of more than 1500 kilometers and for all other flights between 1500 and 3500 kilometers; (c) EUR 600 for all flights not falling under a) or b). (d) When passengers are offered rerouting to their final destination on an alternative flight, the arrival time of which does not exceed the scheduled arrival time of the flight originally booked; <ol style="list-style-type: none"> (i) by two hours, in respect of all flights of 1500 kilometers or less; or (ii) by three hours, in respect of all intra-community flight of more than 1500 Kilometers and for all other flights between 1500 and 3500 kilometers; or (iii) by four hours, in respect of all flights not falling under (i) or (ii) the operating air carrier may reduce the compensation provided for by 50%. <p>NOTE: For the above purposes, "final destination" means the destination on the ticket presented at the check-in counter, or, in the case of directly connecting flights, the destination of the last flight; alternative connecting flights available shall not be taken into account if the original planned arrival time is respected.</p>
<p>For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.</p>	
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3rd Revised Page 80-K
 Cancels 2nd Revised Page 80-K

RULE	SECTION III - REFUNDS AND REROUTING
C87	<p>(C) DENIED BOARDING COMPENSATION (Continued) PART 16 - VIA SK (Continued)</p> <p>(B) FLIGHT CANCELLATION (Continued)</p> <p>(5) This compensation does not apply at all if: SK can prove that the cancellation is caused by extraordinary circumstances, which could not have been avoided even if all reasonable measures had been taken. Such circumstances may, in particular, occur in cases of political instability, meteorological conditions incompatible with the operation of the flight concerned, security risks, unexpected flight safety shortcomings and strikes that affect the operation of an operating air carrier and impact of an air traffic management decisions; or</p> <p>(a) Passengers informed of the cancellation at least two weeks before the scheduled time of departure; or</p> <p>(b) Passengers informed of the cancellation between two weeks and seven days</p> <p>(c) Passengers informed of cancellation between two weeks and seven days before the scheduled time of departure and are offered re-routing, allowing you to depart no more than two hours before the scheduled time of departure and to reach your final destination less than four hours after the scheduled time of arrival; or</p> <p>(d) Passengers informed of the cancellation less than seven days before the scheduled time of departure and are offered rerouting, allowing the passenger 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.</p> <p>(6) <u>Delay</u> When SK reasonably expects a flight to be delayed beyond its scheduled time of departure:</p> <p>(a) For two hours or more in the case of flights of 1500 km or less;</p> <p>(b) For three hours or more in the case of all intra-community flights of more than 1500 kilometers and of all other flights between 1500 and 3500 kilometers; or</p> <p>(c) For four hours or more in the case of all flights not falling under a) or b). SK will offer the passenger free of charge:</p> <p>(i) meals and refreshments in a reasonable relation to the waiting time; and</p> <p>(ii) two telephone calls, telex or fax messages or emails.</p> <p>(iii) When the time of departure reasonably expected is at least the day after the time of departure previously announced, in addition to the assistance described above, SK will offer the passenger, depending on local availability.</p> <p>.hotel accommodation in cases, .where a stay of one or more nights becomes necessary, or .where a stay additional to that intended by the passenger becomes necessary, and .transport between the airport and place of accommodation.</p> <p>(d) When the delay is at least five hours and passenger decides not to travel on the delayed flight, SK will offer: reimbursement within seven days of the full full cost of your ticket, at the price at which it was bought, for the part or parts of the journey not made, and for the part or parts already made if the flight is no longer serving any purpose in relation to your original travel plan, together with, when relevant, a return flight to the first point of departure, at the earliest opportunity.</p>
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RULE	SECTION III - REFUNDS AND REROUTING
C87	<p>(C) <u>DENIED BOARDING COMPENSATION</u> (Continued) <u>PART 16 - VIA SK</u> (Continued)</p> <p>(B) <u>FLIGHT CANCELLATION</u> (Continued)</p> <p>(7) <u>Denied Boarding Resulting From Overbooking:</u> Denied boarding is a refusal by an airline to carry a passenger on a flight, even though the passenger has presented himself or herself for boarding under the conditions mentioned above under the heading Applicability, except when there are reasonable grounds to deny boarding, such as reasons of health, safety, security or inadequate travel documentation. Before SK denies boarding for a flight we call for volunteers to surrender their reservations, in return for benefits under conditions to be agreed, see sep. note. If an insufficient number of volunteers come forward and we deny boarding to the passenger against their will, SK will immediately compensate the passenger as follows: (a) EUR 250 for all flights of 1500 km or less; (b) EUR 400 for all intra-community flights of more than 1500 kilometers, and for all other flights between 1500 and 3500 kilometers; (c) EUR 600 for all flights not falling under a) or b).</p> <p>(8) When passengers are offered rerouting to their final destination on an alternative flight, the arrival time of which does not exceed the scheduled arrival time of the flight originally booked (a) by two hours, in respect of all flights of 1500 kilometers or less; or (b) by three hours, in respect of all intra-community flights of more than 1500 kilometers and for all other flights between 1500 and 3500 kilometers; or (c) by four hours, in respect of all flights not falling under a) or b), SK may reduce the compensation provided for by 50%.</p> <p>(9) In determining the distance, the basis shall be the last destination at which the denial of boarding will delay the passenger's arrival after the scheduled time. In addition, SK will offer the following: (a) A choice between: (i) reimbursement withi seven days of the full cost of the ticket, at the price at which it was bought, for the part or parts of the journey not made, and for the parts already made if the flight is no longer serving any purpose in relation to the original travel plan together with, when relevant, a return flight to the first point of departure, at the earliest opportunity; or (ii) rerouting under comparable transport conditions, to the final destination, at the earliest opportunity; or (iii) rerouting, under comparable transport conditions, to final destination at a later date at the passenger's convenience, subject to availability of seats. (b) SK will offer free of charge: (i) meals and refreshments in a reasonable relation to the waiting time, and (ii) hotel accommodation in cases: .where a stay of one or more nights becomes necessary .where a stay additional to that intended by the passenger becomes necessary, and (iii) transport between the airport and place of accommodation, and (iv) two telephones call, telex or fax messages or emails.</p> <p>(10) <u>Downgrading</u> If SK places the passenger in a cabin class lower than for which the ticket was purchased the passenger is entitled to reimbursement to a certain percentage of the fare paid for the respective flight leg. Passenger may be offered a lump sum to cover compensation for downgrading or reimbursements as described below: (a) 30% of the price of the flight coupon for all flights of 1500 kilometers or less, or (b) 50% of the price of the flight coupon for all intra-community flights of more than 1500 kilometers, and for all other flights between 1500 and 3500 kilometers, or (c) 75% of the price of the flight coupon for all flights not falling under a) or b). The compensation will be forwarded to the passenger within 7 days after the downgrading took place. This right does not apply to passengers travelling in a lower cabin class at their own convenience.</p>
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RULE	SECTION III - REFUNDS AND REROUTING
87 C	<p>DENIED BOARDING COMPENSATION (Continued)</p> <p style="text-align: center;">PART 17 - VIA [C]NZ (Applicable for flights originating in the U.S.A.)</p> <p>(A) REQUEST FOR VOLUNTEERS The carrier will request passengers who are willing to do so, to voluntarily relinquish their confirmed reserved space in exchange for compensation in an amount determined by the carrier. If a passenger is asked to volunteer, the carrier will not later deny boarding to that passenger involuntarily unless that passenger was informed at the time he was asked to volunteer that there was a possibility of being denied boarding involuntarily and of the amount of compensation to which he would have been entitled in that event. The request for volunteers and the selection of such persons to be denied space shall be in a manner determined solely by the carrier.</p> <p>(B) BOARDING PRIORITIES If a flight is oversold (more passengers hold confirmed reservations than there are seats available), no one may be denied boarding against his will until airline personnel first ask for volunteers who will give up their reservations willingly, in exchange for a payment of the airline's choosing. If there are not enough volunteers, other passengers may be denied boarding involuntarily, in accordance with the boarding priority of the specific carrier. The boarding priorities are provided below. NOTE: The boarding priorities as presented below will appear in the Notice provided to passengers denied boarding (see paragraph (E) below). Carrier shall accommodate passengers in the order of their arrival time at the ticket lift point. Should it become necessary to deny boarding involuntarily, boarding shall be denied to the last passenger(s) to arrive at the ticket lift point, except that physically handicapped passengers, unaccompanied children and aged or infirm passengers may be excluded from the determination of which passengers shall be denied boarding.</p> <p>(C) TRANSPORTATION FOR PASSENGER DENIED BOARDING When the carrier is unable to provide previously confirmed space the carrier causing the passenger to be delayed will provide transportation to persons who have been denied boarding, whether voluntarily or involuntarily, in accordance with the provisions below. (1) Carrier will transport the passenger without stopover on its next flight on which space is available at no additional cost to the passenger regardless of class of service. (2) If the carrier causing such delay is unable to provide onward transportation acceptable to the passenger, any other carrier or combination of carriers, at the request of the passenger, will transport the passenger without stopover on its (their) next flight(s) in the same class of service as the passenger's original outbound flight, or if space is available on a flight(s) of a different class of service acceptable to the passenger, such flight(s) will be used without stopover at no additional cost to the passenger only if it (they) will provide an earlier arrival at the passenger's destination, next stopover point, or transfer point.</p> <p>(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING In addition to providing transportation as described in paragraph (C) above, when the passenger who is delayed has not voluntarily relinquished confirmed reserved space in accordance with provisions in paragraph (A) above, the carrier causing the delay will compensate the delayed passenger for the carrier's failure to provide confirmed space. Compensation will be made in accordance with the provisions below. (1) Conditions for Payment (a) The passenger holding a ticket for confirmed space must present himself for carriage at the appropriate time and place, having complied fully with the carrier's requirements as to ticketing, check-in, and reconfirmation procedures and having met all requirements for acceptance for transportation published in carrier's tariff. (b) The flight for which the passenger holds confirmed reserved space must be unable to accommodate the passenger and departs without him. EXCEPTION 1: The passenger will not be eligible for compensation if the flight on which he holds confirmed reserved space is unable to accommodate him because of substitution of equipment of a lesser capacity when required by operational or safety reasons. EXCEPTION 2: The passenger will not be eligible for compensation if he is offered accommodations or is seated in a section of the aircraft other than that specified on his ticket at no extra charge. If a passenger is seated in a section for which a lower fare applies the passenger shall be entitled to an appropriate refund. EXCEPTION 3: The passenger will not be eligible for compensation if his reservation has been cancelled pursuant to Rule 60(F)--Check-In Time Limits. EXCEPTION 4: Employees of the carrier or of other carriers traveling on a reduced rate basis. These employees are not eligible for denied boarding compensation. EXCEPTION 5: The passenger will not be eligible for compensation if placed on another flight(s) that is planned to reach the passenger's destination within one hour of the scheduled arrival of his/her original flight.</p> <p style="text-align: right;">(Continued on next page)</p>
<p>For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.</p>	
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RULE

SECTION III - REFUNDS AND REROUTING

87 DENIED BOARDING COMPENSATION (Continued)

C

PART 17 - VIA [CINZ (Continued)

(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING (Continued)

(1) Conditions for Payment (Continued)

(b) (Continued)

NOTE: The carrier will inform its passenger of its tariff rules concerning check-in time limits by publication in its public timetables and ticket envelopes, and that failure to comply with these rules will result in the cancellation of the passenger's reservation and will render him ineligible for denied boarding compensation.

(2) Amount of Compensation

Subject to provisions of paragraph (D) (1) above, the carrier will tender liquidated damages in the amount of 200% of the sum of the values of the passenger's remaining flight coupons of the ticket to the passenger's next stopover, or if none, to his destination, but not more than USD 400.00. However, the compensation shall be 50% of the amount described above, but not more than USD 200.00 if the carrier arranges for comparable air transportation, or for other transportation that is accepted. That is, transportation used by the passenger, which, at the time either arrangement is made, is planned to arrive at the airport of the passenger's next stopover, or if none, at the airport of the passenger's destination earlier than, or not later than four hours after the planned arrival at the airport of the passenger's next stopover, or if none, at the airport of the passenger's destination, of the flight on which the passenger holds a confirmed reservation.

EXCEPTION: If arrangements can be made for comparable air transportation that is planned to arrive at the passenger's next stopover or destination not later than two hours after the flight on which the passenger holds confirmed space, but such accommodations would be in a section of the aircraft other than that specified on the passenger's ticket and the passenger refuses to accept such accommodations (at no additional charge or subject to an appropriate refund), the carrier shall pay the passenger only such amount of denied boarding compensation as he would have received had he accepted such comparable air transportation.

NOTE 1: If the offer of compensation is made by the carrier and accepted by the passenger, such payment will constitute full compensation for all actual or anticipatory damages incurred or to be incurred by the passenger as a result of carrier's failure to provide passenger with confirmed reserved space.

NOTE 2: Passengers who are offered such compensation will not be provided with the amenities and services offered under the provisions of Rule 95 to delayed passenger.

NOTE 3: At the passenger's option, [CINZ may compensate the passenger with credit valid for transportation in lieu of monetary compensation. The amount of the credit offered shall be equal to or greater than the monetary compensation due to the passenger. The transportation credit will be valid for one year from the date of issue and will be non-refundable and non-transferable.

(3) Time of Offer of Compensation

The offer of compensation will be made by the carrier on the day and at the place where the failure to provide confirmed reserved space occurs, and, if accepted, will be receipted for by the passenger. Provided, however, that when the carrier arranges, for the passenger's convenience, alternate means of transportation that departs prior to the time the offer can be made to the passenger, the offer shall be made by mail or other means within 24 hours after the time the failure occurs.

(E) NOTICE PROVIDED PASSENGERS

The following written notice shall be provided all passengers who are denied boarding involuntarily on flights on which they hold confirmed reserved space. Blanks that appear in parentheses in the notice below will be completed in the actual notice provided passengers, with the full name of the applicable carrier and with the carrier's specific boarding priorities.

NOTE: For the purpose of this rule, specific boarding priorities are provided in paragraph (B) above.

(1)

COMPENSATION FOR DENIED BOARDING

If you have been denied a reserved seat on () Airlines, you are probably entitled to monetary compensation. This notice explains the airline's obligations and the passenger's rights in the case of an oversold flight, in accordance with regulations of the U.S. Civil Aeronautics Board.

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For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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17th Revised Page 82-A
 Cancels 16th Revised Page 82-A

RULE	SECTION III - REFUNDS AND REROUTING
87 C	<p>DENIED BOARDING COMPENSATION (Continued)</p> <p>PART 17 - VIA IC/NZ (Continued)</p> <p>(E) NOTICE PROVIDED PASSENGERS (Continued)</p> <p>(2) VOLUNTEERS AND BOARDING PRIORITIES If a flight is oversold (more passengers hold confirmed reservations than there are seats available), no one may be denied boarding against his will until airline personnel first ask for volunteers who will give up their reservations willingly, in exchange for a payment of the airline's choosing. If there are not enough volunteers, other passengers may be denied boarding involuntarily, in accordance with the following boarding priority of () Airlines:</p> <p>(3) COMPENSATION FOR INVOLUNTARY DENIED BOARDING If you are denied boarding involuntarily, you are entitled to a payment of "denied boarding compensation" from the airline unless (1) you have not fully complied with the airline's ticketing, check-in, and reconfirmation requirements, or you are not acceptable for transportation under the airline's tariff filed with the C.A.B., or (2) you are denied boarding because the flight is cancelled; or (3) you are denied boarding because a smaller capacity aircraft was substituted for safety or operational reasons; or (4) you are offered accommodations in a section of the aircraft other than that specified in your ticket, at no extra charge. (A passenger seated in a section for which a lower fare is charged must be given an appropriate refund.); or (5) the airline is able to place you on another flight(s) that are planned to reach your destination within one hour of the scheduled arrival of your original flight.</p> <p>(4) AMOUNT OF DENIED BOARDING COMPENSATION Passengers who are eligible for denied boarding compensation must be offered a payment equal to the sum of the face values of their ticket coupons, with a USD/FCU 200.00 maximum. However, if the airline cannot arrange "alternate transportation" (see below) for the passenger, the compensation is doubled (USD 400.00 maximum). The "value" of a ticket coupon is the one way fare for the flight shown on the coupon, including any surcharge and air transportation tax, minus any applicable discount. All flight coupons, including connecting flights, to the passenger's destination or first 4-hour stopover are used to compute the compensation. "Alternate transportation" is air transportation provided by an airline licensed by the C.A.B. or other transportation used by the passenger which, at the time the arrangement is made, is planned to arrive at the passenger's next scheduled stopover (of 4 hours or longer) or destination no later than 4 hours after the passenger's originally scheduled arrival time.</p> <p>(5) METHOD OF PAYMENT The airline must give each passenger who qualifies for denied boarding compensation, a payment by check or draft for the amount specified above, on the day and place the involuntary denied boarding occurs. However, if the airline arranges alternate transportation for the passenger's convenience that departs before the payment can be made, the payment will be sent to the passenger within 24 hours. The air carrier may offer you free tickets in place of the cash payment. The passenger may, however, insist on the cash payment, or refuse all compensation and bring private legal action.</p> <p>(6) PASSENGER'S OPTIONS Acceptance of the compensation (by endorsing the check or draft within 30 days) relieves () Airlines from any further liability to the passenger caused by its failure to honor the confirmed reservation. However, the passenger may decline the payment and seek to recover damages in a court of law or in some other manner.</p>
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 Cancels 16th Revised Page 82-B

RULE

SECTION III - REFUNDS AND REROUTING

87

DENIED BOARDING COMPENSATION (Continued)

PART 18 - VIA TM
 (Applicable for flights originating in the U.S.A.)

(A) REQUEST FOR VOLUNTEERS

The carrier will request passengers who are willing to do so, to voluntarily relinquish their confirmed reserved space in exchange for compensation in an amount determined by the carrier. If a passenger is asked to volunteer, the carrier will not later deny boarding to that passenger involuntarily unless that passenger was informed at the time he was asked to volunteer that there was a possibility of being denied boarding involuntarily and of the amount of compensation to which he would have been entitled in that event. The request for volunteers and the selection of such persons to be denied space shall be in a manner determined solely by the carrier.

(B) BOARDING PRIORITIES

If a flight is oversold (more passengers hold confirmed reservations than there are seats available), no one may be denied boarding against his will until airline personnel first ask for volunteers who will give up their reservations willingly, in exchange for a payment of the airline's choosing. If there are not enough volunteers, other passengers may be denied boarding involuntarily, in accordance with the boarding priority of the specific carrier. The boarding priorities are provided below.

NOTE: The boarding priorities as presented below will appear in the Notice provided to passengers denied boarding (see paragraph (E) below).

Carrier shall accommodate passengers in the order of their arrival time at the ticket lift point. Should it become necessary to deny boarding involuntarily, boarding shall be denied to the last passenger(s) to arrive at the ticket lift point, except that physically handicapped passengers, unaccompanied children and aged or infirm passengers may be excluded from the determination of which passengers shall be denied boarding.

EXCEPTION: If it appears in advance of flight departure that a given class of service will likely be oversold and that some involuntary upgrades to a higher class of service on the same flight may well be necessary, such upgrading may begin no sooner than one-half hour before scheduled departure time and such passengers shall be upgraded in order of (i) their arrival time at the ticket lift point and (ii) by priority of fare type to the extent practical.

(C) TRANSPORTATION FOR PASSENGER DENIED BOARDING

When the carrier is unable to provide previously confirmed space the carrier causing the passenger to be delayed will provide transportation to persons who have been denied boarding, whether voluntarily or involuntarily, in accordance with the provisions below.

- (1) Carrier will transport the passenger without stopover on its next flight on which space is available at no additional cost to the passenger regardless of class of service.
- (2) If the carrier causing such delay is unable to provide onward transportation acceptable to the passenger, any other carrier or combination of carriers, at the request of the passenger, will transport the passenger without stopover on its (their) next flight(s) in the same class of service as the passenger's original outbound flight, or if space is available on a flight(s) of a different class of service acceptable to the passenger, such flight(s) will be used without stopover at no additional cost to the passenger only if it (they) will provide an earlier arrival at the passenger's destination, next stopover point, or transfer point.

(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING

In addition to providing transportation as described in paragraph (C) above, when the passenger who is delayed has not voluntarily relinquished confirmed reserved space in accordance with provisions in paragraph (A) above, the carrier causing the delay will compensate the delayed passenger for the carrier's failure to provide confirmed space. Compensation will be made in accordance with the provisions below.

(1) Conditions for Payment

- (a) The passenger holding a ticket for confirmed space must present himself for carriage at the appropriate time and place, having complied fully with the carrier's requirements as to ticketing, check-in, and reconfirmation procedures and having met all requirements for acceptance for transportation published in carrier's tariff.
- (b) The flight for which the passenger holds confirmed reserved space must be unable to accommodate the passenger and departs without him.

EXCEPTION 1: The passenger will not be eligible for compensation if the flight on which he holds confirmed reserved space is unable to accommodate him because of substitution of equipment of a lesser capacity when required by operational or safety reasons.

EXCEPTION 2: The passenger will not be eligible for compensation if he is offered accommodations or is seated in a section of the aircraft other than that specified on his ticket at no extra charge. If a passenger is seated in a section for which a lower fare applies the passenger shall be entitled to an appropriate refund.

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For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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RULE	SECTION III — REFUNDS AND REROUTING
87	<p>DENIED BOARDING COMPENSATION (Continued) †PART 18 - VIA TW</p> <p>(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING (Continued)</p> <p>(1) Conditions for Payment (Continued)</p> <p>(b) (Continued)</p> <p>EXCEPTION 3: The passenger will not be eligible for compensation if his reservation has been cancelled pursuant to Rule 60(F)--Check-In Time Limits.</p> <p>EXCEPTION 4: Employees of the carrier or of other carriers traveling on a reduced rate basis. These employees are not eligible for denied boarding compensation.</p> <p>EXCEPTION 5: The passenger will not be eligible for compensation when he/she is accommodated on an extra section flight scheduled to depart within 60 minutes of the scheduled departure time of the flight on which he/she held confirmed space, or if TW arranges other comparable air transportation or other transportation used by the passenger at no extra cost to the passenger, that is the time such arrangements are made, is planned to arrive at the passenger's next stopover, or if none, final destination within one hour after the planned arrival time of the passenger's original flight or flights.</p> <p>(2) Amount of Compensation Subject to provisions of paragraph (D)(1) above, the carrier will tender liquidated damages in the amount of 200% of the sum of the values of the passenger's remaining flight coupons of the ticket to the passenger's next stopover, or if none, to his destination, with a USD/FCU 400.00 maximum. However, the compensation shall be 50% of the amount described above, but no more than USD/FCU 200.00, if the carrier arranges for comparable air transportation, or for other transportation that is accepted. That is, transportation used by the passenger, which, at the time either arrangement is made, is planned to arrive at the airport of the passenger's next stopover, or if none, at the airport of the passenger's destination earlier than, or not later than four hours after the planned arrival at the airport of the passenger's next stopover, or if none, at the airport of the passenger's destination, of the flight on which the passenger holds a confirmed reservation.</p> <p>EXCEPTION: If arrangements can be made for comparable air transportation that is planned to arrive at the passenger's next stopover or destination not later than two hours after the flight on which the passenger holds confirmed space, but such accommodations would be in a section of the aircraft other than that specified on the passenger's ticket and the passenger refuses to accept such accommodations (at no additional charge or subject to an appropriate refund), the carrier shall pay the passenger only such amount of denied boarding compensation as he would have received had he accepted such comparable air transportation.</p> <p>NOTE 1: If the offer of compensation is made by the carrier and accepted by the passenger, such payment will constitute full compensation for all actual or anticipatory damages incurred or to be incurred by the passenger as a result of carrier's failure to provide passenger with confirmed reserved space.</p> <p>NOTE 2: Passengers who are offered such compensation will not be provided with the amenities and services offered under the provisions of Rule 95 to delayed passengers.</p> <p>NOTE 3: At the passenger's option, carrier may compensate the passenger with credit valid for transportation in lieu of monetary compensation. The amount of the transportation credit offered shall be equal to or greater than the monetary compensation due the passenger and will be valid only for travel on TW. The transportation credit will be valid for one year from the date of issue and will be non-refundable and non-transferable.</p> <p>(3) Time of Offer of Compensation The offer of compensation will be made by the carrier on the day and at the place where the failure to provide confirmed reserved space occurs, and, if accepted, will be receipted for by the passenger. Provided, however, that when the carrier arranges, for the passenger's convenience, alternate means of transportation that departs prior to the time the offer can be made to the passenger, the offer shall be made by mail or other means within 24 hours after the time the failure occurs.</p> <p>(E) NOTICE PROVIDED PASSENGERS The following written notice shall be provided all passengers who are denied boarding involuntarily on flights on which they hold confirmed reserved space. Blanks that appear in parentheses in the notice below will be completed in the actual notice provided passengers, with the full name of the applicable carrier and with the carrier's specific boarding priorities.</p> <p>NOTE: For the purpose of this rule, specific boarding priorities are provided in paragraph (B) above.</p>
(Continued on next page)	
<p>For provisions in Rule 87 in effect prior to the effective date hereof, see 16th Revised Pages 76-E/76-F/77 and 78; 8th Revised Pages 78-A and 78-B; 7th Revised Pages 78-C and 78-D and 5th Revised Pages 79 and 80.</p>	
<p>For explanation of abbreviations, reference marks and symbols used but unexplained hereon, see Pages 16 through 26.</p>	
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(Printed in U.S.A.)

CORRECTION NO

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3rd Revised Page 82-E
 (See Note)

RULE

SECTION III - REFUNDS AND REROUTING

87

DENIED BOARDING COMPENSATION (Continued)PART 18 - VIA TM(E) NOTICE PROVIDED PASSENGERS (Continued)

(5)

METHOD OF PAYMENT

The airline must give each passenger who qualifies for denied boarding compensation, a payment by check or draft for the amount specified above, on the day and place the involuntary denied boarding occurs. However, if the airline arranges alternate transportation for the passenger's convenience that departs before the payment can be made, the payment will be sent to the passenger within 24 hours. The carrier may offer transportation credit in place of cash payment. The passenger may, however, insist upon the cash payment, or refuse all compensation and bring legal action.

(6)

PASSENGER'S OPTIONS

Acceptance of the compensation (by endorsing the check or draft within 30 days) relieves () Airlines from any further liability to the passenger caused by its failure to honor the confirmed reservation. However, the passenger may decline the payment and seek to recover damages in a court of law or in some other manner.

C

+(N)(7)

BOOKING PROCEDURES

- (a) Passengers may extend the validity of their DBC for 30 days for a charge of \$35.00 USD; or up to 3 months with local management approval for \$35.00 USD per month.
 (b) TWA will allow a name change for a charge of \$100.00 USD. The DBC holder must purchase the ticket for the person using the fly free voucher.

NOTE: (Issued in lieu of 2nd revised page 82-E rejected by the D.O.T. and the NTA(A)) Cancels 1st revised page 82-E.

For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

ISSUED: May 25, 1995

EFFECTIVE: July 24, 1995

(Except
as Noted)

00760

+ - Effective May 26, 1995 and issued on one (1) day's notice under D.O.T.
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C. A. B. 376

PAGES 82-F THROUGH PAGE 82-T ARE INTENTIONALLY LEFT BLANK

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2nd Revised Page 82-U
 Cancels 1st Revised Page 82-U

RULE	SECTION III - REFUNDS AND REROUTING
87	<p>DENIED BOARDING COMPENSATION (Continued)</p> <p style="text-align: center;">PART 23 - VIA PH (Applicable to flights originating in the U.S.A.)</p> <p>(A) REQUEST FOR VOLUNTEERS The carrier will request passengers who are willing to do so, to voluntarily relinquish their confirmed reserved space in exchange for compensation in an amount determined by the carrier. If a passenger is asked to volunteer, the carrier will not later deny boarding to that passenger involuntarily unless that passenger was informed at the time he was asked to volunteer that there was a possibility of being denied boarding involuntarily and of the amount of compensation to which he would have been entitled in that event. The request for volunteers and the selection of such persons to be denied space shall be in a manner determined solely by the carrier.</p> <p>(B) BOARDING PRIORITIES If a flight is oversold (more passengers hold confirmed reservations than there are seats available), no one may be denied boarding against his will until airline personnel first ask for volunteers who will give up their reservations willingly, in exchange for a payment of the airline's choosing. If there are not enough volunteers, other passengers may be denied boarding involuntarily, in accordance with the boarding priority of the specific carrier. The boarding priorities are provided below. NOTE: The boarding priorities as presented below will appear in the Notice provided to passengers denied boarding (see paragraph (E) below). Passengers will be denied boarding in the following order: (1) Passengers without onward connections. (2) Confirmed revenue passengers, regardless of fare paid. (3) Passengers, regardless of fare paid, who are physically handicapped to an extent that failure to carry would cause a severe hardship, or any other passengers, including unaccompanied minors under 12 years of age, who would suffer a severe hardship.</p> <p>(C) TRANSPORTATION FOR PASSENGER DENIED BOARDING When the carrier is unable to provide previously confirmed space the carrier causing the passenger to be delayed will provide transportation to persons who have been denied boarding, whether voluntarily or involuntarily, in accordance with the provisions below. (1) Carrier will transport the passenger without stopover on its next flight on which space is available at no additional cost to the passenger regardless of class of service. (2) If the carrier causing such delay is unable to provide onward transportation acceptable to the passenger, any other carrier or combination of carriers, at the request of the passenger, will transport the passenger without stopover on its (their) next flight(s) in the same class of service as the passenger's original outbound flight, or if space is available on a flight(s) of a different class of service acceptable to the passenger, such flight(s) will be used without stopover at no additional cost to the passenger only if it (they) will provide an earlier arrival at the passenger's destination, next stopover point, or transfer point.</p> <p>(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING In addition to providing transportation as described in paragraph (C) above, when the passenger who is delayed has not voluntarily relinquished confirmed reserved space in accordance with provisions in paragraph (A) above, the carrier causing the delay will compensate the delayed passenger for the carrier's failure to provide confirmed space. Compensation will be made in accordance with the provisions below. (1) Conditions for Payment (a) The passenger holding a ticket for confirmed space must present himself for carriage at the appropriate time and place, having complied fully with the carrier's requirements as to ticketing, check-in, and reconfirmation procedures and having met all requirements for acceptance for transportation published in carrier's tariff. (b) The flight for which the passenger holds confirmed reserved space must be unable to accommodate the passenger and depart without him. EXCEPTION 1: The passenger will not be eligible for compensation if the flight on which he holds confirmed reserved space is unable to accommodate him because of substitution of equipment of a lesser capacity when required by operational or safety reasons. EXCEPTION 2: The passenger will not be eligible for compensation if he is offered accommodations or is seated in a section of the aircraft other than that specified on his ticket at no extra charge. If a passenger is seated in a section for which a lower fare applies the passenger shall be entitled to an appropriate refund. EXCEPTION 3: The passenger will not be eligible for compensation if his reservation has been cancelled pursuant to Rule 60(F)--Check-In Time Limits or Rule 60 (G)--Reconfirmation of Reservations. EXCEPTION 4: Employees of the carrier or of other carriers traveling on a reduced rate basis. These employees are not eligible for denied boarding compensation. EXCEPTION 5: The passenger will not be eligible for compensation if placed on another flight(s) that are planned to reach the passenger's destination within one hour of the scheduled arrival of his original flight. NOTE: The carrier will inform its passengers of its tariff rules concerning check-in time limits by publication in its public timetables and ticket envelopes, and that failure to comply with these rules will result in the cancellation of the passenger's reservation and will render him ineligible for denied boarding compensation.</p>

(Continued on next page)

For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

ISSUED: February 4, 1994

EFFECTIVE: April 5, 1994

(Except as Noted)

+ - Effective February 5, 1994 and issued on one (1) day's notice under D.O.T. Special Tariff Permission No. 17721.

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2nd Revised Page 82-V
 Cancels 1st Revised Page 82-V

RULE	SECTION III - REFUNDS AND REROUTING
87	<p>DENIED BOARDING COMPENSATION (Continued)</p> <p style="text-align: center;">PART 23 - VIA PH (Continued)</p> <p>(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING (Continued)</p> <p>(2) Amount of Compensation Subject to provisions of paragraph (D)(1) above, the carrier will tender liquidated damages in the amount of 200 percent of the sum of the values of the passenger's remaining flight coupons of the ticket to the passenger's next stopover, or if none, to his destination, but not more than USD/FCU 400.00. However, the compensation shall be 50 percent of the amount described above, but not more than USD/FCU 200.00 if the carrier arranges for comparable air transportation, or for other transportation that is accepted. That is, transportation used by the passenger, which, at the time either arrangement is made, is planned to arrive at the airport of the passenger's next stopover, or if none, at the airport of the passenger's destination earlier than or not later than four hours after the planned arrival at the airport of the passenger's next stopover, or if none, at the airport of the passenger's destination, of the flight on which the passenger holds a confirmed reservation.</p> <p>EXCEPTION: If arrangements can be made for comparable air transportation that is planned to arrive at the passenger's next stopover or destination not later than two hours after the flight on which the passenger holds confirmed space, but such accommodations would be in a section of the aircraft other than that specified on the passenger's ticket and the passenger refuses to accept such accommodations (at no additional charge or subject to an appropriate refund), the carrier shall pay the passenger only such amount of denied boarding compensation as he would have received had he accepted such comparable air transportation.</p> <p>NOTE: If the offer of compensation is made by the carrier and accepted by the passenger, such payment will constitute full compensation for all actual or anticipatory damages incurred or to be incurred by the passenger as a result of carrier's failure to provide passenger with confirmed reserved space.</p> <p>(3) Time of Offer of Compensation The offer of compensation will be made by the carrier on the day and at the place where the failure to provide confirmed reserved space occurs, and, if accepted, will be receipted for by the passenger. Provided, however, that when the carrier arranges, for the passenger's convenience, alternate means of transportation that departs prior to the time the offer can be made to the passenger, the offer shall be made by mail or other means within 24 hours after the time the failure occurs.</p> <p>(E) NOTICE PROVIDED PASSENGERS The following written notice shall be provided all passengers who are denied boarding involuntarily on flights on which they hold confirmed reserved space. Blanks that appear in parentheses in the notice below will be completed in the actual notice provided passengers, with the full name of the applicable carrier and with the carrier's specific boarding priorities.</p> <p>NOTE: For the purpose of this rule, specific boarding priorities are provided in paragraph (B) above.</p> <p>(1) _____</p> <p style="text-align: center;">COMPENSATION FOR DENIED BOARDING</p> <p>If you have been denied a reserved seat on PH, you are probably entitled to monetary compensation. This notice explains the airline's obligations and the passenger's rights in the case of an oversold flight, in accordance with regulations of the U.S. Department of Transportation.</p> <p>_____</p> <p>(2) _____</p> <p style="text-align: center;">VOLUNTEERS AND BOARDING PRIORITIES</p> <p>If a flight is oversold (more passengers hold confirmed reservations than there are seats available), no one may be denied boarding against his will until airline personnel first ask for volunteers who will give up their reservations willingly, in exchange for a payment of the airline's choosing. If there are not enough volunteers, other passengers may be denied boarding involuntarily, in accordance with the following boarding priority of PH:</p> <p>(_____)</p>

(Continued on next page)

For unexplained abbreviations, reference marks and symbols see Pages 16-A through 26.

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3rd Revised Page 82-W
Cancels 2nd Revised Page 82-W

RULE

SECTION III - REFUNDS AND REROUTING

87

DENIED BOARDING COMPENSATION (Continued)PART 23 - VIA PH (Continued)(E) NOTICE PROVIDED PASSENGERS (Continued)

3)

COMPENSATION FOR INVOLUNTARY DENIED BOARDING

If you are denied boarding involuntarily, you are entitled to a payment of "denied boarding compensation" from the airline unless (1) you have not fully complied with the airline's ticketing, check-in, and reconfirmation requirements, or you are not acceptable for transportation under the airline's USUAL rules and practices; or (2) you are denied boarding because the flight is cancelled; or (3) you are denied boarding because a smaller capacity aircraft was substituted for safety or operational reasons; or (4) you are offered accommodations in a section of the aircraft other than that specified in your ticket, at no extra charge. (A passenger seated in a section for which a lower fare is charged must be given an appropriate refund.); or (5) the airline is able to place you on another flight or flights that are planned to reach your destination within one hour of the scheduled arrival of your original flight.

(4)

AMOUNT OF DENIED BOARDING COMPENSATION

Passengers who are eligible for denied boarding compensation must be offered a payment equal to the sum of the face values of their ticket coupons, with a USD 200.00 maximum. However, if the airline cannot arrange "alternate transportation" (see below) for the passenger, the compensation is doubled (USD 400.00 maximum). The "value" of a ticket coupon is the one way fare for the flight shown on the coupon, including any surcharge and air transportation tax, minus any applicable discount. All flight coupons, including connecting flights, to the passenger's destination or first 4-hour stopover are used to compute the compensation. "Alternate transportation" is air transportation provided by an airline licensed by the D.O.T. or other transportation used by the passenger which, at the time the arrangement is made, is planned to arrive at the passenger's next scheduled stopover (of 4 hours or longer) or destination no later than 4 hours after the passenger's originally scheduled arrival time.

(5)

METHOD OF PAYMENT

The airline must give each passenger who qualifies for denied boarding compensation, a payment by check or draft for the amount specified above, on the day and place the involuntary denied boarding occurs. However, if the airline arranges alternate transportation for the passenger's convenience that departs before the payment can be made, the payment will be sent to the passenger within 24 hours. The air carrier may offer free tickets in place of the cash payment. The passenger may, however, insist on the cash payment, or refuse all compensation and bring private legal action.

(6)

PASSENGER'S OPTIONS

Acceptance of the compensation (by endorsing the check or draft within 30 days) may relieve PH from any further liability to the passenger caused by its failure to honor the confirmed reservation. However, the passenger may decline the payment and seek to recover damages in a court of law or in some other manner.

(Continued on next page)

For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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Cancels 3rd Revised Page 82-Y

RULE

SECTION III - REFUNDS AND REROUTING

C88

DENIED BOARDING COMPENSATION [NPART I (Applicable to AZ only.)](A) DEFINITIONS

For the purpose of this rule, except as otherwise specifically provided herein, the following definitions shall apply:

Airport means the airport at which the direct or connecting flight, on which the passenger holds confirmed reserved space, is planned to arrive or some other airport serving the same metropolitan area that is served by the former, provided that transportation to the other airport is accepted by the passenger.

Carrier means (a) an air carrier, except a helicopter operator, holding a certificate issued by the Board pursuant to Section 401(d)(1) and (2) of the Act, authorizing the transportation of persons, or (b) a foreign route air carrier holding a permit issued by the Board pursuant to Section 402 of the act authorizing the transportation of persons.

Comparable Air Transportation means transportation provided by air carriers or foreign air carriers holding certificates of public convenience and necessity or foreign permits issued by the Civil Aeronautics Board.

Confirmed Reserved Space means space on a specific date and on a specific flight and class of services of a carrier which has been requested by a passenger and which the carrier or its agent has verified, by appropriate notation on the ticket or in any other manner provided therefore by the carrier's tariff, as being reserved for the accommodation of the passenger, except that Confirmed Reserved Space shall not include verification of reserved space on flights or portions of flights of foreign air carriers which originate outside the United States, its territories or possessions, to the extent that such verifications are only made outside the United States, its territories or possessions.

Stopover means a deliberate interruption of a journey by the passenger, scheduled to exceed four hours, at a point between the place of departure and the place of destination.

The Sum of the Values of the Remaining Flight Coupons means the sum of the applicable one-way fares or 50 percent of the applicable round trip fare, as the case may be including any surcharges and air transportation taxes, less any applicable discounts.

Volunteer means a person who responds to carrier's request for volunteers and who willingly accepts carrier's offer of compensation, in any amount, in exchange for relinquishing his confirmed reserved space. Any other passenger denied boarding is considered for the purposes of this rule to have been denied boarding involuntarily, even if he accepts denied boarding compensation.

(B) FLIGHTS OR PORTIONS OF FLIGHTS ORIGINATING IN THE UNITED STATES(1) Conditions for payment of compensation:

Subject to the exceptions in this subparagraph, carrier will tender to passenger the amount of compensation specified in subparagraph (4) when:

- (a) the passenger holds a coupon closed on a specific scheduled flight;
- (b) the reservation was recorded in the AZ reservation system; and
- (c) the passenger is not accommodated on the flight.

EXCEPTION: The passenger will not be eligible for compensation if:

- (1) The flight upon which the passenger holds confirmed reserved space is unable to accommodate him:
 - (a) because the flight was cancelled, or
 - (b) because of Substitution of equipment of lesser capacity when required by operational and/or safety reasons; or
- (2) Passenger is accommodated on the flight for which he holds confirmed reserved space, but is offered accommodations or is seated in a compartment of the aircraft other than that specified on his ticket, provided that a passenger seated in a section for which a lower fare is charged shall be entitled to an appropriate refund.
- (3) Passenger fails to meet check-in time requirements prescribed for the airport where denied boarding occurs.
- (4) Passenger refuses to be security checked.
- (5) Passenger is found to be unacceptable for carriage for any reason specified in carrier's tariffs.
- (6) Passenger fails to meet reconfirmation requirements.
- (7) Passenger is travelling on free or reduced rate fares.
- (8) Carrier arranges comparable air transportation or other transportation used by the passenger at no extra cost to the passenger that at the time such arrangements are made is planned to arrive at the passenger's next stopover or if none, final destination within one hour after the scheduled arrival time of the passenger's original flight or flights.

(Continued on next page)

For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

ISSUED: March 9, 2005

EFFECTIVE: April 23, 2005

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4th Revised Page 82-Z
 Cancels 3rd Revised Page 82-Z

RULE	SECTION III - REFUNDS AND REROUTING
C88	<p><u>DENIED BOARDING COMPENSATION</u> [N]PART I (Continued)</p> <p>(B) <u>FLIGHTS OR PORTIONS OF FLIGHTS ORIGINATING IN THE UNITED STATES</u> (Continued)</p> <p>(2) <u>Request Volunteers for Denied Boarding</u></p> <p>(a) In the event of an oversold flight, provided that the flight will not be delayed, AZ will request volunteers for denied boarding before using any other boarding priority. A "volunteer" is a person who responds to request for volunteers and who willingly accepts the offer of compensation, in exchange for relinquishing his confirmed reserved space. Any other passenger denied boarding is considered, for the purposes of this part, to have been denied boarding involuntarily, even if he accepts denied boarding compensation.</p> <p>(b) If an insufficient number of volunteers come forward, AZ may deny boarding to other passengers in accordance with its boarding priority rules. However, boarding may not be denied to any passenger involuntarily who was earlier asked to volunteer without having been informed that he was in danger of being denied boarding involuntarily and the amount of compensation to which he would have been entitled in that event.</p> <p>(3) <u>Order of Off-Loading</u> Should it become necessary to off-load revenue passengers, the order of off-loading will be in accordance with the boarding priorities of AZ.</p> <p>(4) <u>Amount of Compensation</u> Any passengers being denied boarding are entitled to compensation at the rate of 200 percent of the value of their remaining flight coupons, up to their next stopover or, if none, their destination, with a \$400 maximum. However the compensation shall only be one half the amount described above, with a \$200 maximum, if AZ arranges for comparable air transportation or other transportation accepted (i.e., used) by the passenger, which at the time either such arrangement is made, is planned to arrive at the airport of the passenger's next stopover or, if none, at the airport of the passenger's destination not later than 4 hours after the time the direct or connecting flight on which the confirmed space is held is planned to arrive. Volunteer passengers shall be offered the same amount of compensation as due to passengers denied boarding involuntarily.</p> <p><u>The Passenger may:</u></p> <p>(a) refuse the compensation and exercise all his rights at law.</p> <p>(b) elect to claim the compensation (always applicable in case of volunteers)</p> <p>(c) reserve his decision within the 30 day period allowed to this effect.</p> <p><u>Therefore AZ will:</u></p> <p>(a) <u>in case of refusal</u> assist the passenger for comparable transportation as per rules in force</p> <p>(b) <u>in case of acceptance</u> give each passenger who qualifies for denied boarding compensation, a payment of \$400 on the day and place the involuntary denied boarding occurs. However, should AZ arrange comparable transportation which is planned to arrive at the passenger's next stopover, or destination, no later than four hours after the original flight was planned to arrive, the denied boarding compensation shall only be \$200.</p> <p>(c) <u>In case the passenger reserves his decision:</u></p> <p>(i) give each passenger who qualifies for denied boarding compensation a payment of \$400.00 (or \$200) whichever is applicable, on the day and place the involuntary denied boarding occurs; or</p> <p>(ii) make the passenger sign a Provisional Declaration. If within the 30 day period the document is presented for payment of the compensation, the office involved shall verify the existence of the prerequisite in order to pay the passenger the compensation. In which case, the passenger shall be asked to sign a receipt and release form relieving AZ from any further liability for its failure to honor the confirmed reservation.</p>
For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.	
ISSUED: March 9, 2005	EFFECTIVE: April 23, 2005

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35th Revised Page 83
Cancels 34th Revised Page 83

RULE	SECTION III - REFUNDS AND REROUTING
C88	<p><u>[(DENIED BOARDING COMPENSATION PART II (Applicable to AZ only) (Applicable only to flights originating in Canada)]</u></p> <p>(A) DEFINITIONS: For the purpose of this rule, except as otherwise specifically provided herein, the following definitions shall apply: Airport: means the airport at which the direct or connecting flight, on which the passenger holds confirmed reserved space, is planned to arrive or some other airport serving the same metropolitan area that is served by the former, provided that transportation to the other airport is accepted by the passenger. Carrier: means an air carrier holding a certificate issued by the Civil Aeronautics Board CAB authorizing the transportation of persons or a foreign air route carrier holding the same certificate. Alternate Air Transportation: means transportation provided to passenger at no extra cost by a foreign route air carrier holding certificates issued by the Civil Aeronautics Board. Confirmed Reservations Space: means space on a specific date and on a specific flight and class of service of a carrier which has been requested by a passenger and which the carrier or its agent has verified, by appropriate notation on the ticket or in any other manner provided therefore by the carrier as being reserved for the accommodation of the passenger. Oversold: is that condition which is the result of there being more passengers with confirmed reservations and tickets than there are seats available on a flight. Volunteer: means a person who responds to carrier's request for volunteers and who willingly accepts carrier's offer of compensation, any amount, and exchange for relinquishing his confirmed reserved space. Any other passenger denied boarding is considered for the purposes of this rule to have been denied boarding involuntarily, even if he accepts denied boarding compensation. Stopover: means a deliberate interruption of a journey by the passenger, scheduled to exceed four hours at a point between the place of departure and the place of destination.</p> <p>(B) APPLICABLE ONLY TO FLIGHTS ORIGINATING IN CANADA (1) Conditions for Payment of Compensation Subject to the exceptions in this subparagraph, carrier will tender to the passenger the amount of compensation specified in subparagraph (3) when: (a) Passenger holding a ticket for confirmed reserved space presents himself for carriage at the appropriate place, at least 60 minutes prior to flight departure time, having complied fully with the carrier's requirements as to ticketing, check-in procedure, and being acceptable for transportation under carrier's tariff; (b) The reservation was recorded in the AZ reservation systems; and (c) The passenger is not accommodated on the flight. EXCEPTION: The passenger will not be eligible for compensation if: (1) The flight on which the passenger holds confirmed reserved space is unable to accommodate him because of: (a) Flight cancellation. (b) A reduction in available seating capacity when required by operational or safety reasons. (2) Passenger is offered accommodations or is seated in a section of the aircraft other than that specified on his/her ticket at no extra charge, except that a passenger seated in a section for which a lower fare applies shall be entitled to an appropriate refund. (3) Passenger fails to meet check-in time requirements prescribed for the airport where denied boarding occurs. (4) Passenger is found to be unacceptable for carriage for any reason specified in carrier's tariffs. (5) Carrier arranges comparable air transportation or other transportation used by the passenger at no extra cost to the passenger that at the time such arrangements are made is planned to arrive at the passenger's next stopover or if none, final destination within one hour after the scheduled arrival time of the passenger's original flight or flights.</p>
(Continued on next page)	
For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.	
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34th Revised Page 84
Cancels 33rd Revised Page 84

RULE

SECTION III - REFUNDS AND REROUTING

C88

[N]DENIED BOARDING COMPENSATION PART II (Applicable to AZ only) (Applicable only to flights originating in Canada) (Continued)

(B) APPLICABLE ONLY TO FLIGHTS ORIGINATING IN CANADA (Continued)

(2) Request Volunteers for Denied Boarding

(a) In the event of an oversold flight, provided the flight will not be delayed, AZ will request volunteers for denied boarding, before using any other boarding priority. A "Volunteer" is a person who willingly accepts the offer of compensation in exchange for relinquishing his confirmed reserved space. Any other passenger denied boarding is considered to have been involuntarily denied boarding, even if he accepts denied boarding compensation.

(2) If an insufficient number of volunteers come forward, Alitalia may deny boarding to other passengers in accordance with its boarding priority rules.

(3) Form of Compensation Payment

(a) Subject to the provisions of paragraph (1) and (2) of this rule, carrier will tender compensation in the following manner:

(i) Whenever a passenger can be rebooked to arrive at his final destination less than 4 hours than his originally booked flight, a Credit or Cash Voucher for the amount of CAD \$200 will be issued to the passenger.

(ii) Whenever a passenger can be rebooked to arrive at his final destination more than 4 hours than his originally booked flight, a Credit or Cash Voucher for the amount of CAD \$400 will be issued to the passenger.

(iii) Volunteer passengers shall be offered the same amount of compensation as due to passengers denied boarding involuntarily, as per (i) or (ii).

The passenger may:

(a) refuse the compensation and exercise all his rights at law.

(b) Elect to claim the compensation (always applicable in case of volunteers).

(c) Reserve his decision within 30 day period allowed to this effect.

Therefore AZ will:

(a) In case of refusal assist the passenger for comparable transportation as per rules in force.

(b) In case of acceptance give each passenger who qualifies for denied boarding compensation, a payment as per paragraph (3) on the day and place the involuntary denied boarding occurs.

(c) In case the passenger reserves his decision:

(i) give each passenger who qualifies for denied boarding compensation a Credit or Cash Voucher of CAD \$400 (or CAD \$200) whichever is applicable, on the day and place the involuntary denied boarding occurs or

(ii) make the passenger sign a Provisional Declaration. If within the 30 day period the document is presented for payment of the compensation, the office involved shall verify the existence of the prerequisite, in order to pay the passenger the compensation. In which case, the passenger shall be asked to sign a receipt and release form relieving AZ from any further liability for its failure to honor the confirmed reservation.

(Continued on next page)

For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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NO. IPR-2

20th Revised Page 84-A
Cancels 19th Revised Page 84-A

RULE

SECTION III - REFUNDS AND REROUTING

89

DENIED BOARDING COMPENSATION (Continued)

#PART 1 (Continued)

(F) NOTICE PROVIDED FOR PASSENGERS (Continued)COMPENSATION FOR INVOLUNTARY DENIED BOARDING

If you are denied boarding involuntarily, you are entitled to "denied boarding compensation" unless:

- C (1) you have not fully complied with AC/†[N]ING applicable reservation, ticketing, check-in, and reconfirmation procedures or you are not acceptable for transportation in accordance with AC/†[N]ING published tariffs; or,
- C (2) you are denied boarding because the flight is cancelled or a smaller capacity aircraft was substituted for safety or operational reasons; or,
- (3) you are denied boarding because of government requisition of space; or,
- (4) you are offered accommodation in a compartment of the aircraft other than that specified on your ticket, at no extra charge. (If seated in a compartment for which a lower fare applies, you must be given the appropriate refund.)

AMOUNT OF DENIED BOARDING COMPENSATION

If you are eligible for denied boarding compensation, you must be offered a cash payment of \$200.00 (Canadian currency) or a Credit Voucher good for future travel on AC/†[N]ING in the amount of \$500.00 (Canadian currency).

METHOD OF PAYMENT

C If you qualify for denied boarding compensation, AC/†[N]ING must give you payment by check, C draft or Credit Voucher good for future travel on AC/†[N]ING for the amount specified above, on the day and at the place the involuntary denied boarding occurs. Should you be offered alternate transportation which is at your convenience but which departs before the payment can be made, it will be sent to you within 24 hours.

PASSENGER'S OPTIONS

Acceptance of the compensation (by endorsing the check or draft or not returning Credit Voucher to AC within 30 days) relieves AC from any further liability caused by our failure to honour your confirmed and ticketed reservations. However, you may decline the payment and seek to recover damages in a court of law or in some other manner within thirty (30) days from the date on which the denied boarding occurred.

#PART 2

(Applicable from points in the United States served by AC to points in Canada and points in Areas 2/3 served by AC.)

- (A) Make a request for persons who are willing to voluntarily relinquish their confirmed reserved space in exchange for compensation in an amount determined by the carrier. The request for volunteers and the selection of such persons to be denied space shall be in a manner determined solely by carrier. Provided, however, that carrier will not later deny boarding to a passenger involuntarily if that passenger was earlier asked to volunteer without having been informed that he was in danger of being denied boarding involuntarily and the amount of compensation to which he would have been entitled in that event.
- NOTE: Passengers who volunteer to relinquish their confirmed reserved space will be offered a Miscellaneous Charges Order/Ticket for free air transportation issued in the name of the passenger who volunteered, and valid for 365 days from the date of issuance. The Miscellaneous Charges Order/Ticket is non-transferrable, has no refund value, and may be voluntarily rerouted and reissued by AC. The value of the Miscellaneous Charges Order/Ticket will be equal to the value of the remaining flight coupon of the ticket to the passenger's next stopover.
- (B) If the number of persons willing to voluntarily relinquish confirmed reserved space is insufficient to provide space to all remaining persons holding confirmed reserved space, other passengers may be denied boarding involuntarily, beginning with the last passenger to arrive at the ticket lift point, except passengers travelling due to death or illness of member of the passenger's family, aged passengers or unaccompanied children.
- (C) Carrier causing the passenger to be delayed will transport persons who are denied confirmed reserved space, whether voluntarily or involuntarily, on its next flight without stopover in which space is available, at no additional cost to the passenger regardless of class of service; or

(Continued on next page)

- PART 1 is applicable to NTA(A) No. 210 only. PART 2 is applicable to D.O.T. No. 376 only.

For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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(Except as Noted)

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 Cancels 16th Revised Page 84-B

RULE

SECTION III - REFUNDS AND REROUTING

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DENIED BOARDING COMPENSATION (Continued)

#PART 2 (Continued)

- (D) If the carrier causing such delay is unable to provide onward transportation acceptable to the passenger, any other carrier or combination of carriers, at the request of the passenger, will transport the passenger without stopover on its (their) next flight(s) in the same class of service as the passenger's original outbound flight, or if space is available on a flight(s) of a different class of service acceptable to the passenger, such flight(s) will be used without stopover at no additional cost to the passenger only if it (they) will provide an earlier arrival at the passenger's destination, next stopover point or transfer point; and
- (E) When passenger who is delayed has not voluntarily relinquished confirmed reserved space in accordance with (A) above, carrier causing such delay will compensate such passenger for carrier's failure to provide confirmed space as follows:

(1) Conditions for Payment of Compensation

Subject to the exceptions of this subparagraph, carrier will tender to the passenger the amount of compensation specified in subparagraph (2) when:

- (a) Passenger holding a ticket for confirmed reserved space presents himself for carriage at the appropriate time and place, having complied fully with the carrier's requirements as to ticketing, check-in and reconfirmation procedure, and being acceptable for transportation under carrier's tariff, and
- (b) the flight for which the passenger holds confirmed reserved space is unable to accommodate the passenger and departs without him.

EXCEPTION 1: The passenger will not be eligible for compensation if the flight on which the passenger holds confirmed reserved space is unable to accommodate him because of substitution of equipment of lesser capacity when required by operational or safety reasons.

EXCEPTION 2: The passenger will not be eligible for compensation if he is offered accommodations or is seated in a section of the aircraft other than that specified on his ticket at no extra charge, except that a passenger seated in a section for which a lower fare applies shall be entitled to an appropriate refund.

EXCEPTION 3: The passenger will not be eligible for compensation if his reservation has been cancelled pursuant to Rule 60(F).

EXCEPTION 4: The passenger will not be eligible for compensation if the flight on which he holds confirmed reserved space is unable to accommodate him because the flight is cancelled.

EXCEPTION 5: The passenger will not be eligible for compensation if the carrier arranges comparable air transportation or other transportation used by the passenger at no extra cost to the passenger, that at the time such arrangements are made is planned to arrive at the passenger's next stopover or, if none, to his destination within 1 hour after the scheduled arrival time of the passenger's original flight or flights.

(2) Amount of Compensation Payable

- (a) Subject to the provisions of paragraph (E)(1) of this rule, carrier will tender liquidated damages in the amount of 200 percent of the sum of the values of the passenger's remaining flight coupons of the ticket to the passenger's next stopover (see Rule 135), or if none, to his destination, but not more than USD 400.00 or CAD 484.00, if the carrier arranges for comparable air transportation, or for other transportation accepted, i.e. used by the passenger which, at the time, either such arrangement is made, is planned to arrive at the airport of the passenger's next stopover, or if none, at the airport of the passenger's destination not later than four hours after the planned arrival at the airport of the passenger's next point of stopover, or if there is no next point of stopover, at the airport of the passenger's destination, of the flight on which the passenger holds a confirmed reservation. If the offer of compensation is made by the carrier and accepted by the passenger, such payment shall constitute full compensation for all actual or anticipatory damages incurred or to be incurred by the passenger as a result of the carrier's failure to provide passenger with confirmed reserved space.

NOTE: Subject to the passenger's approval carrier will compensate the passenger with credit valid for the purchase of transportation in lieu of monetary compensation. The credit issued will be for a value equal to or greater than the monetary compensation. Such credit will be non-transferrable, non-refundable and valid for one year from the date of issued.

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- PART 2 is applicable to D.O.T. No. 376 only.

For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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 Cancels 5th Revised Page 84-C

RULE

SECTION III - REFUNDS AND REROUTING

89

DENIED BOARDING COMPENSATION (Continued)

#PART 2 (Continued)

(E) (Continued)

(2) Amount of Compensation Payable (Continued)

(b) For the purpose of this rule, the value of the remaining flight coupons of the ticket shall be the sum of the applicable one way fares including any surcharges and air transportation taxes, less any applicable discount.

(c) Said tender will be made by carrier on the day and at the place where the failure occurs, and if accepted will be receipted for by the passenger. Provided, however, that when carrier arranges for the passenger's convenience, alternate means of transportation which departs prior to the time such tender can be made to the passenger, tender shall be made by mail or other means within 24 hours after the time the denied boarding occurs.

(F) Carrier shall furnish all passengers who are denied boarding involuntarily from flights on which they hold confirmed reserved space a copy of the following written statement:

COMPENSATION FOR DENIED BOARDING

If you have been denied a reserved seat on Air Canada, you are probably entitled to monetary compensation. This notice explains the airline's obligations and the passenger's rights in the case of an oversold flight, in accordance with regulations of the U.S. Civil Aeronautics Board.

VOLUNTEERS AND BOARDING PRIORITIES

If a flight is oversold (more passengers hold confirmed reservations than there are seats available), no one may be denied boarding against his will until airline personnel first ask for volunteers who will give up their reservations willingly, in exchange for a payment of the airline's choosing. If there are not enough volunteers, other passengers may be denied boarding involuntarily, beginning with the last passenger to arrive at the ticket lift point, except passengers travelling due to death or illness of a member of the passenger's family, aged passengers or unaccompanied children.

COMPENSATION FOR INVOLUNTARY DENIED BOARDING

If you are denied boarding involuntarily, you are entitled to a payment of "denied boarding compensation" from the airline unless (1) you have not fully complied with the airline's ticketing, check-in, and reconfirmation requirements, or you are not acceptable to transportation under the airline's tariff filed with the C.A.B.; or (2) you are denied boarding because the flight is cancelled; or (3) because a smaller capacity aircraft was substituted for safety or operational reasons; or (4) you are offered accommodations in a section of the aircraft other than that specified in your ticket, at no extra charge. (A passenger seated in a section for which a lower fare is charged must be given an appropriate refund).

AMOUNT OF DENIED BOARDING COMPENSATION

Passengers who are eligible for denied boarding compensation must be offered a payment equal to the sum of the face values of their ticket coupons, with a USD 200.00 maximum. However, if the airline cannot arrange "alternate transportation" (see below) for the passenger, the compensation is doubled (USD 400.00 one way maximum). The "value" of a ticket coupon is the one way fare for the flight shown on the coupon, including any surcharge and air transportation tax, minus any applicable discount. All flight coupons, including connecting flights, to the passenger's destination or first 4-hour stopover are used to compute the compensation.

"Alternate transportation" is air transportation provided an airline licensed by the C.A.B. or other transportation used by the passenger which, at the time the arrangement is made, is planned to arrive at the passenger's next scheduled stopover (of 4 hours or longer) or destination no later than 4 hours after the passenger's originally scheduled arrival time.

METHOD OF PAYMENT

The airline must give each passenger who qualifies for denied boarding compensation, a payment by check or draft for the amount specified above, on the day and place the involuntary denied boarding occurs. However, if the airline arranges alternate transportation for the passenger's convenience that departs before the payment can be made, the payment will be sent to the passenger within 24 hours.

PASSENGER'S OPTIONS

Acceptance of the compensation (by endorsing the check or draft within 30 days) relieves Air Canada from any further liability to the passenger caused by its failure to honor the confirmed reservation. However, the passenger may decline the payment and seek to recover damages in a court of law or in some other manner.

(Continued on next page)

- PART 2 is applicable to D.O.T. No. 376 only.

For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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