

[NAME OF AIRLINE]
[ADDRESS OF AIRLINE]
[POSTCODE]

LETTER BEFORE CLAIM

Dear Sirs,

RE: FLIGHT DELAY

Flight number: [INSERT YOUR FLIGHT NUMBER]

Booking Reference: [INSERT YOUR BOOKING REFERENCE]

Passengers: [INSERT NUMBER OF PASSENGERS]

We write in compliance with the Practice Direction on Pre-Action Conduct.

The lead passenger's full name and address is:

**[NAME OF LEAD PASSENGER]
[ADDRESS]
[CITY]
[POSTCODE]**

Our Claim is made on the basis that:

1. At all material times **[INSERT AIRLINE'S NAME]** was an air carrier as defined by Article 2(a) of Regulation (EC) 261/2004 written into UK Law as The Air Passenger Rights and Air Travel Organisers' Licensing (Amendment) (EU Exit) Regulations 2019 (the "Regulation").
2. By contract, the airline agreed to carry the Passengers by air from **[DEPARTURE AIRPORT]** to **[ARRIVAL AIRPORT]** on **[DATE OF FLIGHT OUT]**, a distance of **[INCLUDE DISTANCE BETWEEN AIRPORTS]**
3. We had confirmed reservations on flight number **[FLIGHT NUMBER]**. The airline was the operating air carrier of the said flight as defined by Article 2(b) of the Regulation.
4. On **[DATE YOU WERE UNABLE TO FLY]** we were unable to travel on the flight at the scheduled time due to an avoidable delay. The aircraft eventually arrived suffering a total arrival delay in excess of 3 hours.
5. Pursuant to Article 7 (1) of the Regulation, each of the Passengers are entitled to compensation of **[INSERT APPLICABLE SUM]** each for the said delay totalling **[INSERT APPLICABLE SUM]** (the "Regulation Compensation") in accordance with

the Court of Justice of the European Union decision conjoined cases C-402/07 and C-432/07 Sturgeon v Condor and Bock v Air France.

Accordingly, we seek Damages by way of Compensation in the sum of **[INSERT APPLICABLE SUM]**

Further the Claimants claim interest on the Regulation Compensation pursuant to Section 69 of the County Courts Act 1984 at the rate of 8%.

Raising Payment

If you accept liability please note that we accept the following methods of payment

Payments By Bank Transfer

My bank details are:

Account name: **[YOUR NAME]**

Account number: **[YOUR ACCOUNT NUMBER]**

Sort code: **[YOUR SORT CODE]**

Swift/BIC: **[YOUR SWIFT OR BIC CODE]**

IBAN: **[YOUR IBAN]**

Name of Bank: **[NAME OF YOUR BANK]**

Bank address: **[ADDRESS]**

Payment Reference: **[YOUR CHOSEN REFERENCE]**

Denial of liability

In the interest of potentially saving costs to the parties, we invite you to disclose any documentation in connection with this matter upon which you intend to rely.

We consider that this Claim is suitable for Mediation. If Court proceedings are brought, we consider that this matter is suitable for allocation to the CCSC. Accordingly, the parties will be able to utilise the free Small Claims Track Mediation Service. In light of the value of the Claim, and the availability of the free Small Claims Track Mediation Service after issue of the Claim Form, the Claimant does not consider it cost-effective to use paid Mediation at this stage. Please confirm your agreement to using the Small Claims Track Mediation Service after issue of the Claim Form.

We consider that it is reasonable for you to send a Letter of Acknowledgement within 14 days of the date of this Letter before Claim and a Letter of Response within a further 28 days thereafter.

We take this opportunity to refer you to the Civil Procedure Rules 1998 Practice Direction on Pre-Action Conduct in particular draw your attention to paragraph 4 concerning the Court's powers to impose sanctions for failure to comply with the Practice Direction.

If you choose to defend the claim we refer you to para. 6 of the Pre-Action Practice Direction ('PAPD') and hereby put you on notice that if you do not provide us with a clear and detailed

explanation as to the basis of any defence, together with any key documents to support your defence, for example OPNL flight logs if the claim is denied for under 3 hours or NOTAM's for weather/strike action defences, with a clear explanation of the airport and which sectors/rotations of the flight have been affected as per para 6(c) of the PAPD.

If this information is not received at the same time that the claim is denied, then proceedings will be issued without further notice. We also put you on notice that we will seek the costs of issuing proceedings 'in any event' and such costs may be claimed on an indemnity basis as per para 16 of the PAPD and pursuant to CPR 27.14(2)(g), in the event that a full and valid explanation is provided to meet an Article 5(3) defence, but only after proceedings are issued.

Ignoring this Letter before Claim may lead to us starting proceedings and may increase your liability for Costs.

Yours faithfully

[YOUR NAME]

[YOUR ADDRESS]

[YOUR EMAIL ADDRESS IF YOU HAVE ONE]