

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

34th Revised Page 73  
Cancels 33rd Revised Page 73

| RULE  | SECTION III - REFUNDS AND REROUTING  |
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| 80  | <p><u>REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS</u></p> <p>(A) <u>DEFINITIONS.</u> For the purpose of this rule, the following terms have the meaning indicated below.</p> <ol style="list-style-type: none"> <li>(1) <u>Comparable air transportation</u> 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.</li> <li>(2) <u>Connecting point</u> means a point to which a passenger holds or held confirmed space on a flight of one carrier and out of which the passenger holds or held confirmed space on a flight of the same or another carrier. All airports through which a city is served by any carrier shall be deemed to be a single connecting point when the receiving carrier has confirmed reservations to the delivering carrier;</li> <li>(3) <u>Delivering carrier</u> means a carrier on whose flight a passenger holds or held confirmed space to a connecting point;</li> <li>(4) <u>Misconnection</u> occurs at a connecting point when a passenger holding confirmed space on an original receiving carrier is unable to use such confirmed space because the delivering carrier was unable to deliver him to the connecting point in time to connect with such receiving carrier's flight.<br/><u>NOTE:</u> The same rules regarding delivering and receiving carriers responsibility apply at the subsequent point(s) of misconnection as would apply at the point of original misconnection.</li> <li>(5) <u>New receiving carrier(s)</u> means a carrier or combination of connecting carriers, other than the original receiving carrier(s), operating between the point of misconnection and the destination or next point of stopover or connecting point shown on the passenger's ticket, on whose flight a passenger is transported from the connecting point;</li> <li>(6) <u>Original receiving carrier(s)</u> means a carrier or combination of connecting carriers on whose flight(s) a passenger originally held or holds confirmed space from a connecting point to a destination, next stopover or connecting point;</li> <li>(7) <u>Outbound flight</u> means the flight on which a passenger originally held confirmed space beyond the point where the schedule irregularity or failure to carry occurs;</li> <li>(8) <u>Schedule irregularity</u> means any of the following irregularities: <ol style="list-style-type: none"> <li>(a) Delay in scheduled departure or arrival of a carrier's flight resulting in a misconnection, or</li> <li>(b) Flight cancellation, omission of a scheduled stop, or any other delay or interruption in the scheduled operation of a carrier's flight, or</li> <li>(c) Substitution of equipment of a different class of service, or</li> <li>(d) Schedule changes which require rerouting of passenger at departure time of the original flight.</li> </ol> </li> </ol> <p>(B) <u>CHANGES REQUESTED BY PASSENGER</u></p> <ol style="list-style-type: none"> <li>(1) <u>When Change can be Made</u><br/>At the passenger's request, carrier will effect a change in the routing (other than the point of origin); destination carrier(s); class of service; or validity specified in an unused ticket, flight coupon(s), or Miscellaneous Charges Order provided that: <ol style="list-style-type: none"> <li>(a) such carrier issued the ticket; or Miscellaneous Charges Order;</li> <li>(b) such carrier is designated in the "via carrier" box, or no carrier is designated in the "via carrier" box, of the unused flight coupon or exchange order for the first onward carriage from the point on the route at which the passenger desires the change to commence; however, where the carrier that issued the ticket is designated as carrier for any subsequent section and has an office or general agent at the point on the route where the change is to commence or where the passenger makes his request for such change, the reissuing carrier shall obtain such issuing carrier's endorsement; or</li> <li>(c) such carrier has received written or telegraphic authority to do so from the carrier entitled, under (a) and (b) above, to effect the change.</li> </ol> <u>EXCEPTION:</u> (Applicable to CO and CP only.) Carrier(s) will not require endorsement for transportation documents governing segments wholly within the area comprising the Continental U.S.A. and Canada. </li> </ol> |
| (Continued on next page)  |  |
| For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26. |  |
| ISSUED: November 5, 1991  | EFFECTIVE: January 4, 1992   |

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**INTERNATIONAL PASSENGER RULES AND FARES TARIFF**  
**NO. IPR-2**

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RULE

## SECTION III - REFUNDS AND REROUTING

80

REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS (Continued)(B) CHANGES REQUESTED BY PASSENGER (Continued)(2) Method of Effecting Change

The change requested by the passenger shall be effected by:

(a) endorsement of such unused ticket, flight coupon(s), or exchange order to the new receiving carrier or

(b) reticketing of the passenger.

(3) Applicable Fare

(a) (Applicable to AZ, EI, FF, NZ, QF, SK, SN, and TZ only)

The fare and charges applicable as a result of any such change in routing, destination, or carrier shall be the fare and charges that would have been applicable if transportation had been purchased as of the date of commencement of carriage; provided that,

- (i) additional passage at the through fare shall not be permitted unless request has been made prior to arrival at the destination named on the original ticket or Miscellaneous Charges Order, and
  - (ii) after the carriage has commenced, a one way ticket shall not be converted into a round trip or circle trip ticket at the round trip or circle trip discount for any portion already flown; and
  - (iii) after carriage has commenced a round trip ticket can be converted into a circle trip ticket, or vice versa provided that request is made prior to the passenger's arrival at the destination named on the original ticket or Miscellaneous Charges Order.
- (b) (Applicable to AZ, EI, FF, NZ, PH, QF, SK, SN and TZ only.) Any difference between the fare and charges applicable under subparagraph (A) above, and the fare and charges paid by the passenger will be collected from the passenger by the carrier accomplishing the rerouting, who will also pay to the passenger any amounts due on account of refunds or arrange for the applicable refund by the carrier that issued the original ticket. (See also Rule 60.)

(Continued on next page)

Provisions of CU formerly appearing on this page and not brought forward are hereby cancelled.

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

ISSUED: March 13, 2002

EFFECTIVE: April 12, 2002

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**INTERNATIONAL PASSENGER RULES AND FARES TARIFF**  
**NO. IPR-2**

39th Revised Page 74-A  
 Cancels 38th Revised Page 74-A

**RULE**

**SECTION III - REFUNDS AND REROUTING**

**80** REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS (Continued)

(B) CHANGES REQUESTED BY PASSENGER (Continued)

(4) Expiration Date (Applicable to NZ, PH, QF, SK, SN and TZ only)

The expiration date of any new ticket issued for a change in routing, destination, carrier(s), class of service, or validity will be limited to the expiration date that would have been applicable if the new ticket had been issued on the date of sale of the original ticket or Miscellaneous Charges Order.

(5) Administrative service charge for downgrading (Applicable to SN only for travel from the U.S.A.) The passenger may downgrade the fare on any fare type to a lower fare for a charge of USD 100.00 provided that there is no change to itinerary/routing/or dates of travel. The only change allowed is to the appropriate reservations booking code for the desired fare type and seats must be available in this booking code with no waitlists allowed.

(6) (Applicable to SK only)

The passenger may downgrade the fare on any fare type to a lower fare for a charge of USD †11100.00/CAD †11125.00 provided that there is no change to the itinerary, routing, or dates of travel. The only change allowed is to the appropriate reservations booking code for the desired fare type and seats must be available in this booking code with no waitlists allowed.

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† - Effective January 1, 2004 for transportation to/from USA only.

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

**ISSUED: December 22, 2003**

**EFFECTIVE: February 5, 2004**

(Except as Noted)

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| <b>RULE</b> | <b>SECTION III - REFUNDS AND REROUTING</b> |
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| <b>80</b> | <p><b>REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS (Continued)</b></p> <p><b>(C) INVOLUNTARY REVISED ROUTINGS</b></p> <p>(1) In the event carrier cancels a flight, fails to operate according to schedule, fails to stop at a point to which the passenger is destined or is ticketed to stop over, substitutes a different type of equipment or class or service, denies boarding to a passenger holding a confirmed reservation because there is insufficient space on the flight to accommodate him, induces a passenger to surrender voluntarily his confirmed reserved space so that another passenger is not denied boarding involuntarily, or removes or refuses passage to a passenger in accordance with Rule 25, carrier will either:</p> <p>(a) carry the passenger on another of its passenger aircraft on which space is available without additional charge regardless of the class of service; or</p> <p>(b) endorse to another carrier or other transportation service, the unused portion of the ticket for purposes of rerouting; or</p> <p>(c) reroute the passenger to the destination named on the ticket or applicable portion thereof by its own or other transportation services; and, if the fare, excess baggage charges, and any applicable service charge for the revised routing or class of service is higher than the refund value of the ticket or applicable portion thereof as determined by Rule 90, carrier will require no additional payment from the passenger, but will refund the difference if it is lower; or</p> <p><b>EXCEPTION 1:</b> (Applicable to QF only.) If the fare, excess baggage charges and any applicable service charge exceeds the refund value of the ticket or applicable portions as determined from Rule 90, passengers who do not hold first class, business class, or normal economy class tickets will not be involuntarily rerouted without collection of such excess amount.</p> <p><b>EXCEPTION 2:</b> (Applicable to AZ only.) In the case of upgrading to a higher class of service on AZ for which space is available, AZ will only upgrade economy class passengers to business class service.</p> <p>(d) (Not applicable to EI.)</p> <p>(i) Transport the passenger on another economy flight on which space is available or</p> <p>(iii) Transport the passenger to the destination shown on its portion of the ticket on carrier's next First Class flight on which space is available, at no additional fare, if so doing will provide an earlier arrival than the next economy flight on which space is available.</p> <p>(e) Make involuntary refund in accordance with Rule 90(D).</p> <p>(2) NOT USED</p> |
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Provisions of CU formerly appearing on this page and not brought forward are hereby cancelled.

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

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| <b>ISSUED:</b> March 13, 2002 | <b>EFFECTIVE:</b> April 12, 2002 |
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32nd Revised Page 74-C  
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| 80 | <p><b>REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS (Continued)</b></p> <p>(C) <b>INVOLUNTARY REVISED ROUTINGS (Continued)</b></p> <p>†(N)(3) <b>Involuntary Revised Routings (Applicable to AC only)</b></p> <p>(a) In the event carrier cancels a flight, fails to operate according to schedule, fails to stop at a point to which the passenger is destined or is ticketed to stopover, substitutes a different type of equipment or class of service, is unable to provide previously confirmed space, causes a passenger to miss a connecting flight on which he holds a reservation, or the passenger is refused passage or removed in accordance with Rule 25(A) carrier will as passenger's sole remedy either:</p> <ul style="list-style-type: none"> <li>(i) carry the passenger on another of its passenger aircraft on which space is available without additional charge regardless of the class of service; or</li> <li>(ii) endorse to another carrier or other transportation service, the unused portion of the ticket for purposes of rerouting; or</li> <li>(iii) reroute the passenger to the destination named on the ticket or applicable portion thereof by its own or other transportation services; and if the fare for the revised routing or class of service is higher than the refund value of the ticket or applicable portion thereof as determined from Rule 90(D), carrier will require no additional payment from the passenger but will refund the difference if it is lower.</li> <li>(iv) make involuntary refund in accordance with Rule 90(D).</li> </ul> <p>(b) In the event carrier is a codeshare carrier and the operating carrier cancels a flight, fails to operate according to schedule, fails to stop at a point to which the passenger is destined or is ticketed to stopover, substitutes a different type of equipment or class of service, is unable to provide previously confirmed space, causes a passenger to miss a connecting flight on which he holds a reservation, or the passenger is refused passage or removed in accordance with Rule 25 (A) carrier will, as the passenger's sole remedy, if the operating carrier fails to do so:</p> <ul style="list-style-type: none"> <li>(i) carry the passenger on another of its passenger aircraft on which space is available without additional charge regardless of the class of service; or</li> <li>(ii) endorse to another carrier or other transportation service, the unused portion of the ticket for purposes of rerouting; or</li> <li>(iii) reroute the passenger to the destination named on the ticket or applicable portion thereof by its own or other transportation services; and if the fare for the revised routing or class of service is higher than the refund value of the ticket or applicable portion thereof as determined from Rule 90(D), carrier will require no additional payment from the passenger but will refund the difference if it is lower.</li> <li>(iv) make involuntary refund in accordance with Rule 90(D).</li> </ul> |
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† - Effective November 18, 2000 for transportation to/from the U.S.A.

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

ISSUED: November 17, 2000

EFFECTIVE: January 16, 2001

(Except as Noted)

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33rd Revised Page 74-D  
 Cancels 32nd Revised Page 74-D

| RULE   | SECTION III - REFUNDS AND REROUTING   |
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| 80   | <p><b>REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS</b> (Continued)</p> <p>(D) <b>MISSED CONNECTIONS</b><br/>                     In the event a passenger misses an onward connecting flight on which space has been reserved because the delivering carrier did not operate its flight according to schedule or changed the schedule of such flight, the delivering carrier will arrange for the carriage of the passenger or make involuntary refund in accordance with Rule 90.</p> <p>(E) <b>FREE BAGGAGE ALLOWANCE</b><br/>                     An involuntarily rerouted passenger shall be entitled to retain the free baggage allowance applicable for the type of service originally paid for. This provision shall apply even though the passenger may be transferred from a First Class flight to a Business/Economy/Tourist/Economy/Thrifty Class flight and is entitled to a fare refund.</p> <p>C (F) (Applicable to AC/TINING/SS only.) Time limits on cancellations and charges for late cancellations will be applicable to revised routings requested by passenger.</p> <p>(G) (Applicable to TW only) Force majeure events TW may in the event of a force majeure event, without notice, cancel, terminate, divert, postpone, or delay any flight or the right of carriage or reservation of traffic accommodations and determine if any departure or landing should be made, without liability except to refund in the original form of payment in accordance with involuntary refund rules any unused portion of the ticket. As used in this rule "force majeure event" means:</p> <ol style="list-style-type: none"> <li>(1) Any condition beyond TW's control (including but not without limitation meteorological conditions, acts of god, riots, civil commotion, embargoes wars, hostilities, disturbances, or unsettled international conditions) threatened or reported or because of any delay, demand, circumstances or requirement due, directly or indirectly to such conditions; or</li> <li>(2) Any strike, work stoppage, slowdown, lockout or any other labor related dispute involving or affecting TW's services; or</li> <li>(3) Any government regulation, demand, or requirement; or</li> <li>(4) Any shortage of labor, fuel or facilities of TW or others; or</li> <li>(5) Any fact not reasonably foreseen, anticipated or predicted by TW.</li> </ol> |
| 81   | <p><b>DEFAULT PROTECTION PLAN - SPECIAL CONDITIONS</b> (Applicable to TW only)<br/>                     Notwithstanding any other provision of this Rules Tariff, upon notice of default pursuant to the Air Traffic Conference Default Protection Plan (DPP) agreements (CAB 27010-A-11 and 28674) approved by the CAB in Order 82-4-74, Carrier will accept revenue passengers of a "default carrier" holding "Traffic documents" pertaining only to scheduled flights as defined in the DPP subject to the following conditions:</p> <p>(A) acceptance for transportation will be on Carrier's own route system (online) only pursuant to routings shown in Carrier's published schedules between the points named on a given flight coupon of the default carrier.</p> <p>(B) transportation will be on a standby basis only.</p> <p>(C) traffic documents marked non-endorseable/non-refundable will not be accepted for transportation under any circumstances.</p> <p>(D) travel restrictions applicable to the traffic documents of the default carrier shall apply to travel on Carrier.</p> <p>(E) traffic documents of the default carrier will be honored no later than twelve months from the date such traffic document was validated.</p> <p>(F) no traffic document of the default carrier will be refunded under any circumstances.</p>  |
| <p>For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.</p> |   |
| <p>ISSUED: April 22, 1997</p>  | <p>EFFECTIVE: June 21, 1997 (Except as Noted)</p>   |

+ - Effective April 23, 1997 and issued on not less than one (1) day's notice under NTA(A) Special Permission No. 35504.

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

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 Cancels 12th Revised Page 74-E

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| 85  | <p><b><u>SCHEDULES, DELAYS AND CANCELLATION OF FLIGHTS</u></b></p> <p>(A) <b><u>SCHEDULES</u></b><br/>         Times shown in timetables or elsewhere are approximate and not guaranteed, and form no part of the contract of carriage. Schedules are subject to change without notice and carrier assumes no responsibility for making connections. Carrier will not be responsible for errors or omissions either in timetables or other representations of schedules. No employee, agent or representative of carrier is authorized to bind carrier by any statements or representation as to the dates or times of departure or arrival, or of the operation of any flight.</p> <p>C (B) <b><u>SCHEDULE IRREGULARITY</u></b> (Applicable to CO, and X only.) When a passenger will be delayed because of a schedule irregularity or a carrier cancels the passenger's reservation pursuant to Rule 60 (RESERVATIONS):</p> <p>(1) Any carrier causing such delay or in the case of a misconnection the original receiving carrier(s), will transport the passenger without stopover on its (their) next flight, on which space is available, in the same class of service as the passenger's original outbound flight at no additional cost to the passenger; 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, or</p> <p>(2) If the carrier causing such delay, or in the case of misconnection the original receiving carrier(s) is unable to provide onward transportation acceptable to the passenger, any other carrier or combination of connecting 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, or</p> |
| For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26. |   |
| ISSUED: October 14, 1994  | EFFECTIVE: December 13, 1994  |

Airline Tariff Publishing Company, Agent  
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 NO. IPR-2

13th Revised Page 74-F  
 Cancels 12th Revised Page 74-F

RULE

## SECTION III - REFUNDS AND REROUTING

85 SCHEDULES, DELAYS AND CANCELLATION OF FLIGHTS (Continued)(B) SCHEDULE IRREGULARITY (Continued)

(3) The carrier causing the schedule irregularity will refund in accordance with Rule 90 (REFUNDS).

(4) CANCELLED(C) CHANGE IN SCHEDULE (Applicable to CO only.) When a passenger will be delayed because of a change in its schedule, carrier will arrange to:

(1) Transport the passenger over its own lines to the destination, next stopover point or transfer point shown on its portion of the ticket, without stopover at no additional cost to the passenger, provided that a passenger who paid a economy fare will be transported on one of its First Class flights only if such flight will provide an earlier arrival than its next economy flight on which space is available.

(2) Endorse the unused ticket for the purpose of rerouting over another carrier; or

(3) Refund in accordance with Rule 90 (REFUNDS).

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

ISSUED: October 14, 1994

EFFECTIVE: December 13, 1994

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

6th Revised Page 74-G  
 Cancels 5th Revised Page 74-G

| RULE  | SECTION III - REFUNDS AND REROUTING  |
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| 85  | <p><u>SCHEDULES, DELAYS AND CANCELLATION OF FLIGHTS</u> (Continued)</p> <p>(D) <u>CANCELLATIONS</u></p> <p>(1) Carrier undertakes to use its best efforts to carry the passenger and baggage with reasonable dispatch, but no particular time is fixed for the commencement or completion of carriage. Subject thereto carrier may, without notice, substitute alternate carriers or aircraft and may alter or omit the stopping places shown on the face of the ticket in case of necessity.</p> <p>(2) Carrier may, without notice, cancel, terminate, divert, postpone, or delay any flight or the further right of carriage or reservation of traffic accommodations and determine if any departure or landing should be made, without any liability except to refund in accordance with its tariffs the fare and baggage charges for any unused portion of the ticket, when it would be advisable to do so:</p> <p>(a) because of any fact beyond its control (including, but without limitation, meteorological conditions, acts of God, force majeure, strikes, riots, civil commotions, embargoes, wars, hostilities, disturbances or unsettled international conditions), actual, threatened or reported or because of any delay, demand, condition, circumstances or requirement due, directly or indirectly, to such fact; or</p> <p>(b) because of any fact not reasonably to be foreseen, anticipated, or predicted; or</p> <p>(c) because of any government regulation, demand, or requirement; or</p> <p>(d) because of shortage of labor, fuel, or facilities or labor difficulties of carrier or others.</p> <p>(3) Carrier may cancel the right or further right of carriage of the passenger and his baggage upon refusal of the passenger, after demand by carrier, to pay the fare or portion thereof so demanded, or to pay any charge so demanded and assessable with respect to the baggage of the passenger, without being subject to any liability therefore except to refund, in accordance herewith, the unused portion of the fare and baggage charge(s) previously paid, if any.</p> <p>(E) (Applicable to TW except to the extent Rule No. 81 is applicable.) Notwithstanding the provisions of this rule, Carrier will not accept for any purposes under this rule passenger tickets or related transportation documents issued by any carrier which is in substantial default of its interline obligations or which voluntarily or involuntarily has become the subject of bankruptcy proceedings (the "defaulting carrier").</p> <p><u>EXCEPTION:</u> Notwithstanding the provisions of this paragraph, tickets issued by the defaulting carrier will be accepted solely for transportation over the lines of carrier provided such tickets were issued by such defaulting carrier in its capacity as agent for carrier and specified transportation via carrier. When tickets are accepted, no adjustments in fare will be made which would require carrier to refund money to the passenger.</p> |
| (Continued on next page)  |  |
| For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26. |  |
| ISSUED: June 16, 1997   | EFFECTIVE: August 15, 1997   |

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

12th Revised Page 74-H  
Cancels 11th Revised Page 74-H

RULE

## SECTION III - REFUNDS AND REROUTING

C86

[(DENIED BOARDING COMPENSATION (Applicable OS only to flights travelling from Canada to Europe)

PART 1

C

When OS is unable to provide previously confirmed space due to there being more passengers holding confirmed reservations and tickets than for which there are available seats on a flight; OS shall implement the provisions of this rule.

- (A) DEFINITIONS: For the purpose of this rule, the following definitions shall apply:
- (1) Airport: That at which the direct or connecting flight on which the passenger holds confirmed and ticketed reservations is scheduled to depart or arrive;
  - (2) Alternate transportation is air transportation used by the passenger which, at the time such arrangements are made, will provide for arrival at the passenger's destination or next point of stopover, at the earliest opportunity.  
Comparable air transportation is provided by air carriers to passengers at no extra cost.
  - (3) Confirmed space (reservations) is that which applies to a specific OS flight, date and fare type as requested by a passenger and which is verified in OS reservations system and is so noted on his ticket.
  - (4) 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.
- (B) REQUEST FOR VOLUNTEERS
- (1) OS will request volunteers from among the confirmed passengers to relinquish their seats in exchange for benefits under the conditions to be agreed upon between the passenger and OS.
  - (2) Once a passenger has voluntarily relinquished his seat, he will not later be involuntarily denied boarding unless he was advised at the same time he volunteered of such possibility and the benefits/conditions as under (1).
- (C) BOARDING PRIORITIES
- (1) If a flight is oversold, no passenger may be involuntarily denied boarding until OS has first requested volunteers to relinquish their seats.
  - (2) In the event there are not enough volunteers, other passengers may be involuntarily denied boarding in accordance with OS boarding priority policy.
- (D) TRANSPORTATION FOR PASSENGERS DENIED BOARDING
- (1) A passenger who has been denied boarding, either voluntarily or involuntarily, will be provided transportation to his final destination on the next point of stopover at the earliest opportunity, regardless of the class of service, and at no additional cost to him.
  - (2) Should OS not be able to provide onward transportation, acceptable to the passenger on the services of OS, transportation via the services of another carrier(s) will be provided as follows:
    - (a) The passenger will be accommodated in the class of service and/or booking class applicable to his transportation on OS.
    - (b) Transportation in a different class of service and/or booking class will be provided without additional cost to the passenger only if it will provide for an earlier arrival at his destination or next point of stopover.

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

ISSUED: March 8, 2006

EFFECTIVE: April 22, 2006

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

12th Revised Page 74-I  
 Cancels 11th Revised Page 74-I

RULE

## SECTION III - REFUNDS AND REROUTING

C86

(C) DENIED BOARDING COMPENSATION (Applicable OS only to flights travelling to and from Canada to Europe) (Continued)

PART 1 (Continued)(E) COMPENSATION

In addition to providing transportation in accordance with (D) above, a passenger who has been denied boarding involuntarily will be compensated by OS as follows:

(1) Conditions for Payment

- (a) The passenger must present himself for carriage not later than the check-in deadline indicated in the OS timetable; and  
 (b) must fully comply with OS applicable reservation, ticketing, check-in and reconfirmation procedures; and,

(2) Amount of Compensation

Subject to the provisions of (E)(1) OS will offer financial compensation in cash CAD 200.00 or in accordance with the passenger a credit voucher (MCO) good for travel on OS to the value of CAD 500.00. The MCO is valid for one year and may be refunded to total amount CAD 200.00 within validity.

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

ISSUED: March 8, 2006

EFFECTIVE: April 22, 2006

Airline Tariff Publishing Company, Agent  
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9th Revised Page 74-J  
 Cancels 8th Revised Page 74-J

**RULE**

**SECTION III - REFUNDS AND REROUTING**

**C86** [C]DENIED BOARDING COMPENSATION (Applicable OS only to flights travelling to from Europe to Canada)

**PART 2**

In compliance with EC-Regulation 261/2004 of the European Parliament and of the Council.

When OS is unable to provide previously confirmed space due to there being more passengers holding confirmed reservations and tickets than for which there are available seats on a flight; OS shall implement the provisions of this rule.

- (A) **DEFINITIONS:** For the purpose of this rule, the following definitions shall apply:
  - (1) Airport: That at which the direct or connecting flight on which the passenger holds confirmed and ticketed reservations is scheduled to depart or arrive;
  - (2) Alternate transportation is air transportation used by the passenger which, at the time such arrangements are made, will provide for arrival at the passenger's destination or next point of stopover, at the earliest opportunity.  
Comparable air transportation is provided by air carriers to passengers at no extra cost.
  - (3) Confirmed space (reservations) is that which applies to a specific OS flight, date and fare type as requested by a passenger and which is verified in OS reservations system and is so noted on his ticket.
  - (4) 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.
- (B) **REQUEST FOR VOLUNTEERS**
  - (1) OS will request volunteers from among the confirmed passengers to relinquish their seats in exchange for benefits under conditions to be agreed upon between the passenger and OS.
  - (2) Once a passenger has voluntarily relinquished his seat, he will not later be involuntarily denied boarding unless he was advised at the time he volunteered of such possibility and the benefits conditions as under (1).
- (C) **BOARDING PRIORITIES**
  - (1) If a flight is oversold, no passenger may be involuntarily denied boarding until OS has first requested volunteers to relinquish their seats.
  - (2) In the event there are not enough volunteers, other passengers may be involuntarily denied boarding in accordance with OS boarding priority policy.
- (D) **TRANSPORTATION FOR PASSENGERS DENIED BOARDING**
  - (1) A passenger who has been denied boarding, either voluntarily or involuntarily, will be provided transportation to his final destination on the next point of stopover at the earliest opportunity, regardless of the class of service, and at no additional cost to him.
  - (2) Should OS not be able to provide onward transportation, acceptable to the passenger, on the services of OS, transportation via the services of another carrier(s) will be provided as follows:
    - (a) The passenger will be accommodated in the class of service and/or booking class applicable to his transportation on OS.
    - (b) Transportation in a different class of service and/or booking class will be provided without additional cost to the passenger only if it will provide for an earlier arrival at his destination or next point of stopover.
- (E) **COMPENSATION**

In addition to providing transportation in accordance with (D), a passenger who has been denied boarding involuntarily will be compensated by OS as follows:

  - (1) Conditions for Payment
    - (a) The passenger must present himself for carriage not later than the check-in deadline indicated in the OS timetable;
    - (b) Must fully comply with OS applicable reservation, ticketing, check-in and reconfirmation procedures.
  - (2) Amount of Compensation

Subject to the provisions of (E)(1) OS will offer financial compensation. The amount is depending on the actual arrival delay at the destination or point of stopover and is offered in cash in accordance with the passenger in a credit voucher (MCO) good for travel on OS.

|                      |            |             |
|----------------------|------------|-------------|
| <u>Arrival Delay</u> | <u>MCO</u> | <u>Cash</u> |
| Up to 4 hours        | EUR 450.   | EUR 300.    |
| More than 4 hours    | EUR 900.   | EUR 600.    |

The MCO is valid for one year and may be refunded within the validity to this amount which would have been paid in cash. (e.g. MCO value EUR 450. is refunded to EUR 300.)

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

**ISSUED:** March 8, 2006

**EFFECTIVE:** April 22, 2006

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

11th Revised Page 74-K  
 Cancels 10th Revised Page 74-K

**RULE SECTION III - REFUNDS AND REROUTING**

**87 DENIED BOARDING COMPENSATION (Not applicable to AZ, OS or SN.)**

When the carrier is unable to provide previously confirmed space due to more passengers holding confirmed reservations and tickets on a flight than there are available seats on that flight, the carrier will take the actions specified in the provisions of this rule.

**(A) DEFINITIONS**

For the purpose of this rule, definitions of the following terms are as indicated.

- (1) **Airport**
  - (a) **Via SU:** is that at which the direct or connecting flight on which passenger holds confirmed and ticketed reservations is scheduled to arrive.
  - (b) **Via other than SU:** 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, provided that transportation to the other airport is accepted (i.e., used) by the passenger.
- (2) **Alternate transportation (Via other than SU)** means air transportation (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 final destination no later than 4 hours after the passenger's originally scheduled arrival time.
- (3) **Carrier**
  - (a) **Via SU:** means an air carrier, except a helicopter operator, holding a commercial air service license issued by the Department of Transportation authorizing the transportation of persons.
  - (b) **Via other than SU:** means (a) a direct air carrier, except a helicopter operator, holding a certificate issued by the Board pursuant to section 401(d)(1), 401(d)(2), 401(d)(5) or 401(d)(8) of the Act or an exemption from section 401(a) 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 or an exemption from section 402 of the Act, authorizing the scheduled foreign air transportation of persons.
- (4) **Comparable air transportation** means transportation provided to passengers at no extra cost by a carrier as defined above.
- (5) **Via SU: Confirmed air space (reservations)** is that which applies to a specific SU flight, date and fare type as requested by a passenger and which is verified in SU reservation system and is so noted on his ticket.
- (6) **Confirmed reserved space (via other than SU)** 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.
- (7) **Large aircraft (via other than SU)** means any aircraft that has a passenger capacity of more than 60 seats.
- (8) **Via SU: 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.
- (9) **Stopover**
  - (a) **Via SU:** is a deliberate interruption of journey requested by the passenger which is scheduled to exceed 24 hours at a place between the points of origin and destination.
  - (b) **Via other than SU:** 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.
- (10) **Sum of the values of the remaining flight coupons (via other than SU)** means the sum of the applicable one-way fares, including any surcharges and air transportation taxes, less any applicable discounts.
- (11) **Ticket lifting point/Boarding area (via other than SU)** means the point where the passenger's flight coupon is lifted and retained by the carrier.
- + [C] (12) **Volunteer Via SU:** 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/she accepts denied boarding compensation.
- + [C] (13) **Denied boarding involuntarily Via SU:** means refusal to receive the passenger for transportation for the reason of lack of space on an SU flight despite the passenger having a valid ticket and a confirmed reservation for the flight when the passenger arrived in due time and order for check-in.

(B) Specific carrier's provisions are found in the Part(s) indicated in the table below:

| CARRIER | PART | CARRIER | PART |
|---------|------|---------|------|
| EI      | 11   | QF      | 13   |
| NZ      | 17   | SK      | 16   |
| PH      | 23   | SU      | 1    |
|         |      | TZ      | 15   |

(Continued on next page)

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

ISSUED: September 16, 2003

EFFECTIVE: October 31, 2003

(Except as Noted)

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

38th Revised Page 74  
 Cancels 37th Revised Page 74

RULE

## SECTION III - REFUNDS AND REROUTING

80

REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS (Continued)(B) CHANGES REQUESTED BY PASSENGER (Continued)(2) Method of Effecting Change

The change requested by the passenger shall be effected by:

(a) endorsement of such unused ticket, flight coupon(s), or exchange order to the new receiving carrier or

(b) reticketing of the passenger.

(3) Applicable Fare

(a) (Applicable to AZ, EI, FF, NZ, QF, SK, SN, and TZ only)

The fare and charges applicable as a result of any such change in routing, destination, or carrier shall be the fare and charges that would have been applicable if transportation had been purchased as of the date of commencement of carriage; provided that,

(i) additional passage at the through fare shall not be permitted unless request has been made prior to arrival at the destination named on the original ticket or Miscellaneous Charges Order, and

(ii) after the carriage has commenced, a one way ticket shall not be converted into a round trip or circle trip ticket at the round trip or circle trip discount for any portion already flown; and

(iii) after carriage has commenced a round trip ticket can be converted into a circle trip ticket, or vice versa provided that request is made prior to the passenger's arrival at the destination named on the original ticket or Miscellaneous Charges Order.

(b) (Applicable to AZ, EI, FF, NZ, PH, QF, SK, SN and TZ only.) Any difference between the fare and charges applicable under subparagraph (A) above, and the fare and charges paid by the passenger will be collected from the passenger by the carrier accomplishing the rerouting, who will also pay to the passenger any amounts due on account of refunds or arrange for the applicable refund by the carrier that issued the original ticket. (See also Rule 60.)

(Continued on next page)

Provisions of CU formerly appearing on this page and not brought forward are hereby cancelled.

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

ISSUED: March 13, 2002

EFFECTIVE: April 12, 2002

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

39th Revised Page 74-A  
 Cancels 38th Revised Page 74-A

| RULE | SECTION III - REFUNDS AND REROUTING  |
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| 80   | <p><u>REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS</u> (Continued)</p> <p>(B) <u>CHANGES REQUESTED BY PASSENGER</u> (Continued)</p> <p>(4) <u>Expiration Date</u> (Applicable to NZ, PH, QF, SK, SN and TZ only)<br/>                     The expiration date of any new ticket issued for a change in routing, destination, carrier(s), class of service, or validity will be limited to the expiration date that would have been applicable if the new ticket had been issued on the date of sale of the original ticket or Miscellaneous Charges Order.</p> <p>(5) Administrative service charge for downgrading (Applicable to SN only for travel from the U.S.A.) The passenger may downgrade the fare on any fare type to a lower fare for a charge of USD 100.00 provided that there is no change to itinerary/routing/or dates of travel. The only change allowed is to the appropriate reservations booking code for the desired fare type and seats must be available in this booking code with no waitlists allowed.</p> <p>(6) (Applicable to SK only)<br/>                     The passenger may downgrade the fare on any fare type to a lower fare for a charge of USD +I1100.00/CAD +I1125.00 provided that there is no change to the itinerary, routing, or dates of travel. The only change allowed is to the appropriate reservations booking code for the desired fare type and seats must be available in this booking code with no waitlists allowed.</p> |

(Continued on next page)

+ - Effective January 1, 2004 for transportation to/from USA only.

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

ISSUED: December 22, 2003

EFFECTIVE: February 5, 2004

(Except as Noted)

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

36th Revised Page 74-B  
 Cancels 35th Revised Page 74-B

| RULE   | SECTION III - REFUNDS AND REROUTING  |
|--|--|
| 80   | <p><b>REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS</b> (Continued)</p> <p>(C) <b>INVOLUNTARY REVISED ROUTINGS</b></p> <p>(1) In the event carrier cancels a flight, fails to operate according to schedule, fails to stop at a point to which the passenger is destined or is ticketed to stop over, substitutes a different type of equipment or class or service, denies boarding to a passenger holding a confirmed reservation because there is insufficient space on the flight to accommodate him, induces a passenger to surrender voluntarily his confirmed reserved space so that another passenger is not denied boarding involuntarily, or removes or refuses passage to a passenger in accordance with Rule 25, carrier will either:</p> <p>(a) carry the passenger on another of its passenger aircraft on which space is available without additional charge regardless of the class of service; or</p> <p>(b) endorse to another carrier or other transportation service, the unused portion of the ticket for purposes of rerouting; or</p> <p>(c) reroute the passenger to the destination named on the ticket or applicable portion thereof by its own or other transportation services; and, if the fare, excess baggage charges, and any applicable service charge for the revised routing or class of service is higher than the refund value of the ticket or applicable portion thereof as determined by Rule 90, carrier will require no additional payment from the passenger, but will refund the difference if it is lower; or</p> <p><b>EXCEPTION 1:</b> (Applicable to QF only.) If the fare, excess baggage charges and any applicable service charge exceeds the refund value of the ticket or applicable portions as determined from Rule 90, passengers who do not hold first class, business class, or normal economy class tickets will not be involuntarily rerouted without collection of such excess amount.</p> <p><b>EXCEPTION 2:</b> (Applicable to AZ only.) In the case of upgrading to a higher class of service on AZ for which space is available, AZ will only upgrade economy class passengers to business class service.</p> <p>(d) (Not applicable to EI.)</p> <p>(i) Transport the passenger on another economy flight on which space is available or</p> <p>(ii) Transport the passenger to the destination shown on its portion of the ticket on carrier's next First Class flight on which space is available, at no additional fare, if so doing will provide an earlier arrival than the next economy flight on which space is available.</p> <p>(e) Make involuntary refund in accordance with Rule 90(D).</p> <p>(2) NOT USED</p> |
| (Continued on next page)   |  |
| Provisions of CU formerly appearing on this page and not brought forward are hereby cancelled. |  |
| For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.          |  |
| ISSUED: March 13, 2002   | EFFECTIVE: April 12, 2002  |

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

32nd Revised Page 74-C  
 Cancels 31st Revised Page 74-C

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| <b>RULE</b> | <b>SECTION III - REFUNDS AND REROUTING</b> |
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| <b>80</b> | <p><b>REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS (Continued)</b></p> <p><b>(C) INVOLUNTARY REVISED ROUTINGS (Continued)</b></p> <p>†[IN]†(3) <u>Involuntary Revised Routings (Applicable to AC only)</u></p> <p>(a) In the event carrier cancels a flight, fails to operate according to schedule, fails to stop at a point to which the passenger is destined or is ticketed to stopover, substitutes a different type of equipment or class of service, is unable to provide previously confirmed space, causes a passenger to miss a connecting flight on which he holds a reservation, or the passenger is refused passage or removed in accordance with Rule 25(A) carrier will as passenger's sole remedy either:</p> <ul style="list-style-type: none"> <li>(i) carry the passenger on another of its passenger aircraft on which space is available without additional charge regardless of the class of service; or</li> <li>(ii) endorse to another carrier or other transportation service, the unused portion of the ticket for purposes of rerouting; or</li> <li>(iii) reroute the passenger to the destination named on the ticket or applicable portion thereof by its own or other transportation services; and if the fare for the revised routing or class of service is higher than the refund value of the ticket or applicable portion thereof as determined from Rule 90(D), carrier will require no additional payment from the passenger but will refund the difference if it is lower.</li> <li>(iv) make involuntary refund in accordance with Rule 90(D).</li> </ul> <p>(b) In the event carrier is a codeshare carrier and the operating carrier cancels a flight, fails to operate according to schedule, fails to stop at a point to which the passenger is destined or is ticketed to stopover, substitutes a different type of equipment or class of service, is unable to provide previously confirmed space, causes a passenger to miss a connecting flight on which he holds a reservation, or the passenger is refused passage or removed in accordance with Rule 25 (A) carrier will, as the passenger's sole remedy, if the operating carrier fails to do so:</p> <ul style="list-style-type: none"> <li>(i) carry the passenger on another of its passenger aircraft on which space is available without additional charge regardless of the class of service; or</li> <li>(ii) endorse to another carrier or other transportation service, the unused portion of the ticket for purposes of rerouting; or</li> <li>(iii) reroute the passenger to the destination named on the ticket or applicable portion thereof by its own or other transportation services; and if the fare for the revised routing or class of service is higher than the refund value of the ticket or applicable portion thereof as determined from Rule 90(D), carrier will require no additional payment from the passenger but will refund the difference if it is lower.</li> <li>(iv) make involuntary refund in accordance with Rule 90(D).</li> </ul> |
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† - Effective November 18, 2000 for transportation to/from the U.S.A.

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

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| <b>ISSUED: November 17, 2000</b> | <b>EFFECTIVE: January 16, 2001</b> | (Except as Noted) |
|----------------------------------|------------------------------------|-------------------|

† - Effective November 18, 2000 and issued on not less than one (1) day's notice under NTA(A) Special Permission No. 52026.

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| <b>RULE</b> | <b>SECTION III - REFUNDS AND REROUTING</b> |
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| <b>80</b> | <p><b>REVISED ROUTINGS, FAILURE TO CARRY AND MISSED CONNECTIONS (Continued)</b></p> <p><b>(D) MISSED CONNECTIONS</b><br/>                 In the event a passenger misses an onward connecting flight on which space has been reserved because the delivering carrier did not operate its flight according to schedule or changed the schedule of such flight, the delivering carrier will arrange for the carriage of the passenger or make involuntary refund in accordance with Rule 90.</p> <p><b>(E) FREE BAGGAGE ALLOWANCE</b><br/>                 An involuntarily rerouted passenger shall be entitled to retain the free baggage allowance applicable for the type of service originally paid for. This provision shall apply even though the passenger may be transferred from a First Class flight to a Business/Economy/Tourist/Economy/Thrift Class flight and is entitled to a fare refund.</p> <p><b>C (F) (Applicable to AC/+(IN)NG/SS only.)</b> Time limits on cancellations and charges for late cancellations will be applicable to revised routings requested by passenger.</p> <p><b>(G) (Applicable to TM only)</b> Force majeure events TM may in the event of a force majeure event, without notice, cancel, terminate, divert, postpone, or delay any flight or the right of carriage or reservation of traffic accommodations and determine if any departure or landing should be made, without liability except to refund in the original form of payment in accordance with involuntary refund rules any unused portion of the ticket. As used in this rule "force majeure event" means:</p> <ol style="list-style-type: none"> <li>(1) Any condition beyond TM's control (including but not without limitation meteorological conditions, acts of god, riots, civil commotion, embargoes wars, hostilities, disturbances, or unsettled international conditions) threatened or reported or because of any delay, demand, circumstances or requirement due, directly or indirectly to such conditions; or</li> <li>(2) Any strike, work stoppage, slowdown, lockout or any other labor related dispute involving or affecting TM's service; or</li> <li>(3) Any government regulation, demand, or requirement; or</li> <li>(4) Any shortage of labor, fuel or facilities of TM or others; or</li> <li>(5) Any fact not reasonably foreseen, anticipated or predicted by TM.</li> </ol> |
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| <b>81</b> | <p><b>DEFAULT PROTECTION PLAN - SPECIAL CONDITIONS (Applicable to TM only)</b><br/>                 Notwithstanding any other provision of this Rules Tariff, upon notice of default pursuant to the Air Traffic Conference Default Protection Plan (DPP) agreements (CAB 27010-A-11 and 28674) approved by the CAB in Order 82-4-74, Carrier will accept revenue passengers of a "default carrier" holding "traffic documents" pertaining only to scheduled flights as defined in the DPP subject to the following conditions:</p> <p><b>(A)</b> acceptance for transportation will be on Carrier's own route system (online) only pursuant to routings shown in Carrier's published schedules between the points named on a given flight coupon of the default carrier.</p> <p><b>(B)</b> transportation will be on a standby basis only.</p> <p><b>(C)</b> traffic documents marked non-endorsable/non-refundable will not be accepted for transportation under any circumstances.</p> <p><b>(D)</b> travel restrictions applicable to the traffic documents of the default carrier shall apply to travel on Carrier.</p> <p><b>(E)</b> traffic documents of the default carrier will be honored no later than twelve months from the date such traffic document was validated.</p> <p><b>(F)</b> no traffic document of the default carrier will be refunded under any circumstances.</p> |
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For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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| <b>ISSUED:</b> April 22, 1997 | <b>EFFECTIVE:</b> June 21, 1997 | (Except as Noted) |
|-------------------------------|---------------------------------|-------------------|

0058C † - Effective April 23, 1997 and issued on not less than one (1) day's notice under NTA(A) Special Permission No. 35504.

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

13th Revised Page 74-E  
 Cancels 12th Revised Page 74-E

| RULE   | SECTION III - REFUNDS AND REROUTING   |
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| 65   | <p><b>SCHEDULES, DELAYS AND CANCELLATION OF FLIGHTS</b></p> <p>(A) <b>SCHEDULES</b><br/>         Times shown in timetables or elsewhere are approximate and not guaranteed, and form no part of the contract of carriage. Schedules are subject to change without notice and carrier assumes no responsibility for making connections. Carrier will not be responsible for errors or omissions either in timetables or other representations of schedules. No employee, agent or representative of carrier is authorized to bind carrier by any statements or representation as to the dates or times of departure or arrival, or of the operation of any flight.</p> <p>C (B) <b>SCHEDULE IRREGULARITY</b> (Applicable to CO, and X only.) When a passenger will be delayed because of a schedule irregularity or a carrier cancels the passenger's reservation pursuant to Rule 60 (RESERVATIONS):</p> <p>(1) Any carrier causing such delay or in the case of a misconnection the original receiving carrier(s), will transport the passenger without stopover on its (their) next flight, on which space is available, in the same class of service as the passenger's original outbound flight at no additional cost to the passenger; 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, or</p> <p>(2) If the carrier causing such delay, or in the case of misconnection the original receiving carrier or combination of connecting 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, or</p> |
| <p>For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.</p> |   |
| ISSUED: October 14, 1994   | EFFECTIVE: December 13, 1994  |

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

13th Revised Page 74-F  
 Cancels 12th Revised Page 74-F

| RULE        | SECTION III - REFUNDS AND REROUTING   |
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| 85<br><br>C | <p><u>SCHEDULES, DELAYS AND CANCELLATION OF FLIGHTS</u> (Continued)</p> <p>(B) <u>SCHEDULE IRREGULARITY</u> (Continued)</p> <p>(3) The carrier causing the schedule irregularity will refund in accordance with Rule 90 (<u>REFUNDS</u>).</p> <p>(4) <u>CANCELLED</u></p> <p>(C) <u>CHANGE IN SCHEDULE</u> (Applicable to CO only.) When a passenger will be delayed because of a change in its schedule, carrier will arrange to:</p> <p>(1) Transport the passenger over its own lines to the destination, next stopover point or transfer point shown on its portion of the ticket, without stopover at no additional cost to the passenger, provided that a passenger who paid a economy fare will be transported on one of its First Class flights only if such flight will provide an earlier arrival than its next economy flight on which space is available.</p> <p>(2) Endorse the unused ticket for the purpose of rerouting over another carrier; or</p> <p>(3) Refund in accordance with Rule 90 (<u>REFUNDS</u>).</p> |

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

ISSUED: October 14, 1994

EFFECTIVE: December 13, 1994

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

6th Revised Page 74-G  
 Cancels 5th Revised Page 74-G

RULE

## SECTION III - REFUNDS AND REROUTING

85 SCHEDULES, DELAYS AND CANCELLATION OF FLIGHTS (Continued)(D) CANCELLATIONS

- (1) Carrier undertakes to use its best efforts to carry the passenger and baggage with reasonable dispatch, but no particular time is fixed for the commencement or completion of carriage. Subject thereto carrier may, without notice, substitute alternate carriers or aircraft and may alter or omit the stopping places shown on the face of the ticket in case of necessity.
- (2) Carrier may, without notice, cancel, terminate, divert, postpone, or delay any flight or the further right of carriage or reservation of traffic accommodations and determine if any departure or landing should be made, without any liability except to refund in accordance with its tariffs the fare and baggage charges for any unused portion of the ticket, when it would be advisable to do so:
- (a) because of any fact beyond its control (including, but without limitation, meteorological conditions, acts of God, force majeure, strikes, riots, civil commotions, embargoes, wars, hostilities, disturbances or unsettled international conditions), actual, threatened or reported or because of any delay, demand, condition, circumstances or requirement due, directly or indirectly, to such fact; or
  - (b) because of any fact not reasonably to be foreseen, anticipated, or predicted; or
  - (c) because of any government regulation, demand, or requirement; or
  - (d) because of shortage of labor, fuel, or facilities or labor difficulties of carrier or others.
- (3) Carrier may cancel the right or further right of carriage of the passenger and his baggage upon refusal of the passenger, after demand by carrier, to pay the fare or portion thereof so demanded, or to pay any charge so demanded and assessable with respect to the baggage of the passenger, without being subject to any liability therefore except to refund, in accordance herewith, the unused portion of the fare and baggage charge(s) previously paid, if any.
- (E) (Applicable to TW except to the extent Rule No. 81 is applicable.) Notwithstanding the provisions of this rule, Carrier will not accept for any purposes under this rule passenger tickets or related transportation documents issued by any carrier which is in substantial default of its interline obligations or which voluntarily or involuntarily has become the subject of bankruptcy proceedings (the "defaulting carrier").
- EXCEPTION: Notwithstanding the provisions of this paragraph, tickets issued by the defaulting carrier will be accepted solely for transportation over the lines of carrier provided such tickets were issued by such defaulting carrier in its capacity as agent for carrier and specified transportation via carrier. When tickets are accepted, no adjustments in fare will be made which would require carrier to refund money to the passenger.

(Continued on next page)

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

ISSUED: June 16, 1997

EFFECTIVE: August 15, 1997

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

12th Revised Page 74-H  
 Cancels 11th Revised Page 74-H

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| C86 | <p><u>[C] DENIED BOARDING COMPENSATION</u> (Applicable OS only to flights travelling from Canada to Europe)</p> <p style="text-align: center;"><u>PART I</u></p> <p>When OS is unable to provide previously confirmed space due to there being more passengers holding confirmed reservations and tickets than for which there are available seats on a flight; OS shall implement the provisions of this rule.</p> <p>(A) <u>DEFINITIONS:</u> For the purpose of this rule, the following definitions shall apply:</p> <p>(1) <u>Airport:</u> That at which the direct or connecting flight on which the passenger holds confirmed and ticketed reservations is scheduled to depart or arrive;</p> <p>(2) <u>Alternate transportation</u> is air transportation used by the passenger which, at the time such arrangements are made, will provide for arrival at the passenger's destination or next point of stopover, at the earliest opportunity.</p> <p><u>Comparable air transportation</u> is provided by air carriers to passengers at no extra cost.</p> <p>(3) <u>Confirmed space (reservations)</u> is that which applies to a specific OS flight, date and fare type as requested by a passenger and which is verified in OS reservations system and is so noted on his ticket.</p> <p>(4) <u>Oversold</u> 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.</p> <p>(B) <u>REQUEST FOR VOLUNTEERS</u></p> <p>(1) OS will request volunteers from among the confirmed passengers to relinquish their seats in exchange for benefits under the conditions to be agreed upon between the passenger and OS.</p> <p>(2) Once a passenger has voluntarily relinquished his seat, he will not later be involuntarily denied boarding unless he was advised at the same time he volunteered of such possibility and the benefits/conditions as under (1).</p> <p>(C) <u>BOARDING PRIORITIES</u></p> <p>(1) If a flight is oversold, no passenger may be involuntarily denied boarding until OS has first requested volunteers to relinquish their seats.</p> <p>(2) In the event there are not enough volunteers, other passengers may be involuntarily denied boarding in accordance with OS boarding priority policy.</p> <p>(D) <u>TRANSPORTATION FOR PASSENGERS DENIED BOARDING</u></p> <p>(1) A passenger who has been denied boarding, either voluntarily or involuntarily, will be provided transportation to his final destination on the next point of stopover at the earliest opportunity, regardless of the class of service, and at no additional cost to him.</p> <p>(2) Should OS not be able to provide onward transportation, acceptable to the passenger on the services of OS, transportation via the services of another carrier(s) will be provided as follows:</p> <p>(a) The passenger will be accommodated in the class of service and/or booking class applicable to his transportation on OS.</p> <p>(b) Transportation in a different class of service and/or booking class will be provided without additional cost to the passenger only if it will provide for an earlier arrival at his destination or next point of stopover.</p> |
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For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26.

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| ISSUED: March 8, 2006 | EFFECTIVE: April 22, 2006 |
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Airline Tariff Publishing Company, Agent  
 INTERNATIONAL PASSENGER RULES AND FARES TARIFF  
 NO. IPR-2

12th Revised Page 74-I  
 Cancels 11th Revised Page 74-I

RULE

## SECTION III - REFUNDS AND REROUTING

C86

[C] DENIED BOARDING COMPENSATION (Applicable OS only to flights travelling to and from Canada to Europe) (Continued)

PART 1 (Continued)(E) COMPENSATION

In addition to providing transportation in accordance with (D) above, a passenger who has been denied boarding involuntarily will be compensated by OS as follows:

(1) Conditions for Payment

- (a) The passenger must present himself for carriage not later than the check-in deadline indicated in the OS timetable; and  
 (b) must fully comply with OS applicable reservation, ticketing, check-in and reconfirmation procedures; and,

(2) Amount of Compensation

Subject to the provisions of (E)(1) OS will offer financial compensation in cash CAD 200.00 or in accordance with the passenger a credit voucher (MCO) good for travel on OS to the value of CAD 500.00. The MCO is valid for one year and may be refunded to total amount CAD 200.00 within validity.

(Continued on next page)

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

ISSUED: March 8, 2006

EFFECTIVE: April 22, 2006

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

9th Revised Page 74-J  
 Cancels 8th Revised Page 74-J

RULE

## SECTION III - REFUNDS AND REROUTING

C86 [C] DENIED BOARDING COMPENSATION (Applicable OS only to flights travelling to from Europe to Canada)

## PART 2

In compliance with EC-Regulation 261/2004 of the European Parliament and of the Council.

When OS is unable to provide previously confirmed space due to there being more passengers holding confirmed reservations and tickets than for which there are available seats on a flight; OS shall implement the provisions of this rule.

- (A) DEFINITIONS: For the purpose of this rule, the following definitions shall apply:
- (1) Airport: That at which the direct or connecting flight on which the passenger holds confirmed and ticketed reservations is scheduled to depart or arrive;
  - (2) Alternate transportation is air transportation used by the passenger which, at the time such arrangements are made, will provide for arrival at the passenger's destination or next point of stopover, at the earliest opportunity.  
Comparable air transportation is provided by air carriers to passengers at no extra cost.
  - (3) Confirmed space (reservations) is that which applies to a specific OS flight, date and fare type as requested by a passenger and which is verified in OS reservations system and is so noted on his ticket.
  - (4) 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.
- (B) REQUEST FOR VOLUNTEERS
- (1) OS will request volunteers from among the confirmed passengers to relinquish their seats in exchange for benefits under conditions to be agreed upon between the passenger and OS.
  - (2) Once a passenger has voluntarily relinquished his seat, he will not later be involuntarily denied boarding unless he was advised at the time he volunteered of such possibility and the benefits conditions as under (1).
- (C) BOARDING PRIORITIES
- (1) If a flight is oversold, no passenger may be involuntarily denied boarding until OS has first requested volunteers to relinquish their seats.
  - (2) In the event there are not enough volunteers, other passengers may be involuntarily denied boarding in accordance with OS boarding priority policy.
- (D) TRANSPORTATION FOR PASSENGERS DENIED BOARDING
- (1) A passenger who has been denied boarding, either voluntarily or involuntarily, will be provided transportation to his final destination on the next point of stopover at the earliest opportunity, regardless of the class of service, and at no additional cost to him.
  - (2) Should OS not be able to provide onward transportation, acceptable to the passenger, on the services of OS, transportation via the services of another carrier(s) will be provided as follows:
    - (a) The passenger will be accommodated in the class of service and/or booking class applicable to his transportation on OS.
    - (b) Transportation in a different class of service and/or booking class will be provided without additional cost to the passenger only if it will provide for an earlier arrival at his destination or next point of stopover.
- (E) COMPENSATION
- In addition to providing transportation in accordance with (D), a passenger who has been denied boarding involuntarily will be compensated by OS as follows:
- (1) Conditions for Payment
    - (a) The passenger must present himself for carriage not later than the check-in deadline indicated in the OS timetable;
    - (b) Must fully comply with OS applicable reservation, ticketing, check-in and reconfirmation procedures.
  - (2) Amount of Compensation  
 Subject to the provisions of (E)(1) OS will offer financial compensation. The amount is depending on the actual arrival delay at the destination or point of stopover and is offered in cash in accordance with the passenger in a credit voucher (MCO) good for travel on OS.
 

| Arrival Delay     | MCO      | Cash     |
|-------------------|----------|----------|
| Up to 4 hours     | EUR 450. | EUR 300. |
| More than 4 hours | EUR 900. | EUR 600. |

 The MCO is valid for one year and may be refunded within the validity to this amount which would have been paid in cash. (e.g. MCO value EUR 450. is refunded to EUR 300.)

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

ISSUED: March 8, 2006

EFFECTIVE: April 22, 2006

Airline Tariff Publishing Company, Agent  
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11th Revised Page 74-K  
 Cancels 10th Revised Page 74-K

**RULE SECTION III - REFUNDS AND REROUTING**

**87 DENIED BOARDING COMPENSATION (Not applicable to AZ, OS or SN.)**

When the carrier is unable to provide previously confirmed space due to more passengers holding confirmed reservations and tickets on a flight than there are available seats on that flight, the carrier will take the actions specified in the provisions of this rule.

**(A) DEFINITIONS**

For the purpose of this rule, definitions of the following terms are as indicated.

- (1) **Airport**
  - (a) **Via SU:** is that at which the direct or connecting flight on which passenger holds confirmed and ticketed reservations is scheduled to arrive.
  - (b) **Via other than SU:** 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, provided that transportation to the other airport is accepted (i.e., used) by the passenger.
- (2) **Alternate transportation (Via other than SU)** means air transportation (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 final destination no later than 4 hours after the passenger's originally scheduled arrival time.
- (3) **Carrier**
  - (a) **Via SU:** means an air carrier, except a helicopter operator, holding a commercial air service license issued by the Department of Transportation authorizing the transportation of persons.
  - (b) **Via other than SU:** means (a) a direct air carrier, except a helicopter operator, holding a certificate issued by the Board pursuant to section 401(d)(1), 401(d)(2), 401(d)(5) or 401(d)(8) of the Act or an exemption from section 401(a) 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 or an exemption from section 402 of the Act, authorizing the scheduled foreign air transportation of persons.
- (4) **Comparable air transportation** means transportation provided to passengers at no extra cost by a carrier as defined above.
- (5) **Via SU: Confirmed air space (reservations)** is that which applies to a specific SU flight, date and fare type as requested by a passenger and which is verified in SU reservation system and is so noted on his ticket.
- (6) **Confirmed reserved space (via other than SU)** 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.
- (7) **Large aircraft (via other than SU)** means any aircraft that has a passenger capacity of more than 60 seats.
- (8) **Via SU: 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.
- (9) **Stopover**
  - (a) **Via SU:** is a deliberate interruption of journey requested by the passenger which is scheduled to exceed 24 hours at a place between the points of origin and destination.
  - (b) **Via other than SU:** 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.
- (10) **Sum of the values of the remaining flight coupons (via other than SU)** means the sum of the applicable one-way fares, including any surcharges and air transportation taxes, less any applicable discounts.
- (11) **Ticket lifting point/Boarding area (via other than SU)** means the point where the passenger's flight coupon is lifted and retained by the carrier.
- + [C] (12) **Volunteer Via SU:** 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/she accepts denied boarding compensation.
- + [C] (13) **Denied boarding involuntarily Via SU:** means refusal to receive the passenger for transportation for the reason of lack of space on an SU flight despite the passenger having a valid ticket and a confirmed reservation for the flight when the passenger arrived in due time and order for check-in.

(B) Specific carrier's provisions are found in the Part(s) indicated in the table below:

| CARRIER | PART | CARRIER | PART |
|---------|------|---------|------|
| EI      | 11   | QF      | 13   |
| NZ      | 17   | SK      | 16   |
| PH      | 23   | SU      | 1    |
|         |      | TZ      | 15   |

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ISSUED: September 16, 2003

EFFECTIVE: October 31, 2003

(Except as Noted)

**RULE** **SECTION III - REFUNDS AND REROUTING**

87 **DENIED BOARDING COMPENSATION** (Continued)

**PART 1 - VIA SU**

**PART I**  
 †[C]Applicable for travel from Canada)

C (A) **REQUEST FOR VOLUNTEERS**  
 (1) SU will request volunteers from among the confirmed passengers to relinquish their seats in exchange for compensation as defined in (D).  
 (2) Once a passenger has voluntarily relinquished his seat, he will not later be involuntarily denied boarding unless he was advised at the time he volunteered of such possibility and the amount of compensation to which he would be entitled.  
 (3) The request for volunteers and the selection of passengers to be denied boarding shall be in a manner solely determined by SU.

C (B) **BOARDING PRIORITIES**  
 (1) If a flight is oversold, no passenger may be involuntarily denied boarding until SU has first requested volunteers to relinquish their seats.  
 †[C](2) In the event there are not enough volunteers, other passengers may be involuntarily denied boarding in accordance with SU boarding priority policy. Passengers with confirmed reservations who have not received a boarding pass, will be permitted to board in the following order until all available seats are occupied:  
 (a) Physically handicapped passengers and unaccompanied children under 12 years of age.  
 (b) Frequent flier passengers having tickets under the "Aeroflot-bonus" program.  
 (c) Passengers in joint-traveling groups and families.  
 (d) Passengers having a limited term valid visa.  
 (e) Passengers with SSR element in PNR having VIP notice.  
 (f) All other passengers will be accommodated in the order in which they present themselves for check-in and boarding.

C †[N]NOTE: Physically handicapped passengers and unaccompanied children under 12 years of age will be exempted from the order of removal when necessary to avoid undue hardship.

C (C) **TRANSPORTATION FOR PASSENGER DENIED BOARDING**  
 A passenger who has been denied boarding, either voluntarily or involuntarily, will be provided transportation in accordance with the following:  
 (1) The passenger will be transported without stopover on the next available SU flight, regardless of the class of service, and at no additional cost to him.  
 †[C](2) Should SU not be able to provide onward transportation acceptable to the passenger on the services of SU, transportation via the services of another carrier(s) will be provided as follows:  
 †[N](a) The passenger will be accommodated in the class of service and/or booking class applicable to his transportation on SU.  
 †[N](b) Transportation in a different class of service and/or booking class will be provided without additional cost to the passenger only if it will provide for an earlier arrival at his destination or next point of stopover.

C (D) **COMPENSATION**  
 In addition to providing transportation in accordance with (C), a passenger who has been denied boarding will be compensated by SU as follows:  
 (1) **Conditions for Payment**  
 (a) The passenger must present himself for carriage at the appropriate time and place:  
 (i) Having complied fully with SU applicable reservation, ticketing, check-in and reconfirmation procedures; and,  
 (ii) Being acceptable for transportation in accordance with SU published tariffs.  
 (b) It must not have been possible to accommodate the passenger on the flight on which he held confirmed reservations and the flight must have departed without him.  
**EXCEPTION:** The passenger will not be eligible for compensation:  
 (i) If he is offered accommodation or is seated in a compartment of the aircraft other than that specified on his ticket at no extra charge to him. (Should he be seated in a compartment for which a lower fare applies, he shall be entitled to the appropriate refund); or,  
 (ii) When the flight on which he holds a confirmed and ticketed reservation is cancelled or space has been requisitioned by the government;  
 †[C](iii) if the passenger can be accommodated on another flight which departs within one hour of the scheduled departure of the flight on which boarding has been denied.

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

ISSUED: September 16, 2003

EFFECTIVE: October 31, 2003

(Except as Noted)

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 Cancels 46th Revised Page 75

**RULE SECTION III - REFUNDS AND REROUTING**

87 **DENIED BOARDING COMPENSATION (Continued)**  
**PART 1 - VIA SU (Continued)**  
**PART I (Continued)**

(D) **COMPENSATION (Continued)**  
 (2) **Amount of Compensation (from Canada to all destinations)**  
 †[C] Subject to the provisions of (D)(1)(a) SU will tender liquidated damages in the amounts in cash or by issuing an MCO (which is valid for travel via SU) as follows:  
 - compensation by cash is equal to the value of coupons remaining to an online or interline destination, or next stopover point, maximum is CAD 200.00;  
 - compensation by MCO is equal to the amounts listed in table (D)(2)(a) below, minimum CAD 69.00 and maximum CAD 691.00, but not exceeding the value of the remaining flight coupon(s) of the ticket:  
 (a)

| Operating Carrier | Delay | Range of transportation of denied boarding passenger up to 3500 km. | Range of transportation of denied boarding passenger more than 3500 km. |
|-------------------|-------|---|---|
|                   |       |   |   |

Compensation of a "Volunteer" in any case is CAD 69.00 (+[X])

†[N] Compensation for involuntary Denied Boarding shall be as listed below:

|   | Delay in arrival on schedule up to 12 hours.     | CAD 138.00 (+[X]) | CAD 276.00 (+[X]) |
|---|--|-------------------|-------------------|
| I. When flights are carried out by SU.              | Delay in arrival on schedule up to 24 hours.     | CAD 276.00 (+[X]) | CAD 553.00 (+[X]) |
|   | Delay in arrival on schedule more than 24 hours. | CAD 553.00 (+[X]) | CAD 691.00 (+[X]) |
| II. When flights are carried out by other airlines. | Delay in arrival on schedule up to 6 hours.      | CAD 69.00 (+[X])  | CAD 138.00 (+[X]) |
|   | Delay in arrival on schedule up to 12 hours.     | CAD 138.00 (+[X]) | CAD 276.00 (+[X]) |
|   | Delay in arrival on schedule more than 12 hours. | CAD 276.00 (+[X]) | CAD 346.00 (+[X]) |

†[C]\*\*NOTE: Miscellaneous Charges Order (MCO) for free air transportation, issued in the name of voluntarily or involuntarily Denied Boarding passengers, will be valid for 365 days from the date of issuance. Miscellaneous Charges Order and a ticket issued under this MCO is non-transferable, has no refund value, and may be voluntarily rerouted and reissued by SU. The value of the MCO will not exceed the value of the remaining flight coupon(s) of the ticket.

- (b) Whether the denied boarding occurred voluntarily or involuntarily, SU shall provide to the passengers the following services free of charge:
  - (i) Telephone communication with point of destination up to 5 minutes;
  - †[C](ii) Provide meal and beverages to the sum of CAD 21.00 for each 5 hours but not more than CAD 62.00 per 24 hours;
  - (iii) Accommodation in a hotel if the passenger waits one or more nights.
- (3) **Time of Offer of Compensation**
  - (a) Compensation will be offered to, and if accepted, receipted by the passenger on the day and at the place where the denied boarding occurs.
  - (b) In the event the alternate transportation departs before the offer can be made, it shall be made by mail or other means within 24 hours after the time the failure to accommodate occurred.
  - (c) †[CANCELLED]

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

ISSUED: September 16, 2003      EFFECTIVE: October 31, 2003      (Except as Noted)

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| <b>RULE</b> | <b>SECTION III - REFUNDS AND REROUTING</b> |
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|    |  |
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| 87 | <p><b>DENIED BOARDING COMPENSATION</b> (Continued)</p> <p style="text-align: center;"><b>PART 1 - VIA SU</b> (Continued)</p> <p style="text-align: center;"><b>PART I</b> (Continued)</p> <p><b>(E) NOTICE PROVIDED TO PASSENGERS</b><br/>                 The following written notice shall be provided to all passengers who are involuntarily denied boarding on flights for which they hold confirmed reservations.</p> <p>(1) <u>COMPENSATION FOR DENIED BOARDING</u></p> <p>If you have been denied boarding on an SU flight for which you held confirmed and ticketed reservations, you are probably entitled to monetary compensation. This notice explains SU obligations and your rights in the case of an oversold (more confirmed and ticketed passengers than there are available seats) flight, in accordance with SU published tariffs.</p> <p>(2) <u>VOLUNTEERS AND BOARDING PRIORITIES</u></p> <p>When a flight is oversold, no passenger may be denied boarding until SU has requested volunteers from among the confirmed and ticketed passengers to relinquish their seats in exchange for a payment of SU's choosing. In the event there are not enough volunteers, other passengers may be involuntarily denied boarding in accordance with SU boarding priority policy. Passengers with confirmed reservations who have not received a boarding pass, will be permitted to board in the following order until all available seats are occupied:</p> <p>+ [C] (a) Physically handicapped passengers and unaccompanied children under 12 years of age.<br/>                 + [C] (b) Frequent flier passengers having tickets under the "Aeroflot-bonus" program.<br/>                 + [C] (c) Passengers in joint-traveling groups and families.<br/>                 + [C] (d) Passengers having a limited term valid visa.<br/>                 + [C] (e) Passengers with SSR element in PNR having VIP notice.<br/>                 + [C] (f) All other passengers will be accommodated in the order in which they present themselves for check-in and boarding.</p> <p>(g) + [CANCELLED]</p> <p>+ [NOTE] Physically handicapped passengers and unaccompanied children under 12 years of age will be exempted from the order of removal when necessary to avoid undue hardship.</p> <p>(3) <u>COMPENSATION FOR INVOLUNTARY DENIED BOARDING</u></p> <p>If you are denied boarding involuntarily, you are entitled to "denied boarding compensation" unless:</p> <p>(1) You have not fully complied with SU's applicable reservation, ticketing, check-in, and reconfirmation requirements, or you are not acceptable for transportation under the airline's tariff filed with the CTA; or</p> <p>(2) You are denied boarding because the flight is cancelled or,</p> <p>+ [C] (3) You are offered accommodation in a compartment of the aircraft other than that specified on 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). Subject to the provisions of (D)(1)(a), SU will tender liquidated damages in the amounts in cash or by issuing MCO (which is valid for travel via SU) as follows:</p> <ul style="list-style-type: none"> <li>- compensation by cash is equal to the value of coupons remaining to an online or interline destination, or next stopover point; maximum is CAD 200.00;</li> <li>- compensation by MCO is equal to the amounts listed in table (D)(2)(a) below, minimum CAD 69.00 and maximum CAD 691.00, but not exceeding the value of the remaining flight coupon(s) of the ticket:</li> </ul> |
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| <b>ISSUED:</b> September 16, 2003 | <b>EFFECTIVE:</b> October 31, 2003 | (Except as Noted) |
|-----------------------------------|------------------------------------|-------------------|

+ - Effective September 17, 2003 and issued on not less than one (1) day's notice under NTA(A) Special Permission No. 81575.

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

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 Cancels 13th Revised Page 76-A

**RULE SECTION III - REFUNDS AND REROUTING**

87 **DENIED BOARDING COMPENSATION (Continued)**  
PART 1 - VIA SU (Continued)  
PART I (Continued)  
 (E) NOTICE PROVIDED TO PASSENGERS (Continued)

| Operating Carrier   | Delay  | Range of transportation of denied boarding passenger up to 3500 km. | Range of transportation of denied boarding passenger more than 3500 km. |
|---|--|---|---|
| Compensation of a "Volunteer" in any case is CAD 69.00 +[X].                |  |   |   |
| †[N] Compensation for involuntary Denied Boarding shall be as listed below: |  |   |   |
| I. When flights are carried out by SU.                                      | Delay in arrival on schedule up to 12 hours.     | CAD 138.00 +[X]   | CAD 276.00 +[X]   |
|   | Delay in arrival on schedule up to 24 hours.     | CAD 276.00 +[X]   | CAD 553.00 +[X]   |
|   | Delay in arrival on schedule more than 24 hours. | CAD 553.00 +[X]   | CAD 691.00 +[X]   |
| II. When flights are carried out by other airlines.                         | Delay in arrival on schedule up to 6 hours.      | CAD 69.00 +[X]  | CAD 138.00 +[X]   |
|   | Delay in arrival on schedule up to 12 hours.     | CAD 138.00 +[X]   | CAD 276.00 +[X]   |
|   | Delay in arrival on schedule more than 12 hours. | CAD 276.00 +[X]   | CAD 346.00 +[X]   |

**\*\*NOTE:** Miscellaneous Charges Order (MCO) for free air transportation issued in the name of the passenger who volunteered and †[C] Denied Boarding passengers will be valid for 365 days from the date of issuance. Miscellaneous Charges Order and a ticket issued under this MCO is non-transferable, has no refund value, and may be voluntarily rerouted and reissued by SU. The value of the MCO will not exceed the value of the remaining flight coupon(s) of the ticket.

(4) Passenger's Options  
 Acceptance of the compensation (by endorsing MCO, good for future travel on SU, within 30 days) relieves SU from any further liability caused by our failure to honour your confirmed and ticketed reservations.

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**ISSUED: September 16, 2003**      **EFFECTIVE: October 31, 2003**      (Except as Noted)

Airline Tariff Publishing Company, Agent  
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| RULE | SECTION III - REFUNDS AND REROUTING  |
|------|--|
| 87   | <p><b>DENIED BOARDING COMPENSATION (Continued)</b></p> <p style="text-align: center;"><b>PART I - VIA SU (Continued)</b></p> <p style="text-align: center;"><b>PART II</b><br/>(Applicable for travel to Canada)</p> <p><b>(A) REQUEST FOR VOLUNTEERS</b></p> <p>(1) SU will request volunteers from among the confirmed passengers to relinquish their seats in exchange for compensation as defined in (D).</p> <p>(2) Once a passenger has voluntarily relinquished his seat, he will not later be involuntarily denied boarding unless he was advised at the time he volunteered of such possibility and the amount of compensation to which he would be entitled.</p> <p>(3) The request for volunteers and the selection of passengers to be denied boarding shall be in a manner solely determined by SU.</p> <p><b>(B) BOARDING PRIORITIES</b></p> <p>(1) If a flight is oversold, no passenger may be involuntarily denied boarding until SU has first requested volunteers to relinquish their seats.</p> <p>(2) In the event there are not enough volunteers, other passengers may be involuntarily denied boarding in accordance with SU boarding priority policy. Passengers with confirmed reservations who have not received a boarding pass, will be permitted to board in the following order until all available seats are occupied:</p> <p>+ [C] (a) Physically handicapped passengers and unaccompanied children under 12 years of age.</p> <p>+ [C] (b) Frequent flier passengers having tickets under the "Aeroflot-bonus" program.</p> <p>+ [C] (c) Passengers in joint-traveling groups and families.</p> <p>+ [C] (d) Passengers having a limited term valid visa.</p> <p>+ [C] (e) Passengers with SSR element in PNR having VIP notice.</p> <p>+ [C] (f) All other passengers will be accommodated in the order in which they present themselves for check-in and boarding.</p> <p>(g) + [CANCELLED]</p> <p>+ [IN] NOTE: Physically handicapped passengers and unaccompanied children under 12 years of age will be exempted from the order of removal when necessary to avoid undue hardship.</p> <p><b>(C) TRANSPORTATION FOR PASSENGER DENIED BOARDING</b></p> <p>A passenger who has been denied boarding, either voluntarily or involuntarily, will be provided transportation in accordance with the following:</p> <p>(1) The passenger will be transported without stopover on the next available SU flight, regardless of the class of service, and at no additional cost to him.</p> <p>+ [C] (2) Should SU not be able to provide onward transportation acceptable to the passenger on the services of SU, transportation via the services of another carrier(s) will be provided as follows:</p> <p>+ [N] (a) The passenger will be accommodated in the class of service and/or booking class applicable to his transportation on SU.</p> <p>+ [N] (b) Transportation in a different class of service and/or booking class will be provided without additional cost to the passenger only if it will provide for an earlier arrival at his destination or next point of stopover.</p> <p><b>(D) COMPENSATION</b></p> <p>In addition to providing transportation in accordance with (C), a passenger who has been denied boarding will be compensated by SU as follows:</p> <p>(1) <b>Conditions for Payment:</b></p> <p>(a) The passenger must present himself for carriage at the appropriate time and place:</p> <p>(i) Having complied fully with SU applicable reservation, ticketing, check-in and reconfirmation procedures; and,</p> <p>(ii) Being acceptable for transportation in accordance with SU published tariffs.</p> <p>(b) It must not have been possible to accommodate the passenger on the flight on which he held confirmed reservations and the flight must have departed without him.</p> <p><b>EXCEPTION:</b> The passenger will not be eligible for compensation:</p> <p>(i) If he is offered accommodation or is seated in a compartment of the aircraft other than that specified on his ticket at no extra charge to him. (Should he be seated in a compartment for which a lower fare applies, he shall be entitled to the appropriate refund); or,</p> <p>(ii) When the flight on which he holds a confirmed and ticketed reservation is cancelled or space has been requisitioned by the government;</p> <p>+ [C] (iii) If the passenger can be accommodated on another flight which departs within one hour of the scheduled departure of the flight on which boarding has been denied.</p> |

(Continued on next page)

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

ISSUED: September 16, 2003

EFFECTIVE: October 31, 2003

(Except as Noted)

+ - Effective September 17, 2003 and issued on not less than one (1) day's notice under NTA(A) Special Permission No. 81375.

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

9th Revised Page 76-C  
 Cancels 8th Revised Page 76-C

**RULE** **SECTION III - REFUNDS AND REROUTING**

**87 DENIED BOARDING COMPENSATION (Continued)**

**PART I - VIA SU (Continued)**

**PART II (Continued)**

**(D) COMPENSATION (Continued)**

**(2) Amount of Compensation (when flying to Canada)**

Subject to the provisions of (D)(1)(a) SU will tender liquidated damages in the amounts (in USD) by issuing an MCO (which is valid for travel via SU) as follows:

- compensation by cash is equal to the value of coupons remaining to an online or interline destination, or next stopover point, maximum is USD 150.00;
- compensation by MCO is equal to the amounts listed in table (D)(2)(a) below, minimum USD 75.00 and maximum USD 600.00, but not exceeding the value of the remaining flight coupon(s) of the ticket:

(a)

| Operating Carrier                                   | Delay   | Range of transportation of denied boarding passenger up to 3500 Km. | Range of transportation of denied boarding passenger more than 3500 Km. |
|---|---|---|---|
| I. When flights are carried out by SU.              | Delay in arrival according to schedule up to 5 hours.     | 75-150  | 150-300   |
|   | Delay in arrival according to schedule more than 5 hours. | 150-300   | 300-600   |
| II. When flights are carried out by other airlines. | Delay in arrival on schedule up to 5 hours.               | 75  | 150   |
|   | Delay in arrival on schedule more than 5 hours.           | 75-150  | 150-300   |

**\*\*NOTE:** Miscellaneous Charges Order (MCO) for free air transportation issued in the name of the +[C]voluntarily or involuntarily denied boarding passengers will be valid for 365 days from the date of issuance. Miscellaneous Charges Order and a ticket issued under this MCO is non-transferable, has no refund value, and may be voluntarily rerouted and reissued by SU. The value of the MCO will not exceed the value of the remaining flight coupon(s) of the ticket.

(b) Whether the denied boarding occurred voluntarily or involuntarily, SU shall provide to the passengers the following services free of charge:

- (i) Telephone communication with point of destination up to 5 minutes;
- + [C] (ii) Provide meal and beverages to the sum of USD 15.00 for each 5 hours but not more than USD 45.00 per 24 hours;
- (iii) Accommodation in a hotel if the passenger waits one or more nights.

**(3) Time of Offer of Compensation**

- (a) Compensation will be offered to, and if accepted, receipted by the passenger on the day and at the place where the denied boarding occurs.
- (b) In the event the alternate transportation departs before the offer can be made, it shall be made by mail or other means within 24 hours after the time the failure to accommodate occurred.
- (c) If the passenger, under any circumstances, was not provided an MCO before departure, he will be provided an MCO (for the definite sum according to paragraph (D)(2)), when he applies with a written request after the arrival at the airport of destination but not later than one month.

(Continued on next page)

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

**ISSUED: September 16, 2003**

**EFFECTIVE: October 31, 2003**

(Except as Noted)

+ - Effective September 17, 2003 and issued on not less than one (1) day's notice under NTA(A) Special Permission No. 81375.

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

9th Revised Page 76-D  
 Cancels 8th Revised Page 76-D

**RULE SECTION III - REFUNDS AND REROUTING**

87 DENIED BOARDING COMPENSATION (Continued)

PART I - VIA SU (Continued)

PART II (Continued)

**(E) NOTICE PROVIDED TO PASSENGERS**

The following written notice shall be provided to all passengers who are involuntarily denied boarding on flights for which they hold confirmed reservations.

(1)

COMPENSATION FOR DENIED BOARDING

If you have been denied boarding on an SU flight for which you held confirmed and ticketed reservations, you are probably entitled to monetary compensation. This notice explains SU obligations and your rights in the case of an oversold (more confirmed and ticketed passengers than there are available seats) flight, in accordance with SU published tariffs.

(2)

VOLUNTEERS AND BOARDING PRIORITIES

When a flight is oversold, no passenger may be denied boarding until SU has requested volunteers from among the confirmed and ticketed passengers to relinquish their seats in exchange for a payment of SU's choosing. In the event there are not enough volunteers, other passengers may be involuntarily denied boarding in accordance with SU boarding priority policy. Passengers with confirmed reservations who have not received a boarding pass, will be permitted to board in the following order until all available seats are occupied:

C  
C  
C  
C  
C  
C  
C  
C  
C

- + [C](a) Physically handicapped passengers and unaccompanied children under 12 years of age.
- + [C](b) Frequent flier passengers having tickets under the "Aeroflot-bonus" program.
- + [C](c) Passengers in joint-traveling groups and families.
- + [C](d) Passengers having a limited term valid visa.
- + [C](e) Passengers with SSR element in PNR having VIP notice.
- + [C](f) All other passengers will be accommodated in the order in which they present themselves for check-in and boarding.

(g) + [CANCELLED]

+ [NOTE] Physically handicapped passengers and unaccompanied children under 12 years of age will be exempted from the order of removal when necessary to avoid undue hardship.

(3)

COMPENSATION FOR INVOLUNTARY DENIED BOARDING

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

(1) You have not fully complied with SU's applicable reservation, ticketing, check-in, and reconfirmation requirements, or you are not acceptable for transportation under the airline's tariff filed with the CTA; or

(2) You are denied boarding because the flight is cancelled or,

- + [C](3) You are offered accommodation in a compartment of the aircraft other than that specified on 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). Subject to the provisions of (D)(1)(a), SU will tender liquidated damages in the amounts in USD in cash or by issuing MCO (which is valid for travel via SU) as follows:
  - compensation by cash is equal to the value of coupons remaining to an online or interline destination, or next stopover point, maximum is USD 150.00;
  - compensation by MCO is equal to the amounts listed in the table (D)(2)(a) below, minimum USD 75.00 and maximum USD 600.00, but not exceeding the value of the remaining flight coupon(s) of the ticket:

(Continued on next page)

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

ISSUED: September 16, 2003

EFFECTIVE: October 31, 2003

(Except as Noted)

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

19th Revised Page 76-E  
 Cancels 18th Revised Page 76-E

**RULE** **SECTION III - REFUNDS AND REROUTING**

|         |   |   |   |
|---------|---|---|---|
| 87<br>C | <p><u>DENIED BOARDING COMPENSATION</u> (Continued)</p> <p style="text-align: center;">[N]PART 1 - VIA SU (Continued)</p> <p style="text-align: center;">PART II (Continued)</p> <p>(E) <u>NOTICE PROVIDED TO PASSENGERS</u> (Continued)</p>   |   |   |
|         | Operating Carrier   | Delay   | Range of transportation of denied boarding passenger up to 3500 km.     |
|         |   |   | Range of transportation of denied boarding passenger more than 3500 km. |
|         | I. When flights are carried out by SU.  | Delay in arrival according to schedule up to 5 hours.     | 75-150  |
|         |   | Delay in arrival according to schedule more than 5 hours. | 150-300   |
|         | II. When flights are carried out by other airlines.   | Delay in arrival on schedule up to 5 hours.               | 75  |
|         |   | Delay in arrival on schedule more than 5 hours.           | 150-300   |
|         | <p>(4) <u>Passenger's Options</u><br/>                 Acceptance of the compensation (by endorsing MCO good for future travel on SU, within 30 days) relieves SU from any further liability caused by our failure to honour your confirmed and ticketed reservations.<br/>                 NOTE 1: Delay is defined as arrival delay.<br/>                 NOTE 2: Above mentioned amounts shall not exceed the value of the flight coupon(s) presented at check-in.</p> |   |   |

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

ISSUED: July 30, 2003

EFFECTIVE: September 13, 2003

CAB 376

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NO CHANGE ON THIS PAGE.

C.T.C.(A) NO.210

†C.A.B. NO. 376

Airline Tariff Publishing Company, Agent

8th Revised Page 76-I  
Cancels 7th Revised Page 76-I

INTERNATIONAL PASSENGER RULES TARIFF NO. IPR-2

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For the explanation of abbreviations, reference marks and symbols used but unexplained hereon, see Pages 16 through 26.

ISSUED: MAY 13, 1987

EFFECTIVE: JULY 12, 1987

(Printed in U.S.A.)

CORRECTION NO.

72903

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

3rd Revised Page 76-K (Issued in lieu of 2nd Revised Page 76-K rejected by the D.O.T. and C.T.C.(A)) Cancels 1st Revised Page 76-K

RULE

## SECTION III — REFUNDS AND REROUTING

87

DENIED BOARDING COMPENSATION (Continued)

## PART 4 - VIA CO (Continued)

(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING (Continued)

## (1) (Continued)

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 of substitution of equipment of lesser capacity when required by operational or safety reason.

EXCEPTION 5: Carrier will not offer such compensation if comparable air transportation is arranged which is scheduled to arrive at the passenger's next stopover or destination within one hour of the originally scheduled arrival time.

(2) Amount of Compensation

Subject to the provisions of paragraph (D)(1) above, the carrier will tender to passengers involuntarily denied boarding on flights originating in the U.S. 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 destination to a maximum of USD 400.00. However, the compensation shall be 50% of the amount described above to a maximum of USD 200.00 if the carrier arranges for comparable air transportation that is scheduled to arrive at the passenger's next stopover or destination at a point outside the United States within four hours of the originally scheduled arrival time.

(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.

## (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: ( )

(Applicable for travel between points in Area 1 and Areas 2/3.) Passengers with highest priority, as listed below, will be the last to be involuntarily denied boarding. Passengers within any category will be boarded in the order of presenting themselves for check-in.

(i) Passengers, regardless of the fare paid, who are physically handicapped to an extent that failure to carry would cause a severe hardship, or any other passenger, including unaccompanied minors under 12 years of age, who would suffer a severe hardship.

(ii) Confirmed revenue passengers, regardless of the fare paid.

(iii) Passengers traveling at reduced rate positive space.

NOTE: Accompanied children under 12 years of age have the same priority as the adult passenger who is accompanying them.

(Continued on next page)

For the explanation of abbreviations, reference marks and symbols used but unexplained hereon, see Pages 16 through 26.

ISSUED: MAY 6, 1987

EFFECTIVE: JULY 5, 1987

(Printed in U.S.A.)

CORRECTION NO. 72675

PAGE 76-M THROUGH PAGE 78-F ARE INTENTIONALLY LEFT BLANK

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

2nd Revised Page 78-G  
 Cancels 1st Revised Page 78-G

RULE

## SECTION III - REFUNDS AND REROUTING

87

DENIED BOARDING COMPENSATION (Continued)PART 9 - VIA FF

(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.

NOTE: In exchange for voluntarily relinquishing confirmed space, carrier may at its option, compensate the passenger with credit valid for the purchase of transportation on carrier in lieu of monetary compensation.

(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 priorities set forth below.

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

Carrier will board passengers holding confirmed reservations in the following order:

- (1) Handicapped passengers and their escorts;
- (2) Unaccompanied children (12) years of age;
- (3) Carrier's crew members traveling on a positive space basis for operational reasons.
- (4) Carrier's ground personnel needed for emergency repairs on an aircraft grounded at another point.
- (5) Passengers travelling with infants.
- (6) All other passengers in order of the time they checked in from the earliest to the latest.

(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.

(Continued on next page)

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

ISSUED: April 24, 1996

EFFECTIVE: June 24, 1996

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

2nd Revised Page 78-H  
 Cancels 1st Revised Page 78-H

| RULE | SECTION III - REFUNDS AND REROUTING  |
|------|--|
| 87   | <p><b>DENIED BOARDING COMPENSATION (Continued)</b></p> <p style="text-align: center;"><b>PART 9 - VIA FF (Continued)</b></p> <p><b>(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING (Continued)</b></p> <p><b>(1) Conditions for Payment</b><br/>                     (b) (Continued)<br/> <u>EXCEPTION 3:</u> The passenger will not be eligible for compensation if his reservation has been cancelled pursuant to Rule 60(F)--Check-In Time Limits.<br/> <u>EXCEPTION 4:</u> Employees of the carrier or of other carriers traveling on a reduced rate basis. These employees are not eligible for denied boarding compensation.<br/> <u>EXCEPTION 5:</u> Passengers who can be accommodated on alternate flight(s) that are scheduled to arrive at the passengers next stopover, or if none, at the final destination within one (1) hour of scheduled arrival time of the original flight will not be eligible for denied boarding compensation.</p> <p><b>NOTE:</b> 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> <p><b>(2) Amount of Compensation</b><br/>                     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/FCU 400.00. However, the compensation shall be 50% 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><b>NOTE 1:</b> 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><b>+ (C) NOTE 2:</b> At passenger's option, carrier may compensate the passenger with credit valid for transportation on FF in lieu of monetary compensation. The offer of free transport would be equal to or greater than the monetary compensation due. The credit voucher is non-transferable, has no refund value, and may be voluntarily rerouted and reissued by the issuing carrier only.</p> <p><b>(3) Time of Offer of Compensation</b><br/>                     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><b>(E) NOTICE PROVIDED PASSENGERS</b><br/>                     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.<br/> <b>NOTE:</b> For the purpose of this rule, specific boarding priorities are provided in paragraph (B) above.</p> <p><b>(C)(1)</b> _____<br/> <u>COMPENSATION FOR DENIED BOARDING</u><br/>                     If you have been denied a reserved seat on Lower Air, 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><b>(C)(2)</b> _____<br/> <u>VOLUNTEERS AND BOARDING PRIORITIES</u><br/>                     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 Tower:<br/>                     1. Handicapped passengers or person requiring assistance.<br/>                     2. Unaccompanied minors.<br/>                     3. Passengers traveling with small children under 12.</p> |

(Continued on next page)

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

ISSUED: April 24, 1996

EFFECTIVE: June 24, 1996

(Except as Noted)

+ - Effective April 25, 1996 (except to/from Canada) and issued on one (1) day's notice under D.O.T. Special Tariff Permission No. 35508.

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

4th Revised Page 78-I  
 Cancels 3rd Revised Page 78-I

| RULE | SECTION III - REFUNDS AND REROUTING   |
|------|---|
| 87   | <u>DENIED BOARDING COMPENSATION</u> (Continued)   |
|      | <p style="text-align: center;"><u>PART 9 - VIA FF</u> (Continued)</p> <p>(E) <u>NOTICE PROVIDED PASSENGERS</u> (Continued)</p>  |
| C    | <p>+ [C] (3)</p> <p style="text-align: center;"><u>COMPENSATION FOR INVOLUNTARY DENIED BOARDING</u></p> <p>If you are denied boarding involuntarily, you are entitled to a payment of "denied boarding compensation" from the airline unless:</p> <ol style="list-style-type: none"> <li>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</li> <li>2. You are denied boarding because the flight is cancelled; or</li> <li>3. You are denied boarding because a smaller capacity aircraft was substituted for safety or operational reasons; or</li> <li>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</li> <li>5. The airline is able to place you on another flight or flights that are planned to reach your final destination within one hour of the scheduled arrival of your original flight.</li> </ol>   |
| C    | <p>+ [C] (4)</p> <p style="text-align: center;"><u>AMOUNT OF DENIED BOARDING COMPENSATION</u></p> <p>Passengers who are eligible for denied boarding compensation must be offered a payment equal to the sum of the face values of their remaining 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 up to a maximum \$400.00. 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 unused 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 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 final destination no later than 2 hours (for flights within U.S. points, including territories and possessions) of 4 hours (for international flights) after the passenger's originally scheduled arrival time.</p> |
| C    | <p>+ [C] (5)</p> <p style="text-align: center;"><u>METHOD OF PAYMENT</u></p> <p>The airline must give each passenger who qualifies for denied boarding compensation, a payment by check or check 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.</p>   |
| C    | <p>+ [C] (6)</p> <p style="text-align: center;"><u>PASSENGER'S OPTIONS</u></p> <p>Acceptance of the compensation may relieve Tower Air 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>  |

(Continued on next page)

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

ISSUED: April 24, 1996

EFFECTIVE: June 24, 1996

(Except as Noted)

† - Effective April 25, 1996 (except to/from Canada) and issued on one (1) day's notice under D.O.T. Special Tariff Permission No. 35508.

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

2nd Revised Page 78-K  
 Cancels 1st Revised Page 78-K

|      |  |
|------|--|
| RULE | SECTION III - REFUNDS AND REROUTING              |
| 87   | <u>DENIED BOARDING COMPENSATION</u> (Continued)  |
| C    | <u>PART 10 - VIA PS</u> (Continued)<br>CANCELLED |

(Continued on next page)

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

|                        |                            |
|------------------------|----------------------------|
| ISSUED: August 3, 1990 | EFFECTIVE: October 2, 1990 |
|------------------------|----------------------------|

(Printed in U.S.A.)

0069C

CORRECTION  
 NO. 115606

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

4th Revised Page 78-M  
 Cancels 3rd Revised Page 78-M

| RULE  | SECTION III - REFUNDS AND REROUTING  |
|---|--|
| 87  | <p><b>DENIED BOARDING COMPENSATION</b> (Continued)</p> <p style="text-align: center;"><u>PART 11 - VIA EI</u><br/>           (Applicable for flights originating in the U.S.A.)</p> <p>(A) <b>REQUEST FOR VOLUNTEERS</b><br/>           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/she was asked to volunteer that there was a possibility of being denied boarding involuntarily and of the amount of compensation to which he/she 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) <b>BOARDING PRIORITIES</b><br/>           If a flight is oversold (more passengers hold confirmed reservations than there are seats available) no one may be denied boarding against his/her 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:<br/>           (1) Passengers holding free or reduced fare tickets, entitled to firm booking, issued by other airlines.<br/>           (2) Passengers holding free or reduced fare tickets, entitled to firm booking, issued by EI, with exception of crew and dead heading crew.<br/>           (3) Full revenue passengers, by considering lowest fare-type passengers first and highest fare-type passengers last, in the following sequence:<br/>           (a) Super APEX and Regular APEX passengers,<br/>           (b) All other promotional fare passengers,<br/>           (c) Normal fare passengers,<br/>           except that unaccompanied minors, incapacitated passengers and elderly passengers, especially with language problems, shall not be considered for removal.</p> <p>(C) <b>TRANSPORTATION FOR PASSENGER DENIED BOARDING</b><br/>           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:<br/>           (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.<br/>           (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) <b>COMPENSATION FOR INVOLUNTARY DENIED BOARDING</b><br/>           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.<br/>           (1) <b>Conditions for Payment</b><br/>           (a) The passenger holding a ticket for confirmed reserved 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.<br/>           (b) The flight for which the passenger holds confirmed space must be unable to accommodate the passenger and departs without him.<br/> <b>EXCEPTION:</b> The passenger will not be eligible for compensation if:<br/>           (1) The flight upon which the passenger holds confirmed reserved space is unable to accommodate him because of:<br/>           (a) Cancellation of the flight; or<br/>           (b) Substitution of equipment of lesser capacity when required by operational and/or safety reasons; or<br/>           (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; or<br/>           (3) 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, final destination within 1 hour after the scheduled arrival time of the passenger's original flight or flights.<br/>           (4) The passenger will not be eligible for compensation if his/her reservation has been cancelled pursuant to Rule 60 (F)--Check-In Time Limits.<br/>           (5) Employees of the carrier or of other carriers traveling on a reduced rate basis. These employees are not eligible for denied boarding compensation.</p> |
| (Continued on next page)  |  |
| For unexplained abbreviations, reference marks and symbols see Pages 18-A through 26. |  |
| ISSUED: October 14, 1994  | EFFECTIVE: December 13, 1994   |

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

4th Revised Page 78-N  
 Cancels 3rd Revised Page 78-N

RULE

## SECTION III - REFUNDS AND REROUTING

87

DENIED BOARDING COMPENSATION (Continued)PART 11 - VIA EI (Continued)(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING (Continued)

C

(C)(2) Amount of Compensation

(a) 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/her destination, but not more than USD 400.00 only. However, the compensation shall be 50 percent of the amount described above, but not more than USD 200.00 only, 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 such arrangement is made, is planned to arrive at the airport of the passenger's next stopover or, if none, at the airport to the passenger's destination not later than 2 hours after the time the direct or connecting flight on which the confirmed space is held is planned to arrive in the case of foreign air transportation.

(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 which 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 space.

(1)

COMPENSATION FOR DENIED BOARDING

If you have been denied a reserved seat on Aer Lingus, you are probably entitled to monetary compensation. This notice explains the airline's obligation and the passenger's rights in the case of an oversold flight, in accordance with regulations of the U.S. Department of Transportation.

(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:

- (a) Passengers holding free or reduced fare tickets, entitled to firm booking, issued by other airlines.
- (b) Passengers holding free or reduced fare tickets, entitled to firm booking, issued by EI, with exception of crew and dead heading crew.
- (c) Full revenue passengers, by considering lowest fare-type passengers first and highest fare-type passengers last, in the following sequence:
  - (i) Super APEX and Regular APEX passengers,
  - (ii) All other promotional fare passengers,
  - (iii) Normal fare passengers,
 except that unaccompanied minors, incapacitated passengers and elderly passengers, especially with language problems, shall not be considered for removal.

(Continued on next page)

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

ISSUED: October 14, 1994

EFFECTIVE: December 13, 1994

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

3rd Revised Page 78-0  
 Cancels 2nd Revised Page 78-0

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|-------------|--|
| <b>RULE</b> | <b>SECTION III - REFUNDS AND REROUTING</b> |
|-------------|--|

|    |   |
|----|---|
| 87 | <p><b>DENIED BOARDING COMPENSATION</b> (Continued)</p> <p style="text-align: center;"><b>PART 11 - VIA EI</b> (Continued)</p> <p>(E) <b>NOTICE PROVIDED PASSENGERS</b> (Continued)</p> <p>(3)</p> <p style="text-align: center;"><b>COMPENSATION FOR INVOLUNTARY DENIED BOARDING</b></p> <p>If you are denied boarding involuntarily, you are entitled to a payment of denied boarding compensation from the airline unless:</p> <ul style="list-style-type: none"> <li>(a) 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</li> <li>(b) You are denied boarding because the flight is cancelled; or</li> <li>(c) You are denied boarding because a smaller capacity aircraft was substituted for safety or operational reasons; or</li> <li>(d) 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.)</li> <li>(e) The carrier 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.</li> </ul> <hr/> <p>(4)</p> <p style="text-align: center;"><b>AMOUNT OF DENIED BOARDING COMPENSATION</b></p> <p>(C) 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 discounts. All flights 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 (by any 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 final destination, no later than 2 hours (for flights within the U.S.A. points, including territories and possession) of 4 hours (for international flights) after the passenger's originally scheduled arrival time.</p> <hr/> <p>(5)</p> <p style="text-align: center;"><b>METHOD OF PAYMENT</b></p> <p>The carrier 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 carrier 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, refuse all compensation and bring private legal action.</p> <hr/> <p>(6)</p> <p style="text-align: center;"><b>PASSENGER'S OPTIONS</b></p> <p>Acceptance of the compensation (by endorsing the check or draft within 30 days) relieves the carrier from any further liability to the passenger caused by its failure to honor the confirmed reservation. However, the passenger may decline payment and seek to recover damages in the court of law or in some other manner.</p> |
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(Continued on next page)

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

ISSUED: October 14, 1994

EFFECTIVE: December 13, 1994

C . A. B. 376

PAGE 78-P THROUGH PAGE 80 ARE INTENTIONALLY LEFT BLANK

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

4th Revised Page 80-A  
Cancels 3rd Revised Page 80-A

RULE

## SECTION III — REFUNDS AND REROUTING

87 DENIED BOARDING COMPENSATION (Continued)

†PART 13 - VIA QF (Continued)

(E) NOTICE PROVIDED PASSENGERS (Continued)

(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.

(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: ( )

(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 final 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/FCU 200.00 maximum. However, if the airline cannot arrange "alternate transportation" (see below) for the passenger, the compensation is doubled (USD/FCU 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.

(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.

(Continued on next page)

† - Applicable to C.A.B. No. 376 only.

For provisions in Rule 87 previously published on 3rd Revised Page 80-A, see Original Page 76-P.

For explanation of abbreviations, reference marks and symbols used but unexplained hereon, see Pages 16 through 26.

ISSUED: MARCH 28, 1983

EFFECTIVE: MAY 27, 1983 (EXCEPT AS NOTED)

(Printed in U.S.A.)

CORRECTION NO

24314

† - Effective March 29, 1983 and issued on one (1) day's notice under Special Tariff Permission No. 4817 of the Civil Aeronautics Board.

(PAGES 80-C THROUGH 80-F ARE INTENTIONALLY LEFT BLANK)

RULE

**SECTION III - REFUNDS AND REROUTING**

87

DENIED BOARDING COMPENSATION (Continued)

C

+ [N] PART 15 - VIA TZ  
 (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.

(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.

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. The employees are not eligible for denied boarding compensation.

EXCEPTION 5: The passenger will not be eligible for compensation if placed on another flight or flights that are planned to reach the passenger's destination within one hour of the scheduled arrival of his original flight.

(Continued on next page)

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

ISSUED: November 30, 1990

EFFECTIVE: January 29, 1991

(Except as Noted)

(Printed in U.S.A.)

+ - Effective December 1, 1990 and issued on one (1) day's notice under D.O.T. Special Tariff Permission No. 85339.

0073G

CORRECTION  
 NO. 120885

**RULE**

**SECTION III - REFUNDS AND REROUTING**

87

**DENIED BOARDING COMPENSATION (Continued)**

C

+ [EN] PART 15 - VIA TZ (Continued)

**(D) COMPENSATION FOR INVOLUNTARY DENIED BOARDING (Continued)**

**(1) Conditions of Payment (Continued)**

**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.

**(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 400.00, or, if the passenger wishes, a USD 500.00 voucher valid for the purchase of the TZ tickets. These vouchers are non-endorsable and non-refundable. The portion of a ticket paid by TZ Airline Check voucher shall remain non-refundable. However, the compensation shall be 50 percent of the amount described above, but not more than USD 200.00 (or TZ Airline Check voucher of USD 300.00) 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 the 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:** 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.

**(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. Department of Transportation.

**(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: ( )

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

**ISSUED:** November 30, 1990

**EFFECTIVE:** January 29, 1991

(Except as Noted)

(Printed in U.S.A.)

+ - Effective December 1, 1990 and issued on one (1) day's notice under D.O.T. Special Tariff Permission No. 85339.

**CORRECTION**  
 NO. 120886

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

5th Revised Page 80-I  
 Cancels 4th Revised Page 80-I

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| <b>RULE</b> | <b>SECTION III - REFUNDS AND REROUTING</b> |
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87 DENIED BOARDING COMPENSATION (Continued)

PART 15 - VIA TZ (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 tariff filed with the Department of Transportation; 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 final 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 Department of Transportation 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) 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.

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

ISSUED: January 18, 2007

EFFECTIVE: March 4, 2007