



CIVIL AVIATION AUTHORITY CZECH REPUBLIC

File: [REDACTED]

In Prague on: 31.08.2020

Subject: Request for statement

Dear Sir or Madam,

I am writing to you on behalf of the Civil Aviation Authority Czech Republic (hereinafter the CAA). Please note that the CAA is the designated national enforcement body pursuant to Article 16 of the Regulation (EC) No 261/2004 of the European Parliament and of the Council establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 and section 3 subsection 7 of Act No. 49/1997 Coll., on Civil Aviation, as amended.

The CAA received a complaint from passenger(s) [REDACTED] travelling on flight **LX1499** on **03.08.2020** from **Letiště Václava Havla (PRG)** to **Zurich Airport (ZRH)** on the scheduled route: **PRG - ZRH - FNC**. According to the information available to us this flight was cancelled.

The Passenger therefore claims the compensation in the amount of 400 € per passenger. For that purpose, the bank account details of the passenger are as follows: IBAN: [REDACTED] SWIFT: [REDACTED] currency in which the bank account is held: CZK.

The CAA therefore requests your statement as to whether SWISS agrees to pay compensation claimed by passengers or whether you can present information and evidence leading to a conclusion that the complainants are not eligible to such compensation. Should you not agree to compensate the complainants relying on extraordinary circumstances defense under Article 5 (3) we request that you provide us with detailed explanation of reasons of the delay supported by relevant documentation. Kindly note that that the CAA follows case law of the Court of Justice of the European Union (Case C-257/14 Corina van der Lans v Koninklijke Luchtvaart Maatschappij) and technical problems therefore may not be accepted as flight safety shortcomings constituting extraordinary circumstances.

We expect your response at your earliest convenience, **however not later than 6 weeks from receipt of this email.** I would also like to draw your attention to the fact that failure to pay compensation under EC regulation 261/2004 is an administrative offence under s. 93c ss. 3 a) of the Act. No. 49/1997 Coll., on Civil Aviation, as amended, where the CAA may impose a fine of up to 1 000 000 CZK.

Please send your response to this message directly to **compensation@caa.cz** or by mail quoting file reference [REDACTED] to: Úřad pro civilní letectví (Civil Aviation Authority), K letišti 1149/23, CZ -160 08 Praha 6, the Czech Republic.

Please do not hesitate to contact me should any clarification in respect to this request be needed. Thank you for your cooperation.

Yours sincerely

Legal Department
CAA CZ