

## Passenger Rights Implementation Fundamentals Circular - 2015

While the regulation published and effectuated within the scope of Passenger Rights is actively implemented, it has been determined that there are different practices on certain issues and hesitations have accrued.

Passenger Rights Implementation Fundamentals Circular - 2015 has been prepared within the scope of SHY-PASSENGER to ensure the effective, fast, accurate and standard implementation of the actions and services in case of cancellation of flights, delay of flights, denied boarding. The following points should be considered regarding the said issue.

### 1. General Principles

1. Passengers who travel free of charge and with a directly or indirectly non-public discount ticket and with miles or points have the same rights with the passengers who travel for a fee.

2. Technical faults and operational reasons are not accepted as extraordinary situations (force majeure).

3. Passengers are granted the right of service within the scope of SHY-PASSENGER in case they are kept waiting inside the aircraft for 2 hours and above.

4. If the passengers are informed about the schedule change in a period less than 2 weeks, this is considered as flight cancellation and the cancellation provisions apply.

5. In case of reference to SHY-PASSENGER Article 9 (Refund or route change); route change is made for the passengers without date restriction, considering the seat availability, for the date found suitable by the passenger free of charge.

6. The liabilities defined in the relevant articles of the regulation are performed by the air transport operator performing the flight on a timely manner, the applications are evaluated on a timely manner, and the necessary measures are taken by the operators so as not to cause any disruption related to the subject; otherwise, the passengers are granted the right to compensation pursuant to SHY-PASSENGER.

7. Force majeure is proven by official information and documents. The invoices under the right of service should contain flight number and date. Manually intervened documents are considered invalid.

8. In the applications regarding passenger rights; the operators:

- send the passenger the message "Your application is put into process" without any delay when the application is received.
- reply the passenger within 10 days; and the passenger is informed if his process can not be completed within 10 days.

9. In the event that the flight is delayed

- for 5 hours or more for the flights shorter than 1500 kilometers (including 1500 km),
- for 7.5 hours for the flights between 1500 and 3500 kilometers or 2 times or more than the flight duration for the flights having flight duration of 4 hours and more,
- for 2 times or more than the flight duration for the flights longer than 3500 kilometer (having flight duration of 5 hours and more);

then, the delay is considered as flight cancellation.

10. System errors, customer services, personnel errors, passenger unjust treatments caused by agent or sales office are eliminated by air transport operator.

11. Operators prepare a substructure and take the necessary measures so as to ensure that personnel in charge are informed about the passenger rights on a regular and detailed basis with the receipt of statistical data prepared under the regulation accurately and fast.

## 2. Implementation Fundamentals;

a) Pursuant to SHY-PASSENGER, the passengers who miss the continuation flight due to delay of any connection flights other than force majeure are given all services under the title of flight cancellation, and the passengers are paid compensation within the scope of flight cancellation.

b) In case of flight cancellations on the transfer point or flight diversion other than force majeure, in the event that it does not make any sense to complete the undone part or parts of the travel and the travel planned by the passenger, and upon request; all of the ticket price is refunded over the price on which it is purchased within maximum seven days, and the cancellation provisions apply.

c) In case of delay or cancellation of the flight, if changes require overnight accommodation; air transport operator performing the flight grant the passengers the right to accommodate in a hotel or appropriate accommodation facility. Besides, air transport operators provide the transportation of the passengers between the airport and accommodation place (hotel etc.) free of charge allowing them to perform their transactions in the airport. However; elderly, sick and handicapped passengers are given accommodation service also during the daytime. Passengers benefiting from accommodation right travel on the first flight offered by the operator.

d) When the aircraft is diverted due to force majeure, if the passenger chooses to continue his travel, air transport operator is liable to grant service right and also offers alternative means of carriage free of charge.

e) Under the regulation, when the service right is not offered due to force majeure; if the passengers present the reasonable food-beverage and accommodation invoices, Air Transport Operator pays the invoice amount.

### 3. Final Provisions and Sanctions;

In the event that it is understood that the liabilities defined in the relevant articles of the said Regulation are not fulfilled and the necessary measures are not taken, administrative fine shall be applied in accordance with article 143 of Turkish Civil Aviation Law no. 2920. In this context, Air Transport Operators should take the necessary measures to fulfill the relevant regulation liabilities and not to cause passenger unjust treatment.