

## TEMPORARY SCHIPHOL COMPENSATION SCHEME FOR PASSENGERS WHO MISSED THEIR FLIGHT DUE TO LONG QUEUES FOR SECURITY

Hereinafter, the name 'Schiphol' refers to: Amsterdam Airport Schiphol and Schiphol Nederland B.V.

### 1 WHY IS SCHIPHOL INSTITUTING THIS SPECIAL TEMPORARY SCHEME?

- 1.1 Many sectors are currently experiencing significant labour shortages. The aviation sector is also facing severe personnel shortages, and the same applies to the companies at Schiphol. At Schiphol Airport, security companies (i.e. the companies that conduct checks on passengers and their baggage before they are allowed to enter the secure area of the airport) are experiencing supply issues, with personnel shortages at Schiphol as a result. Despite all the measures that Schiphol has taken, it has not proven possible to always have sufficient capacity available for the security checks. Consequently, many passengers have had to queue for a long time at the security check.
- 1.2 Some passengers have ended up missing their flight due to the waiting times at the security check. Schiphol has noticed that this group of passengers does not have anyone to turn to at the moment and considers this an undesirable situation for them. Schiphol would like to help these passengers, even though it believes that the current special situation is due to exceptional circumstances for which Schiphol is not to blame. For these reasons, Schiphol is willing to accommodate this group of passengers under the terms of this special, temporary scheme.

**PLEASE NOTE:** The scheme only applies to passengers who have missed their flight due to the long queues for the security check; therefore, it does not apply in case of cancelled or delayed flights. The European Regulation 261/2004 applies in those instances. Passengers are advised to consult their airline in such cases.

### 2 WHO CAN BENEFIT FROM THIS SCHEME?

- 2.1 This scheme is intended for passengers who:
  - (a) booked a flight that departed from Schiphol in the period between 23 April 2022 and 11 August 2022;
  - (b) were present at the Schiphol terminal sufficiently in advance of the indicated flight departure time;
  - (c) missed their flight due to the exceptional waiting time for the security check;

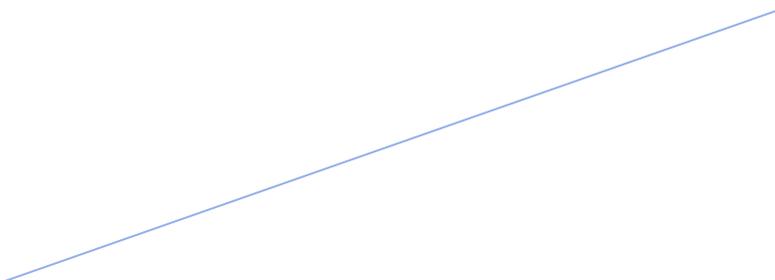
- (d) incurred (additional) costs arising solely as a direct and necessary consequence of missing their original flight and for which no compensation has been given by or could have been obtained from third parties.

### **3 WHAT WILL THE COMPENSATION FROM SCHIPHOL INCLUDE?**

3.1 Schiphol is willing to meet a passenger's reasonable (additional) costs that are solely, directly and necessarily the result of missing his/her flight. This could entail, for example, compensation of the following costs:

- (a) The reasonable costs for (i) rebooking the original flight, (ii) a replacement flight to the destination or (iii) the original flight in case the passenger was unable to make the trip;
- (b) The reasonable costs of accommodation, meals and/or refreshments at or near the airport due to the replacement flight's time of departure;
- (c) The reasonable costs of transport if the passenger had to travel once more to Schiphol Airport or to another airport in order to fly to his/her destination;
- (d) The reasonable costs of alternative transport if the passenger has chosen to travel to his/her original destination by other means;
- (e) Expenses incurred at the destination that did not fulfil their purpose because the passenger was unable to arrive at his/her destination due to a missed flight or arriving at his/her destination later. This includes the costs incurred for services that had been booked but which could not be cancelled, such as for (i) accommodation at the destination, (ii) transport at the destination and (iii) activities (excursions, shows, etc.);
- (f) Expenses incurred at the destination due to the delayed arrival at the destination.

3.2 Schiphol is free not to award compensation for:

- (a) the costs for which the passenger has received or could have received compensation from another party;
  - (b) the costs which the passenger could reasonably have avoided or limited;
  - (c) missed intangible benefits and compensation for non-monetary losses;
  - (d) consequential damage other than that mentioned under 3.1;
  - (e) the costs incurred by the passenger upon submitting a request for compensation to Schiphol prior to or after the entry into force of this scheme.
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3.3 Schiphol may waive, in part or in whole, compensation under this scheme if it has determined that:

- (a) the passenger missed his/her flight due to circumstances which are at the risk and expense of the passenger;
- (b) the passenger's request was not made truthfully and in good faith.

#### **4 HOW WILL PASSENGER REQUESTS FOR COMPENSATION BE HANDLED?**

##### **Passenger requests**

4.1 Passengers may submit a request for compensation to Schiphol via [www.schiphol.nl/compensation](http://www.schiphol.nl/compensation)

4.2 In any case, when requesting compensation under this scheme, the passenger shall provide Schiphol with the following information:

(a) The name and address of the passenger.

Should the passenger submit the request also on behalf of other passengers, said passenger shall also provide the names and addresses of those passengers and an explanation as to why he/she may also submit the request on behalf of those other passengers.

(b) A brief description of the facts that form the basis for the request.

(c) With respect to the missed flight: (i) the flight number, (ii) original departure date and time, (iii) booking confirmation and (iv) whether or not the passenger was travelling with hold baggage.

(d) Evidence showing that the passenger was present at the Schiphol terminal on time (e.g. a parking card with entry time, train station check-out receipt, a time-stamped photo, a WhatsApp message, etcetera).

(e) Evidence of the costs which the passenger considers to be the direct and necessary consequence of missing the flight. In case of a replacement flight, also (i) the flight number, (ii) the date and time of the departure, (iii) a booking confirmation, (iv) the cost of the flight and (v) proof of payment.

(f) Any other information requested by Schiphol when handling the passenger's request for compensation.

(g) The IBAN number and the name of the bank account to which Schiphol can transfer the granted compensation.

4.3 If the passenger had already submitted a complaint or request for compensation to Schiphol prior to the announcement of this scheme and the information indicated under 4.2 is still missing, Schiphol will contact the passenger to request the missing information.

- 4.4 Schiphol has the right, if so desired, to verify with the airline whether the passenger missed the flight related to the request for compensation.

#### **Assessment by Schiphol and payment of compensation**

- 4.5 Based on the information Schiphol has received from the passenger, Schiphol will assess whether to provide said passenger with compensation. Schiphol aims to send its response to the passenger no later than six weeks after Schiphol has received all the information it requested.
- 4.6 If Schiphol has informed the passenger that it will award him/her compensation, Schiphol will pay this compensation within 14 days thereafter to the bank account number provided by the passenger.

### **5 WHAT IS THE CONSEQUENCE OF THE PASSENGER RECEIVING THE COMPENSATION FROM SCHIPHOL?**

- 5.1 After receipt of the compensation from Schiphol, there will be a definitive agreement between Schiphol and the passenger regarding the missed flight to which the compensation from Schiphol relates. This means that the passenger will not be entitled to compensation by Schiphol for any other, additional or new costs or damages relating to the same missed flight. If the passenger has also requested and received compensation on behalf of other passengers, the same shall apply to those other passengers.

### **6 WHAT IS THE DEADLINE TO APPLY FOR THIS SCHEME?**

- 6.1 Requests for compensation under this scheme must be submitted to Schiphol no later than 30 September 2022.

### **7 WHEN WILL THIS SCHEME ENTER INTO FORCE?**

- 7.1 This scheme will enter into force on 11 August 2022.
- 7.2 Schiphol may revoke this scheme without prior notice.

### **8 FINAL PROVISIONS**

- 8.1 In instituting this scheme and awarding passengers compensation on the basis thereof, Schiphol does not acknowledge any liability towards the passengers who may avail themselves of this scheme.
- 8.2 Dutch and English versions of this scheme are available. In the event of differences between the Dutch and English versions, the Dutch version shall take precedence.
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