

Flat 16, 4 Clifton Road
Heaton Moor
Stockport
Cheshire
SK4 4DD

29th June 2009

Re: Amadeus 3AMTE9

British Airways Customer Relations
EU Compensation Claims
PO Box 5619
Sudbury
Suffolk
CO10 2PG

Dear Sirs

I am writing to claim compensation for the flight BA1399, 15th June 2009 which was canceled after take-off from Manchester due to a mechanical emergency on-route to London Heathrow. My Amadeus booking reference for this trip was 3AMTE9.

I believe that as this cancellation caused me to be re-routed and arrive over 24 hours late at my destination (Durban, South Africa), which is trip of over 3500km, I understand that I am able to claim the full compensation of 600EUR.

I also understand that previously a technical failure like this was deemed “extraordinary circumstances” and so would be refused compensation.

However, I believe that this view was clarified by the European Court of Justice in Luxembourg (Case C-549/07), which has stated that the carrier must prove that alleged mechanical problems leading to the cancellation were beyond their control.

As the aircraft took off from Manchester with only two of the three electrical systems functioning – the captain clarified that this was the reason for the cancellation following the emergency return to Manchester – I believe that the fault was within the control of the airline.

Please don't hesitate to contact me if you require further information, and I look forward to your reply.

Yours faithfully

Ian Cowburn