

Regulation (EC) No 2027/97 on air carrier liability in
respect of the carriage of passengers and their baggage by air

[Article 5

1 The [^{F1}UK air carrier] shall without delay, and in any event not later than fifteen days after the identity of the natural person entitled to compensation has been established, make such advance payments as may be required to meet immediate economic needs on a basis proportional to the hardship suffered.

2 Without prejudice to paragraph 1, an advance payment shall not be less than the equivalent in [^{F2}sterling] of 16000 SDRs per passenger in the event of death.

3 An advance payment shall not constitute recognition of liability and may be offset against any subsequent sums paid on the basis of [^{F3}UK air carrier] liability, but is not returnable, except in the cases prescribed in Article 20 of the Montreal Convention or where the person who received the advance payment was not the person entitled to compensation.]

Textual Amendments

- F1** Words in Art. 5(1) substituted (31.12.2020) by [The Air Passenger Rights and Air Travel Organisers' Licensing \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/278\)](#), regs. 1(3), **7(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in Art. 5(2) substituted (31.12.2020) by [The Air Passenger Rights and Air Travel Organisers' Licensing \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/278\)](#), regs. 1(3), **7(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 5(3) substituted (31.12.2020) by [The Air Passenger Rights and Air Travel Organisers' Licensing \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/278\)](#), regs. 1(3), **7(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air, Article 5.