



ARBITRAGE OF COMPLAINTS

It will not be possible to modify this document by hand. You will need to re-apply if you want to modify any data.

Read "FILING INSTRUCTIONS" at the end of the document.

Complaint: BORR/ADR02/00092534

Claimant's personal data

Type (*)	Name	Last name 1	Last name 2	ID/NIE/Passport	Consent. Ident.
Adult	Lukas Johannes	Scholz		C1CHNY9N1	Yes

(*) Type: Adult, Minor child (2 to 14 years old), Child under the age of 2. For minor child it is not mandatory to indicate the ID/NIE/Passport, but you should attach a document that demonstrates legal guardianship.

Data for communications purposes

Email: lukas.scholz@gmx.de	
Address: Falkenstrasse 36a	
Location: Steinfeld	PC: 49439
Province: Niedersachsen	Country: GERMANY
Phone: +4917642903414	Phone 2: +4917642903414
Preferred means for AESA to make communications/notifications: Electronic media	

Claim

Type of claim: Flight delay / Loss of connection due to previous flight delay	Date of the claim to the airline: 25/11/2024
Departure Airport in which the incident occurred: Barajas (MAD)	

Flight details

Inc	Reserv. Code	Flight code	Airline	Country orig.	Airport orig.	Country dest.	Airport dest.	Expected date/time		Expected date/time	
								Departure	Arrival	Departure	Arrival
Yes	1021-985-470	ES-0894	AEROLINE AS ESTELAR LATINOAMÉRICA	SPAIN	Barajas (MAD)	VENEZUELA	Maiquetia (MIQ)	20/11/2024 13:40	20/11/2024 17:57	20/11/2024 17:50	20/11/2024 21:36

Flight Delay Details

1. Indicate the delay suffered at the departure and arrival of the flight

☒ 1.1. At flight departure
(hh:mm): 4:17

☒ 1.2. On arrival of the flight to its final destination
(hh:mm): 3:46

Ejemplar para el interesado

CORREO ELECTRÓNICO:
sau.aesa@seguridadaerea.es

www.seguridadaerea.gob.es

PASEO DE LA CASTELLANA, 112
28046 MADRID
TEL: +34 91 396 8000



If the final destination delay is less than 3 hours, you should know that the airline is not required to pay any compensation.

2. Did you finally fly on the delayed flight?

☒ 2.1. Yes

☐ 2.2. I did not fly and I was not refunded the ticket

☐ 2.3. I did not fly and I was refunded the ticket

☐ 2.4. None of the above

☐ 2.5. Yes, I flew on the delayed flight and as a result of the delay I lost my next connection flight.

5. Did the airline offer you care (food, drink, hotel...)?

☐ Yes

☒ No

6. What did you have to buy on your own?

(For this concept, you must attach the tickets to get the payment of the airline)

☐ 6.1. Accommodation if necessary, until the departure date

☐ 6.2. Transportation between the accommodation and the airport

☐ 6.3. Drink and food

☐ 6.4. Two free phone, fax or email calls

7. What was the reason indicated by the company for the flight delay?

The service at the check-in counter at Madrid airport as well as the cabin crew told me that the delay is caused by the delay of the same aircraft who came on the same day from Caracas to Madrid. That's why here is the fault for the delay clearly by the airline.

8. Have you received any compensation?

☐ Yes

☒ No

9. Were you informed of your rights as a passenger due to the flight delay?

☐ Yes

☒ No

Subject detail claim

1. Indicate your claims. What do you claim from the airline?

☒ **Compensation provided for in EC Regulation No 261/2004**

☐ Refund of the cost of the unused plane ticket

☐ Refund of the alternative transportation I had to buy

☐ Refund for care costs (food, drink, accommodation and airport accommodation transport)

☐ Other



Description of the facts

Regarding EC Regulation No 261/2004 I have the right to get a compensation of the delayed flight (3 hours 46 min) in the amount of 600€.

Documents

Document Type	Name	Hash
DOCUMENTACIÓN ADICIONAL	Boarding Madrid at 4.46pm.HEIC.pdf	5vlgloBAgeB1eS9N1gfgydZ+cOx8RjNeSqa pAoDsNMg6LPJ7ZbVILNxEk5GBjuDC
RECLAMACIÓN A LA COMPAÑÍA AÉREA/GESTOR AEROPORTUARIO	Claim Flight compensation Lukas Johannes Scholz _ ES894 Madrid Caracas 20. Nov 2024.pdf	JUWQ+2fkq7IEUDPi9j2XFU4oP47EYRoEX ctX27/DDpq1xnveIMVpUvYAmrUyN9v
DOCUMENTACIÓN ADICIONAL	FlightAware_Delay.pdf	SOfiqLjefl1n9oVn6my6hj8Mz4ONL+sitRLja6 tYstx0YycijkhDX4bmwldEPLC9
DOCUMENTACIÓN DE ACREDITACIÓN DE IDENTIDAD	Passport.pdf	qJV3XbBb7KYViNDPWCYgTwMZ0ktlofh51 oQnpH7aQQzSP7VK7mBOvgji9y/p/M2o
DOCUMENTACIÓN ADICIONAL	Arrived Caracas at 9.36pm.HEIC.pdf	9nOaEETvmgVocdCWRa2R1jFfuNqZ+Ubh hY6DUnaAqyxSMZZ7jFyu4x47dXPbq+cZ

Means of notification

I want to be notified by the following means:

- ☒ Electronic means (Art. 43 LPACAP)
- ☐ Registered mail to the address state above (Art. 42 LPACAP)

Data protection clause

The Spanish Aviation Safety and Security Agency (hereinafter AESA), as Responsible for the Processing of your personal data in compliance with Organic Law 3/2018, of 5 December, on Protection of Personal Data and Guarantee of Digital Rights, and with Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27 April 2016, on the protection of individual persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) informs you, explicitly and unequivocally, that your personal data obtained from *"the information / documentation provided by the citizen in your claim"* will be processed by the processing *"Management of complaints on European passenger rights regulations (RMP, cancellations, delays and denied boarding)"* and for the purpose of:

To *"Manage complaints on European passenger rights regulations (RMP, cancellations, delays and denied boarding) against airlines and airports"*. The user may not deny his/her consent as this is a legal obligation, defined by *"REGULATION (EC) NO. 261/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, of 11 February 2004, 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 by *"REGULATION (EC) No. 1107/2006 of the EUROPEAN PARLIAMENT AND OF THE COUNCIL, of 5 July 2006, concerning the rights disabled persons and persons with reduced mobility when travelling by air."*

This processing of personal data is included in the AESA Register of Personal Data.

The legality of the processing is based on a legal obligation.

Personal information will be retained as long as it is necessary or your right of cancellation or deletion is not exercised.

The information may be transferred to third parties to collaborate in the management of personal data, only for the purpose described above.

The category of personal data that are processed are only *"Identification data (name, ID, address, e-mail address, signature, position...) and Data contained in the complaints"*.

In accordance with the provisions of the aforementioned Organic Law on Data Protection and Guarantee of Digital Rights and also the aforementioned General Data Protection Regulation, you can exercise your rights of Access, Rectification, Suppression, Portability of your data, and of Limitation or Opposition to the processing by contacting the Data Protection Officer through your sending of a communication to the e-mail address dpd.aesa@seguridadaerea.es

For further information on the processing of personal data, click on the following link:

https://www.seguridadaerea.gob.es/lang_castellano/normativa_aesa/protecc_de_datos/registro/default.aspx



Date and signature

The applicant declares that all the data contained in this application and in the accompanying documents are true.

Date: **23 de enero de 2025**

Signature: *L. Scholz*

CID: **AESASGEEPGEE000J42I5J2VCBR34DA**

You can verify the integrity and authenticity of this document at <https://sede.seguridadaerea.gob.es> (Documentary Check)



INFORMATION ANNEX

The reference number associated with your complaint is **BORR/ADR02/00092534**

In the shortest possible timeframe, your complaint will be examined in order to be validated or to require corrections if necessary. This complaint will be processed by AESA as an alternative consumer dispute resolution entity.

Within 90 calendar days (or 180 days in certain cases) from the receipt of your complaint, AESA must notify you the decision finishing the procedure, highlighting what your rights are and the amount of compensation arising from your complaint, if any.

If no decision has been taken within this period, the case shall be deemed to have been dismissed. However, AESA will issue a written decision as soon as possible, and that decision may be either positive or negative, as appropriate.

For any inquiries you can contact the User Service Departement by phone (+34) 91 396 82 10. Please, provide the reference number assigned to your complaint for a better identification.



FILING INSTRUCTIONS

Since you are accessing it without the digital certificate/keys, in order to complete the submission process, you must print the form generated by the application, sign it and send it to AESA in one of the following ways:

1. By mail to:
AESA
Division of Quality and User Protection
General Perón Avenue 40, Portal B, 1st Floor
28020 Madrid

2. Filing by registration either in the register of AESA located at the previous address or by submitting it to AESA in any register of the Administration in accordance with article 16 of Law 39/2015, of 1 October, of the Common Administrative Procedure of Public Administrations

We remind you that, if we do not receive the aforementioned signed document, the complaint will be given for not filing.

As soon as we receive the signed document, we will send you a letter indicating the File number of your complaint and the established timeframes to finish the procedure.

For any inquiries you can contact the User Service Department on the phone (+34) 91 396 82 10.