SAMPLE LETTER
SL-RAILWAY.docx

[last updated 05.04.2021]

Dear visitors to our website,

The European Consumer Centre Austria provides sample letters free of charge. The letter starting on page 2 of this document serves as a guide and can easily be adapted to your personal situation. **This is your own responsibility.**



What is this sample letter for ?

Train was delayed for **at least 1 hour**. Railway company did not offer any care services. Passenger cancelled journey and returned to original station as onward journey was pointless. Passenger had to stay overnight and incurred expenses. Based upon [Regulation EC No 1371/2007](https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=LEGISSUM:l24003), [Austrian Railway Act 1957](https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10011302) (incl. Federal Law Gazettes), Austrian [Railway Transport and Passenger Rights Act](https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008278).


Please note:

* Do not send this introductory page!
* The letter contains various possible circumstances - delete what is not applicable!
* *Remove grey explanatory texts in italics and also the ………..….. placeholders!*
* If by post, send [by registered post](https://www.post.at/p/c/brief-zusatzleistungen) so that you have proof of receipt and your postage date. This is very helpful when setting deadlines!
* Keep a copy of your letter and the enclosed documents!
* Do not send originals by post!
* Before sending by email, set "[request read receipt](https://www.google.com/search?q=How+to+request+a+read+confirmation+%3F&ei=C9FpYOqNNoOOlwSglqroAg&oq=How+to+request+a+read+confirmation+%3F&gs_lcp=Cgdnd3Mtd2l6EAMyBggAEBYQHjIGCAAQFhAeMgYIABAWEB4yBggAEBYQHjIGCAAQFhAeMgYIABAWEB4yBggAEBYQHjIGCAAQFhAeMgYIABAWEB4yBggAEBYQHjoHCAAQRxCwAzoGCAAQDRAeOgQIIRAKOgIIADoECAAQHjoGCAAQBxAeOgQIABATOgoIABAIEAcQChAeOggIABAIEAcQHjoHCCEQChCgAVCnElimigFg9Y0BaAZwAXgAgAGsAYgBsiKSAQUzMC4xNpgBAKABAaoBB2d3cy13aXrIAQjAAQE&sclient=gws-wiz&ved=0ahUKEwiqv66Q6uTvAhUDx4UKHSCLCi0Q4dUDCA0&uact=5)"! Emails are legally considered to be in writing. However, registered letters by post are safer.
* You can also write your demand letter to a company in a German speaking country in English. However, letters written in German are usually processed more quickly. German versions are available here: [europakonsument.at/musterbriefe](http://www.europakonsument.at/sample-letters)




In order for the ECC to take over your complaint against a company according to its statutes, we [require](https://europakonsument.at/en/who-we-are/5238) that you yourself have tried to contact and find a solution with the company at least once. Our sample letters offer a good opportunity to do this. We wish you every success with the sample letter!

Sender:

………………………………… *(First name, Surname)*

………………………………… *(street, house number, staircase/door number)*

………………………………… *(postcode, locality)*

 REGISTERED

To

………………………………… *(name of railway company according to imprint)*

………………………………… *(street, house number)*

………………………………… *(postcode, locality)*

……………… , …………… *(place and date of the letter)*

RE: **Claim for compensation according to** regulation (EC) No1371/2007 due to delay

or failure of the train with the number …………….... *(use train number from timetable or ticket)* on …………… *(scheduled date).*

Name of passenger ………………………………… *(First name, Surname) (If you are claiming compensation for more than one person, e.g. family members, use separate sample letters!)*

Dear Sir or Madam,

On the day of *………………………………… (date of purchase/booking)* I have purchased a train ticket from

the counter at station *………………………………… (name of train station)*

the ticket vending machine *………………………………… (location of ticket machine)*

through the website *………………………………… (internet address of website)*

the travel agency *………………………………… (name of company)*

*(Delete inapplicable above!)* for a train journey from *……………………………….. (place of departure)* to *………………………………… (destination)*, for the price of ……………… euros.
*(If necessary, add further information about the booked journey, such as the validity of the ticket, seat reservation, baggage check-in or similar paid additional services that made the ticket more expensive!)*

*(Train or, in the case of a blocked line, rail replacement service arrived late).*

According to the timetable, this train should have reached its destination at *...................* Instead, however, I arrived very late at the place of arrival at *...................* .

According to the Passenger Rights Regulation for Railways, passengers are entitled to 25% of the ticket price as a refund for delayed arrivals between one and two hours and 50% of the ticket price for delays of two hours or more. I therefore claim *..................* euros due to the delay of *..................* minutes.

*(Delete inapplicable below!)*

*(Train could not continue or the delay of more than one hour made the journey pointless - e.g. connecting flight missed and passenger had to return to the station of departure).*

Due to the delay of over an hour, the journey to *.......................................* *(destination)* became pointless for me as I could not reach *.......................................* *.......................................* *(reason for the journey)* in time. Thus, I had to travel back to the station of departure *.......................................* *(original place of departure)* with another train and a new ticket. I am therefore also claiming the costs for this return journey in the amount of ....*.*............. euro *(travel costs according to the new return ticket - only claim here if you have bought another ticket for the return journey!)*

*(Delete inapplicable below!)*

*(Passenger did not receive care services)*

In addition, I was not offered any care services in the form of drinks and meals. I therefore incurred expenses in the amount of .................. euros *(the sum should be in proportion to the duration of the delay).*

*(Delete inapplicable below!)*

*(As there was no connection, passenger had to stay overnight unplanned).*

Due to the delay, an overnight stay became necessary and I was not accommodated in a hotel and/or the transport to the hotel and back was not taken over by you. Therefore, further expenses were incurred in the amount of .................. euros *(sum of hotel and possible taxi bill - however, in Austria, according to the law, railways pay a maximum of 80 € for hotel per person and a maximum of 50 € per person for transport to the hotel).*

I therefore request you to transfer the amount of .................. euro *(total sum of all claims) ,* within thirty days from receipt of the present letter to the account indicated below.

Subject to any further and/or additional legal action.

Yours sincerely

.................................... *(first name)* .................................... *(last name)*

.................................... *(signature*

Bank details for refund:

IBAN ....................................

BIC(SWIFT) ....................................

Enclosures:

* Copy of the train ticket
* *(Delete inapplicable below!)*
* *Confirmation of the delay - if possible, obtain from the railway company itself*
* *Copy of return ticket in case of pointless onward journey*
* *Copy of the hotel bill*
* *Copy of taxi bill to hotel*
* *Copy of receipts for drinks or meals consumed*