

Information release

Airlines must refund ticket purchase fees charged by intermediaries in the event of flight cancellation or long delay

The refund must be paid even if the airline does not know the exact amount of the commission paid to the intermediary.

Madrid, 19 January 2026.- The Court of Justice of the European Union specifies when commissions charged by intermediaries for the sale of airline tickets must be paid to passengers, within the framework of air passengers' rights to receive a full refund. According to the Court, these commissions must be included in the refund amount, unless they were charged without the airline's knowledge. It thus clarifies that if the airline allows an intermediary to issue tickets on its behalf and for its account, it is presumed that the airline is aware of the practice of charging commissions and, as this charge is an 'unavoidable' element of the ticket price, it is considered to be authorised by the company and must therefore be paid when passengers are entitled to a refund of the cost of their airline tickets.

The Court of Justice has also pointed out that it is not necessary for the airline to know the exact amount of the commission, as requiring this would limit the protection of passengers established by European legislation and discourage the use of intermediaries for the purchase of tickets.

Consumer Rights

CEC-Spain reminds passengers that, in the event of cancellation, air passengers are entitled to be offered a choice between one of the following options:

- Refund of the ticket price within 7 days (with transport back to the airport of origin if the passenger is on a connecting flight and their journey no longer has any purpose). The refund may be made in cash, by bank transfer, cheque or travel vouchers or other services (subject to prior agreement signed by the passenger).
- Alternative transport to the final destination as quickly as possible and under comparable transport conditions
- Alternative transport at a later date convenient to the passenger. (If this option is chosen, the passenger is no longer entitled to assistance from that moment onwards)
- Compensation. Passengers are entitled to financial compensation ranging from €250 to €600, depending on the distance of the flight, although these amounts may be reduced by 50% if the airline offers alternative transport and meets a series of requirements regarding the time of arrival at the final destination.

Likewise, in the event of a delay of at least five hours, passengers who decide not to travel will be entitled to a refund within seven days of the full cost of the ticket at the price at which it was purchased, corresponding to the part of the journey not made and the part of the journey made if the flight no longer serves any purpose. Where appropriate, they are also entitled to a return flight to the first point of departure as quickly as possible.

Furthermore, when passengers arrive at their final destination three or more hours after the arrival time initially scheduled by the airline, they may be entitled to compensation (in accordance with the ruling of 23 October 2012 of the Court of Justice of the European Union [C-581/10](#) and [C-629/10](#)), unless the airline can prove that the delay was caused by extraordinary circumstances. The financial compensation provided for will be determined on the basis of the distance to the destination.

Source of information: [Court of Justice of the European Union](#).

