



Institute of Consumer Affairs

PACKAGE HOLIDAY LAW

THE CIVIL LIABILITY OF TOUR OPERATORS AND TRAVEL AGENTS

Nottingham 24th June, 2011

Almost 20 million people go abroad every year on package holidays. Most of them have a good time but a significant minority encounter problems: last minute changes to the holiday; misleading descriptions; poor quality accommodation or food; failures to respond to complaints etc. When things do go wrong consumers have powerful rights and remedies under the Package Travel Regulations and there is a growing body of case law to support this legislation. This course will look at some of the main provisions of the Regulations in a practical and participative fashion appropriate to consumer advisors with little or no knowledge of this area of the law as well as those with more experience.

Of particular relevance this year is the recent High Court decision in *CAA v Travel Republic* which examined the liability of internet travel agents and also the initiative by the Civil Aviation Authority to extend the ATOL system to include 'flight plus' arrangements and thereby enhance consumers' rights in the event of a travel company insolvency.

Course Content

- What is a Package?

A close look at the definitions in the Package Travel Regulations to examine their scope and who is protected. What is meant by: 'package'; 'pre-arranged combination'; 'inclusive price; 'consumer'; and 'organiser'.

- Liability for statements

What if the brochure is misleading. An examination of the extra rights that a consumer gets under Reg. 4 as well as the existing remedies for breach of contract.

- Pre-departure problems

What are the consumer's rights when the tour operator informs him just before departure that the hotel is overbooked or he has to travel from a different airport on different dates? Can the consumer cancel or claim a substitute holiday?

- Post-departure problems

What happens if on arrival in resort the consumer discovers his hotel is not built yet? What does the tour operator have to do about it?

- Liability under Regulation 15

What do the Regulations say about the liability of the tour operator and his responsibility for suppliers such as airlines and hotels?

- Calculation of damages

How do the courts work out how much compensation is payable? What about damages for distress and disappointment?

Lecturer

David Grant is the Vantage Insurance Professor of Travel Law at Leeds Metropolitan University. He is the editor of the *Travel Law Quarterly* and co-author of *Holiday Law*, a standard text on travel law.

Venue Nottingham City

Cost.- Members £130 Non-Members £145

Bookings and further information please contact:-

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