

European Union Directive on Package Holidays

YOUR PROTECTION UNDER COMMUNITY LAW

All tourists buying package-travel products have rights under Community legislation which apply throughout the Union.

'Package' in this case means a pre-arranged set of services sold or offered for sale at an inclusive price covering a period of more than twenty-four hours or including an overnight stay and which combines at least two of the following:

- your transport;
- your accommodation;
- any other tourist services not related to your transport or accommodation which account for a significant proportion of the package price.

Consumers will only be covered where, at least, two of these elements are sold or offered for sale, which means for example that buying air transport only, is not buying a package and therefore is excluded from the protection afforded by Community legislation.

Community legislation lays down various rules affecting your rights to information. Operators are not legally required to provide you with a brochure, but if they do it may not contain misleading information. The same holds for information describing the package in any promotional literature. This descriptive information constitutes an integral part of your contract, so the operator or travel agent is liable if the services actually provided do not match those described.

The Community legislation lists the terms which must be included in every contract, sets out strict conditions for any changes to the prices contained in the contract, and specifies under what circumstances your contract may be cancelled or terminated. It also deals with various consequences of the operator failing to fulfil the contract properly or at all, including the issue of liability and what guarantees there are to protect you if the service provider ceases trading or goes bankrupt.

The protection afforded to purchasers of package travel under Community law must be backed by national legislation in each Member State of the Union. Any Member State is entitled to reinforce or extend this Community protection under its national law.