

## EU Member State changes to Package Travel Regulations

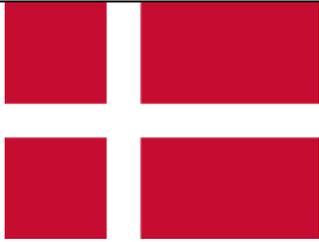
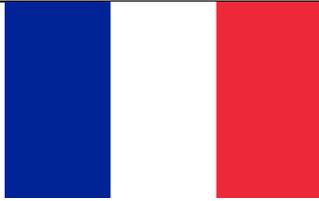
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The European Commission has already acknowledged the scale of the challenge facing the European travel industry in light of the COVID-19 pandemic, and has issued guidance intended to provide some flexibility around the implementation of the Package Travel Directive and Passenger Rights legislation. The European Justice Commissioner also repeated guidance on 9th April to member states to find “flexible solutions” to demands for refunds on cancelled holidays during the Covid-19 crisis, saying consumers “should consider accepting a voucher”.

A growing number of European countries, including Denmark, France, Italy, Malta, and Spain have announced temporary regulatory measures to preserve the future of their national travel industries. Meanwhile Germany has issued their own intended laws, and has called upon the European Commission to approve similar temporary changes across the EU. Provided below is a summary of the actions taken to date by individual EU Member States to support their respective travel industries.

It is imperative to the survival of many UK travel companies, and thousands of their employees across the UK, that the UK Government now also acts in this regard. This must be done with or without EU level action.

EU Member State	Changes to the national Package Travel Regulations	Latest update	Link to source
	<ul style="list-style-type: none"> <li>The Belgian Government introduced legislation which, since 19 March, allows vouchers to be used as a legally accepted means of payment.</li> <li>In addition to the use of vouchers, the industry has asked for a ‘fair’ system to be established under the Package Travel Directive (PTD), so that if suppliers (e.g. airlines) can invoke a legal force majeure to prevent making a refund, the tour operator can also invoke it.</li> </ul>	20/03/2020	<a href="#">Belgian e-legislative portal</a>
	<ul style="list-style-type: none"> <li>The Czech House of Representatives and the Senate has approved a new voucher system. The President’s signature is expected shortly.</li> <li>If approved a voucher can be issued for cancelled packages retrospectively from 20.2.2020 - 31.8.2020.</li> <li>The voucher is valid until 31.8.2021 at the latest, if the voucher is not used the customer will get a refund.</li> <li>Some groups of customer groups can decline the voucher. These are: disabled persons,</li> </ul>	21/04/2020	<a href="#">The Czech Republic Senate</a>

	single parents, seniors 65 +, unemployed people, schools and school groups.		
	<ul style="list-style-type: none"> <li>The Danish Government has announced a 1.5 billion DKK state guarantee to cover package travel cancelled before departure due to COVID-19 up until the 13 April.</li> <li>Either the so-called Travel Guarantee Fund, or the operator, repays the traveller. Payments already made by the tour operator to customers can be re-claimed from the Fund.</li> <li>The tour operator may keep all refunds claimed from suppliers.</li> </ul>	26/03/2020	<a href="#">The Danish Travel Guarantee Fund</a>
	<ul style="list-style-type: none"> <li>The French Government has enshrined a new voucher system in law, which has been active since 25 March. Details as follows:</li> <li>Step 1: The organiser or retailer must inform clients that they will receive a voucher.</li> <li>Step 2: The organiser or the retailer must send the voucher with a proposition for a new package which has to be similar and at the same price.</li> <li>Step 3: If the customer declines the proposition, the travel agent can send other package propositions to him/her. If the price is lower, the client will have a new voucher. If the price is higher, the client will bear the costs. If the client hasn't chosen a package after 18 months, he/she can ask for the refund.</li> </ul>	25/03/2020	<a href="#">The French Travel Association</a>
	<ul style="list-style-type: none"> <li>The German Government has agreed in principle a voucher solution for cancelled flights and package travel.</li> <li>The vouchers would be valid until the end of 2021, and will be valid for all trips and tickets purchased before 8 March.</li> <li>If the customer has not redeemed the voucher by the end of 2021, the organiser must refund the value.</li> <li>Hardship clauses are also planned for all customers who cannot reasonably be expected to accept a voucher due to their financial situation.</li> </ul>	02/04/2020	<a href="#">The German Government</a>

	<ul style="list-style-type: none"> <li>• It is reported that the Greek Ministry of Tourism is proceeding with a regulation that gives tourism companies the opportunity to compensate their customers by issuing an 18-month voucher, in order to support hotel businesses and travel agencies.</li> <li>• The initiative will be voted on in Parliament 9 April. The Ministry is preparing a letter to the European Commission asking for support.</li> <li>• In practice, this means that a consumer who has booked a holiday, for example for Easter, will receive the same amount instead of a refund, which he can later use on another trip, even with another destination through the same travel agency or travel company</li> </ul>	<p>07/04/2020</p>	<p><a href="#">Hellenic Parliament</a></p> <p><a href="#">Amna news</a></p>
	<ul style="list-style-type: none"> <li>• The Italian Government has adopted legislation which acknowledges that the COVID-19 outbreak means that existing refund obligations are impossible for companies to adhere to.</li> <li>• Instead of a refund a voucher system has been put in place offering customers vouchers with a one-year validity.</li> <li>• Consumers have an obligation to accept vouchers, where offered.</li> </ul>	<p>23/03/2020</p>	<p><a href="#">Italian e-legislative portal</a></p>
	<ul style="list-style-type: none"> <li>• The Lithuanian Government has indicated that it is sympathetic to the travel industry's needs.</li> <li>• National consumer trade associations have advised customers to take accept vouchers where available.</li> <li>• The Lithuanian Government has agreed on a voucher system through which the tour operator may offer a voucher, but the consumer has the right not to accept it. The Government is waiting for national parliamentary approval for the scheme.</li> </ul>	<p>02/04/2020</p>	<p><a href="#">Lithuanian State Consumer Rights Protection Service</a></p>
	<ul style="list-style-type: none"> <li>• The Maltese Government has issued a legal notice extending the deadline to refund consumers from 14 days to 6 months.</li> <li>• The industry has called for a legally binding voucher solution, which the Government appears to be considering favourably.</li> </ul>	<p>02/04/2020</p>	<p><a href="#">Malta's Justice Services</a></p>
	<ul style="list-style-type: none"> <li>• On 16 March the Dutch Government adopted a refund voucher policy approved by the European Commission. The system has been well received by consumers.</li> <li>• The credit of the voucher is covered by a Travel Guarantee Fund. In the event of bankruptcy of the travel organisation, the consumer will receive a refund via the Fund.</li> </ul>	<p>16/03/2020</p>	<p><a href="#">Dutch Authority for Consumers &amp; Markets</a></p> <p><a href="#">European Consumer Centre</a></p>

	<ul style="list-style-type: none"> <li>• The Portuguese Government has passed legislation that introduces flexibility in package travel regulation regarding cancellations due to Covid-19.</li> <li>• For package travels, vouchers can now be issued by travel agencies and are valid until December 31, 2021.</li> <li>• If travellers cannot go forth with their accommodation reservations, they will receive a voucher of the same value, valid until the end of 2021. Only after that date will it be possible to request an actual refund.</li> <li>• Exception: people who are unemployed during this period can claim a reimbursement sooner.</li> </ul>	<p>24/04/2020</p>	<p><a href="#">Portuguese legislative portal</a></p>
	<ul style="list-style-type: none"> <li>• The Spanish Government has passed legislation which introduces flexibility in package travel regulations regarding cancellations due to COVID-19.</li> <li>• According to the law, a retailer has the option, where appropriate to deliver a voucher, valid for one year.</li> </ul>	<p>01/04/2020</p>	<p><a href="#">Official Spanish State Newsletter</a></p>

**More information:** If you have any questions regarding this briefing note, please contact ABTA’s Public Affairs team E: [publicaffairs@abta.co.uk](mailto:publicaffairs@abta.co.uk).