

## ABTA Virtual Event

# Brexit Preparations for Travel Businesses

25 November 2020

09:30 – 13:15

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09:30	<b>Welcome from the moderator</b> <b>Alice Catterall</b> , Director of Events and Partnerships, <b>ABTA</b>
09:35	<b>State of play</b> <ul style="list-style-type: none"><li>Recap on latest Government agreements</li></ul> <b>Luke Petherbridge</b> , Director of Public Affairs, <b>ABTA</b>
09:50	<b>Q&amp;A with Luke Petherbridge</b>
10:00	<b>Your business and finance operations – key areas to consider</b> <b>Martin Alcock</b> , Director, <b>The Travel Trade Consultancy (TTC)</b>
10:15	<b>Q&amp;A with Martin Alcock</b>
10:20	<b>Employment, workforces and immigration</b> <ul style="list-style-type: none"><li>Your business labour requirements</li></ul> <b>Alison Loveday</b> , Partner, <b>Kennedys</b>
10:40	<b>Selling travel across European borders</b> <ul style="list-style-type: none"><li>Package travel financial protection</li><li>Key considerations when selling to consumers in the EEA</li><li>Selling to UK consumers from EEA</li><li>The UK and Ireland</li><li>ABTA support/guidance</li></ul> <b>John de Vial</b> , Director of Membership and Financial Protection, <b>ABTA</b> <b>Simon Bunce</b> , Director of Legal Affairs, <b>ABTA</b>
11:00	<b>Q&amp;A with John de Vial and Simon Bunce</b>
11:10	<b>Commercial contracts and relationships</b> <ul style="list-style-type: none"><li>Data management and IP issues</li><li>Supplier and commercial contracts</li></ul> <b>Farina Azam</b> , Partner, Travel, <b>Kemp Little</b>
11:25	<b>Looking after your customers – key areas to consider</b> <ul style="list-style-type: none"><li>Information</li><li>Terms &amp; Conditions</li><li>Assistance when these go wrong – the increased importance of travel insurance</li></ul> <b>Matt Gatenby</b> , Senior Partner, <b>Travlaw</b>
11:40	<b>Q&amp;A with Farina Azam and Matt Gatenby</b>
11:55	<b>VAT implications – EU progress update</b> <ul style="list-style-type: none"><li>VAT TOMS</li></ul> <b>David Bennett</b> , Director, <b>Elman Wall Bennett</b>



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### 12:15 Business workshops and legal surgeries

*Choose your relevant practical session and submit your questions to be answered live by speakers*

**1. Currency and managing FX risk**

**William Jones**, Senior Relationship Manager, **WorldFirst** and **Henry Hatton**, UK Sales Manager, **WorldFirst**

**2. Looking after your customers**

**Matt Gatenby**, Senior Partner, **Travlaw** and **Paula Macfarlane**, Senior Solicitor, **ABTA**

**3. Data management**

**Marta Dunphy-Moriel**, Partner, Data Protection and Privacy, **Kemp Little** and **Anita Bapat**, Partner, Head of Data Protection and Privacy, **Kemp Little**

**4. Supplier and commercial contracts**

**Luke Golding**, Senior Associate, Travel, **Kemp Little**

**5. VAT TOMS – practical steps**

**David Bennett**, Director, **Elman Wall Bennett**

**6. Workforces, employment, business travel and immigration**

**Alison Loveday**, Partner, **Kennedys** and **Carlijn Langeveld**, Senior Strategic Advisor, **Newland Chase**, a CIBT company

**7. Selling travel across European borders**

**John de Vial**, Director of Membership and Financial Protection, **ABTA**, **Simon Bunce**, Director of Legal Affairs, **ABTA** and **Rhys Griffiths**, Partner, **Fox Williams**

### 13:15 Close



## Speaker profiles



### **Luke Petherbridge, Director of Public Affairs, ABTA**

Luke joined ABTA in 2011, originally working on European issues, and was appointed Director in 2020. He leads the Public Affairs team's work with Governments and policymakers in Westminster, the Devolved Administrations and in Europe. Luke works regularly with Members and industry stakeholders on government relations issues, and is also a Board Member of the Tourism Alliance and Observer to the Board of the Northern Ireland Tourism Alliance.



### **Martin Alcock, Director, The Travel Trade Consultancy (TTC)**

Martin is an owner and director of The Travel Trade Consultancy. In the 8 years B.C. (Before Covid) that meant he was a kind of walking Swiss Army knife, helping operators, lenders and investors in the travel sector to fix a range of financial regulatory and strategic problems, usually related to ATOL, ABTA or IATA. These days, it means he is more a counsellor to exasperated, battle-weary business owners. Prior to TTC, Martin qualified as a Chartered Accountant with PricewaterhouseCoopers and worked in the ATOL department of the Civil Aviation Authority. Martin is a prominent travel industry commentator, regularly sharing his opinions to travel industry conferences and trade publications. He has also appeared in The Telegraph, The Times, Wall Street Journal and on The BBC (though mainly the 5am slots that Simon Calder doesn't fancy). Having given up on his dream to play lead guitar for an international rock band, he now moonlights as an under-appreciated taxi driver for his 2 daughters. Thankfully, his years as a Sunderland supporter have taught him to cope well with disappointment.



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### **Alison Loveday, Partner, Kennedys**

Alison is a partner in the commercial division of Kennedys, a global law firm. She has over 25 years' experience in advising businesses from PLCs to SMEs and entrepreneurs across a wide range of sectors-including travel, retail, hospitality and finance. Alison joined Kennedys in 2017, having spent the majority of her professional career as the managing partner and then Chief Executive of the legal practice Berg, with responsibility for all aspects of the business. She thus understands from personal experience the challenges that business owners face. The key areas of Alison's professional practice are employment law and commercial disputes (particularly financial and regulatory). Most recently Alison has been involved in supporting businesses through the unprecedented challenges brought about by the Corona virus, working on various board and shareholder disputes, data breaches and reputational damage claims. Alison regularly provides training to clients – her latest sessions focussing on the implementation of furlough, and diversity and inclusion training for an international recruitment firm. Alison prides herself on being easy to deal with, and her aim is to work with her clients as a partner, taking on the challenges the fast-paced modern business world poses. Alison supports a number of female entrepreneur and women in business initiatives including the All-Party Parliamentary Group for Entrepreneurship, the Pink Shoe Club and Northwest Power Women. Alison is a former holder of the Inspiring Women award (financial professional category), Woman of the Year-Downtown in business and appears on the Northern Power Women Power list. She is a regular contributor to National media including Wake up to Money, BBC 5 Live, BBC Radio 4, BBC breakfast TV, the main Broadsheets, and various sector and / or regional press."



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### **John de Vial, Director of Membership and Financial Services, ABTA**

John is ABTA's Director of Membership and Financial Services, with 30 years of travel industry experience, followed by 10 years at ABTA. John has operated at Board level within the ILG/Air Europe; Thomson Travel Group/TUI UK; MyTravel Group plc; Thomas Cook Group plc and Shearings Groups. He has served three terms on the ABTA Board and Chaired ABTA's disciplinary Code of Conduct Committee, as well as the FTO Health & Safety and Responsible Tourism Committee's. John is a Member of the Government's Air Travel Insolvency Protection Committee (ATIPAC) which advises the Secretary of State and the CAA on consumer protection. John is a Trustee of ABTA Lifeline, ABTA's benevolent charity and The Travel Foundation, a sustainability charity. He is also a Director of Travelife Limited – a certification body in the hotel sustainability accreditation market. He supports the Family Holiday Association (FHA) – an industry charity providing short breaks for some of the most deprived children and families in the UK – generally with a London Marathon or 100km Ultra challenge sponsored event each year. John heads up ABTA's membership; financial protection; risk; claims and insurance operations, including our captive insurance company, ABTA Insurance PCC Limited.



### **Simon Bunce, Director of Legal Affairs, ABTA**

Simon is a solicitor and ABTA's Director of Legal Affairs having joined ABTA as a Legal Adviser in 1996. Simon's team is responsible for the provision of legal and regulatory guidance to Members; the advice and alternative dispute resolution services to customers of ABTA Members; and for the operation and enforcement of ABTA's Code of Conduct. Simon chairs the Legal Committee of ECTAA, the European Travel Agent and Tour Operator Association and is co-author, with Professor David Grant and Stephen Mason, of Holiday Law - The Law Relating to Travel and Tourism 6th Ed.



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### **Farina Azam, Partner, Travel, Kemp Little**

Farina is a travel law expert specialising in regulatory advice and commercial contracts for the travel industry and leads Kemp Little's travel practice. Her clients include tour operators, online travel agents, hotels, airlines, travel consortia and accredited bodies, travel management companies, flight consolidators, villa and accommodation providers, adventure travel operators and festival organisers. With over 10 years of travel law experience Farina has an in-depth knowledge of the legal issues affecting the travel industry. She is experienced in drafting and advising on consumer terms and conditions, overseas supplier contracts and agency agreements, as well as giving regulatory advice on the likes of the Package Travel Regulations, the ATOL Regulations, EC 261/2004 (flight delay and disruption) and GDPR/Data Protection Act 2018. Farina is ranked as "Up and Coming" in Chambers and Partners UK 2019 for Travel: Regulatory & Commercial where she is described as "very approachable" and "always commercially aware and effective, while displaying excellent technical knowledge". She was also one of the TTG's "30 under 30" for 2015, a scheme set up to recognise those considered "tomorrow's travel leaders" where she was recognised as "building up a reputation as one of the industry's leading commercial lawyers".



### **Matt Gatenby, Senior Partner, Travlaw**

Matt is a Senior Partner at Travlaw LLP, with over 19 years of experience in the travel law industry. Friendly and approachable, Matt is proud to serve a vast array of tour operators, travel agents, trade associations, insurers and their underwriters. His skill-set encompasses all types of travel law work, with a specialism in high value litigation and cross border disputes. A popular trainer and speaker, Matt is often asked to deliver in-house seminars and appear on panel debates. In addition to the many events Travlaw puts on, Matt has also spoken many times in the UK and abroad at conferences including ABTA Legal, PEOPI, ECC-NET, GTOA, AITO, UKInbound, the Clarity Travel Management conference as well as more law centric events such as the International Bar Association (IBA) Global conference. Matt also contributes to various publications including Travel Law Quarterly and Solicitors Journal. He has blogged on various issues, featured in various newsletters and has commented on industry issues in the trade press. See [www.travlaw.co.uk](http://www.travlaw.co.uk) for more on the thought leadership Matt and the team at Travlaw bring to the industry as part of their trusted advisor status.



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### **David Bennett, Director, Elman Wall Bennett**

David started with HM Customs & Excise a sobering 36 years ago. He soon decided that the Civil Service was not for him and has since worked at accounting firms Deloitte and Saffery Champness. In 2014, he set up his own consultancy Elman Wall Bennett, in conjunction with travel accountants Elman Wall, to specialise in VAT and travel. David advises a broad range of tour operator and travel agents on the implications of TOMS and other VAT matters such as the meaning of agent and principal. David also advises ABTA and represents the association on the Fiscal Committee of ECTAA (the Brussels based body representing European travel agents and tour operators). His role often involves discussing matters with HMRC's Policy Unit. David is married with three grown up children and lives in Sussex. When not working, he's probably travelling, watching Arsenal, watching cricket or listening to Manic Street Preachers.



### **William Jones, Senior Relationship Manager, WorldFirst**

William is Senior Relationships Manager at WorldFirst, an international payments company that help businesses and individuals collect and send money around the world by making global payments in local markets simple. William joined WorldFirst in May this year during Lockdown 1.0 after working in the FX industry for 9 years. Prior to this he attended the University of Warwick and studied Biochemistry.



### **Henry Hatton, UK Sales Manager, WorldFirst**

Henry is UK Sales Manager at WorldFirst, he joined a little over two years ago having previously worked in the FX Industry for 3 years. Henry works with a large number of UK SMEs reducing barriers to international trade.





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### **Paula Macfarlane, Senior Solicitor, ABTA**

Paula qualified as a solicitor in 2000 at a commercial legal firm and then moved in-house to be an ABTA solicitor, before moving up to senior solicitor. She has 18 years' experience in travel law, including package travel, ATOL, consumer law, booking conditions, advertising and websites. She runs ABTA's code of conduct processes and writes the extensive, practical guidance available for Members on compliance with the Code and their legal obligations. In her spare time Paula loves travelling and football and believes that someday soon she'll be able to combine the two and go to a World Cup to support Scotland.



### **Marta Dunphy-Moriel, Partner, Data Protection and Privacy, Kemp Little**

Marta is a Partner in the Data Protection & Privacy Team. She specialises in all areas of data protection and privacy and has significant experience working with pan-European and global businesses to achieve compliance. Marta has a particular interest in AI and privacy issues in the health and healthtech sectors as well as in media and travel.



### **Anita Bapat, Partner, Head of Data Protection and Privacy, Kemp Little**

Anita is a Partner in the Data Protection & Privacy Team. She works with clients on the full range of data protection issues, ranging from general compliance issues to privacy impact assessments, supplier management, HR data protection issues and information governance.





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### **Luke Golding, Senior Associate, Travel, Kemp Little**

Luke is a Senior Associate at Kemp Little LLP who specialises in providing legal and regulatory advice to the travel industry. Luke has a great deal of experience in advising travel industry clients on a wide variety of complex commercial law and regulatory issues. Luke regularly advises clients on topics ranging from the nuanced complexities of the Package Travel Regulations, ATOL Regulations and Data Protection Act (among many others) through to advising clients in complex contractual disputes and negotiations. Luke is regularly instructed to draft a variety of contractual documents, such as consumer terms and conditions, agency agreements, supplier contracts and wholesale agreements and can often be found speaking on various legal matters at travel industry events.



### **Carlijn Langeveld, Senior Strategic Advisor, Newland Chase, a CIBT company**

As Sr. Strategic Advisor, Carlijn Langeveld provides strategic immigration advice, with an expert level knowledge of corporate immigration in Europe. Among her current focuses are EU Posted Worker compliance and the impact of Brexit on UK nationals in the EU. With more than a decade of experience, Carlijn is a seasoned immigration manager with a customer-focused approach. Having worked both as an immigration consultant and knowledge management specialist, her immigration expertise covers both the practical and theoretical. Carlijn has lived in four countries herself, and she brings that understanding of expatriate challenges to the support of her clients. She is a graduate of Utrecht University in the Netherlands with an MSc in Experimental Physics.



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### Rhys Griffiths, Partner, Fox Williams

Rhys is a partner and the head of the travel group at Fox Williams. He is a travel sector specialist, with in-depth knowledge of the industry and how it works. Rhys advises clients on compliance with the complex web of laws and regulation which apply to the sale of travel services in Europe. He has significant experience of helping clients launch new products and enter new markets. He uses his expertise of the regulation and the market to help clients structure their business efficiently and to negotiate the myriad of commercial and consumer contracts which are needed to operate. Rhys typically undertakes this work for tour operators, travel agents, online booking platforms and airlines. Rhys frequently represents clients in response to investigations and proceedings by regulators and industry trade associations. Most recently, Rhys has represented clients in response to investigations by the Competition and Markets Authority and the Civil Aviation Authority concerning compliance by various travel companies with the relevant travel regulation. Rhys is listed as a leading individual for Travel: Regulatory and Commercial in both the Legal 500 and Chambers and Partners.

## Event partner profiles

### CIBTvisas A CIBT COMPANY

CIBT is the leading global provider of immigration and visa services for corporations and individuals. With over thirty years of experience, CIBT is the primary service provider to 75% of Fortune 500 companies. CIBT offers a comprehensive suite of services under two primary brands: Newland Chase, a wholly owned subsidiary focused on global immigration strategy and advisory services for corporations worldwide and CIBTvisas, the market leader for business and other travel visa services for corporate and individual clients. [cibtvisas.co.uk](http://cibtvisas.co.uk)

### Elman Wall Bennett Travel VAT and TOMS Consultants

Elman Wall Bennett is a consultancy focused on travel VAT run by David Bennett. David is a VAT consultant specialising in the travel sector. David advises a broad range of tour operators and travel agents on TOMS and other matters such as the VAT place of supply rules. David has represented ABTA on the Fiscal Committee of ECTAA since 2000. This has involved extensive work on issues such as the Commission's proposals for reform of TOMS. David has been instrumental in the establishment of TTL Net, a network of VAT advisors specialising in the travel sector. TTL Net now has consultants in 19 member states plus Switzerland and Iceland. [www.elmanwallbennett.co.uk](http://www.elmanwallbennett.co.uk)





Fox Williams LLP is a City law firm with a leading reputation in specific industry sectors and practice areas, known for its good sense and ability to deliver effective solutions. Fox Williams undertakes complex legal and regulatory work. Fox Williams advises in a number of sectors including travel, where we are top ranked by the legal directories. Our clients are not in the business of regulatory compliance, they are in the business of selling travel services. We help guide clients through the regulations in a way which is sensible, user-friendly and pragmatic. Fox Williams also advises on financial services, corporate, employment, mergers and acquisitions, dispute resolution, corporate crime and business investigations, business immigration, intellectual property, international trade, partnership, real estate and tax, and we provide legal advice on responding commercially to topical issues including Brexit and Covid-19.

[www.foxwilliams.com](http://www.foxwilliams.com)



Kemp Little's specialist travel team has an in-depth understanding of the travel industry and the issues which travel businesses face. As a result, our team can provide pragmatic and commercial legal advice helping you comply with your regulatory obligations, whilst also managing risk and maintaining strong commercial and customer relationships. We have experience in acting for tour operators, online travel agents, hotels, airlines, travel consortia and accredited bodies, travel management companies, flight consolidators, villa and accommodation providers, adventure travel operators and festival organisers – to name a few! Also as all players in the travel sector increase their reliance on technology, data and deeper understanding of their customers', as the UK's leading specialist technology and digital law firm we are best placed to support travel and tourism businesses as the digital revolution creates further opportunities for their operations as they create the best possible experience for their customers.

[www.kemplittle.com](http://www.kemplittle.com)

## Kennedys

Kennedys is an international law firm with expertise in litigation and dispute resolution, particularly in the insurance/reinsurance and liability industries. With over 1,500 people worldwide across 26 offices in the UK and Europe, Middle East, Asia Pacific and the Americas, we have some of the most respected legal minds in their fields. We act for insurers, reinsurers, Lloyd's Syndicates, public bodies and corporates. Our deep sector knowledge means that we understand the impact of proposed regulations and advise our clients on the implications this will have on their business. Every day we make a difference for our clients. We provide answers, recommendations, strategy and tactics. We deliver these in plain English and it's what we call Legal advice in black and white.

[www.kennedyslaw.com](http://www.kennedyslaw.com)



# Travlaw

ABTA Partner+ Travlaw LLP are 100% committed to serving the travel and leisure industry – from tour operators and travel agents to airlines, hotel groups, event management companies and their insurers. We pride ourselves on being one of the top travel law firms in the UK. We are a large, experienced team of highly professional yet approachable lawyers who are tried and tested specialists in advising. [www.travlaw.co.uk](http://www.travlaw.co.uk)



For more than 14 years, we've been helping travel businesses. Helping with ATOL, ABTA and IATA regulatory and bonding issues. Helping with financial, back office and supplier payment services and helping create business plans, raise money, and find investors. At The Travel Trade Consultancy we offer friendly, concise, practical advice to help you manage your business through changes that affect your business. We also offer a compliance management service that means you'll never have to think about it again. [www.traveltradeconsultancy.co.uk](http://www.traveltradeconsultancy.co.uk)

## WORLDFIRST

WorldFirst are an international payments company that help businesses and individuals collect and send money around the world by making global payments in local markets simple. Since 2004, more than 250,000 customers have utilised our services to send more than \$70bn around the world. In 2019, WorldFirst became part of the Ant Group, the operator of digital lifestyle platform Alipay which serves 1.3 billion users worldwide with its global e-wallet partners. Together, we are advancing in bringing inclusive and affordable services to small businesses and SMEs in the rapidly growing areas of cross-border trade and e-commerce. [www.worldfirst.com](http://www.worldfirst.com)

## Webinar partner profile



Traditional enterprise software is clunky, expensive and not focused on how you can wow your customers with the ultimate service and experience. At Freshworks, we believe that you deserve better- providing customer-for-life software that's modern, mobile and affordable- enabling you to deliver wow moments to customers all over the world. We work with industry leaders to streamline customer conversations, automate repetitive work and save time- ensuring that teams can collaborate to deliver world class customer engagement.

[www.freshworks.com](http://www.freshworks.com)

