



Groupement des Unions Nationales des  
Agences et Organismes de Voyages de  
l'UE  
Group of National Travel Agents' and  
Tour Operators' Associations within the  
EU



## JOINT PRESS RELEASE

### Industry says 'yes' to the revision of European legislation on package travel

***Following the launch of a consultation by the European Commission on the European legislation regulating package travel contracts, the so-called Package Travel Directive<sup>1</sup>, tour operators as well as the leisure and business travel agents regrouped under ECTAA and GEBTA have jointly expressed their support in favor of the revision of the legislation.***

In their submission to the Commission, ECTAA and GEBTA propose two alternatives for the revision, expressing their preference for replacing the Package Travel Directive by a horizontal instrument regulating all sales to consumers, whether goods or services, including travel services. This horizontal instrument would be based on existing EU legislation, such as for example the Directive on Commercial Unfair Practices or the Directive on Unfair Terms, and impose a full set of fundamental obligations to all providers/suppliers of services/goods. ECTAA and GEBTA however recognize that a specific EU legislative instrument may be needed to ensure that consumers are repatriated when any travel service provider -thus non only tour operators- goes bankrupt or is insolvent.

Would that first alternative not be retained and the Package Travel Directive simply revised, ECTAA and GEBTA strongly advocate for the extension of its scope to cover all travel service providers who sell or offer for sale in their own name any form of combination of travel services, in order to cover the practice of dynamic packaging.

Said President of ECTAA, Mr. Jan Van Steen: *"In light of the increasing number of channels and suppliers, from which travel services can be purchased, we need a level playing field between the market players. In the interest of customers, all providers of travel services, be it organizers, airlines, hotelkeepers, etc., selling or offering for sale in their own name some form of combination of travel services must comply with the same obligations and offer the same protection to their customers."*

ECTAA and GEBTA also consider that other issues would need to be revised such as the definition of the concept of contract, the introduction of more flexibility concerning information on prices and variation of prices, etc. In particular ECTAA and GEBTA call for the exclusion of retailers, who are merely intermediaries, and of business travelers from the scope of the vertical EU instrument. Said President of GEBTA, Mr. Carl Gerkens: *"The Package Travel Directive is not appropriate for the business travel sector, which has its specificities, and does not meet the needs of business travelers. Therefore, the definition of consumer must be limited to a natural person acting for purposes outside his trade, business or profession."*

- (1) Directive 90/314 of 13 June 1990 on package travel, package holidays and package tours, short Package Travel Directive, regulates the minimum pre-contractual information to provide to the consumer, the formal requirements for package travel contracts, the obligations of the organizer when failing to comply with its contractual obligations (cancellation, change in the services included in the contract, non-performance, civil liability, etc.) and the provision of a financial guarantee to cover the organizer's insolvency.

\* \* \*

ECTAA regroups the national associations of travel agents and tour operators of 29 European countries, of which 25 are within the European Union. Altogether it represents 80.000 enterprises

GEBTA, the Guild of European Business Travel Agents, promotes the interests of travel management companies, their clients and their travelers. It currently counts 7 Member Guilds with more than 300 travel management companies.

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For more information, please see **detailed position paper available from the Secretariat:**

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