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**Package Travel Legislation: Updating the Framework**

*On 20 September, the UK Department for Business and Trade (DBT) published* *its long-awaited consultation* *seeking views on how the Package Travel and Linked Travel Arrangements Regulations 2018 (the PTRs) are working.*

*Over 30 pages, the DBT set out a series of questions seeking views on whether the current PTRs strike the right balance between consumer protections and business freedom.*

*The DBT is focussing on eight areas, you can read more about them in our latest news and insights post on* [*thettc.co.uk.*](https://traveltradeconsultancy.co.uk/news-insights/package-travel-regulations-8-areas-the-consultation-focuses-on/)

*The consultation runs to 13 December 2023 so make sure you have your say on the proposals. We’ve copied all the questions below, to make it easier for you to populate your answers.*

**Questions**

**How rules should apply to UK-only package holidays**

1. What consumer protections are particularly important for those holidaying in the UK and why?

2. Do you think that:

1. All domestic-only arrangements should be exempt from the Regulations; or
2. Domestic-only arrangements that do not include travel should be exempt from the Regulations; or
3. Domestic-only arrangements should continue to be in scope of the Regulations as they are now?

Please provide an explanation for your answer, citing any relevant data where possible.

3. If you offer or have considered offering domestic packages, what impact does the current regulatory regime have on your decisions to put together domestic packages?

4. Would removing domestic packages from the scope of the regulations support businesses to:

1. offer more choice?
2. offer lower cost options?
3. both?
4. neither?
5. something else?

Please explain your response, setting out how and to what extent this reform could lead to benefits or detriment to business.

5. What impact do you think the pandemic has had on demand for domestic holidays? What attitudes and behaviours do you think consumers might have towards domestic packages going forward? Please cite any evidence.

**Setting a minimum cost threshold for rules to apply**

6. Do you think that a minimum cost threshold should be set below which package travel rules should not apply? Please explain why and what impact you think these proposals could have on businesses and consumers. Please cite any evidence that informed your position.

7. If there were to be a minimum threshold, do you think it would be most appropriate for the threshold to be set at:

1. the price of the package over all travellers; or
2. the average cost per person; or
3. another measure of value (if so, please describe).

Please explain.

**Regulation of Linked Travel Arrangements**

8. Do you think the regulatory position on linked travel arrangements should be

1. kept as it is; or
2. simplified; or
3. incorporated into the definition of a package; or
4. removed from the Regulations?

Please explain your answer, outlining potential impacts on businesses and consumers and any evidence that informed your position.

9. If you think the definition should be simplified, what would you consider the best way to do this and why?

**Information Requirements for Linked Travel Arrangements**

10. Which information requirements are particularly important? Please explain why you think this.

11. Which information requirements do you think could be removed or reduced whilst still ensuring consumers receive the information they need?

12. What would be the impact on businesses and consumers of simplifying the information provision requirements for linked travel arrangements? Flexibility over how insolvency protection is provided.

13. To what extent would increased flexibility in insolvency protection help businesses to meet their obligations under the Regulations?

14. Would there be any challenges associated with increased flexibility in insolvency protection, particularly for compliance and enforcement?

15. In what other ways could the cost to package travel businesses of securing insolvency protection be reduced without compromising consumer protections? How “other tourist services” form part of the rules.

16. Does the inclusion of ‘other tourist services’ in the Regulations serve an important purpose?

17. Is there sufficient clarity about when an ‘other tourist service’ will form part of a package?

18. Should the ‘significant proportion’ criterion be removed from the definition of other tourist services?

19. Is it clear what forms an ‘essential feature’ of the package, so consumers and businesses understand when a package has been created? To which travellers should package travel rules apply

20. Do you think the definition of traveller should be changed? If so, how and what impact would this have?

21. What do you think would be the impact of removing all business travellers from the definition of traveller?

**Further Technical Changes**

**Redress from Third Parties**

22. If you are an organiser of package travel, have you been able to obtain effective redress from third parties?

23. Have you had any particular or recurring problems in obtaining redress? If so, please provide details.

24. What would improve package travel organisers’ ability to obtain timely and effective redress from suppliers?

25. What would be the impact of removing Regulation 29 from the Regulations? Whether rules should allow for extenuating circumstances

26. What are your views on how well the Regulations operated during the COVID-19 pandemic?

27. Do you think any changes should be made to the Regulations to account for extreme extenuating circumstances impacting the ability to pay refunds quickly?

28. If so, what factors do you think should be considered as part of a definition of extreme extenuating circumstances?

29. Are there other changes that should be made to the Regulations considering the pandemic and if yes, what are they? Territorial restrictions on insurance cover

30. What are your views on relaxing territorial restrictions on insurance cover for insolvency protection providers to allow supply by those regulated outside the UK?

31. What impact would doing so have on the cost and quality of cover?

**Making it easier for the Government to update the information requirements.**

32. Are there any parts of the information requirements where you think flexibility is particularly needed to ensure the requirements stay up to date?