

Current PTD revision proposal – Step in the wrong direction



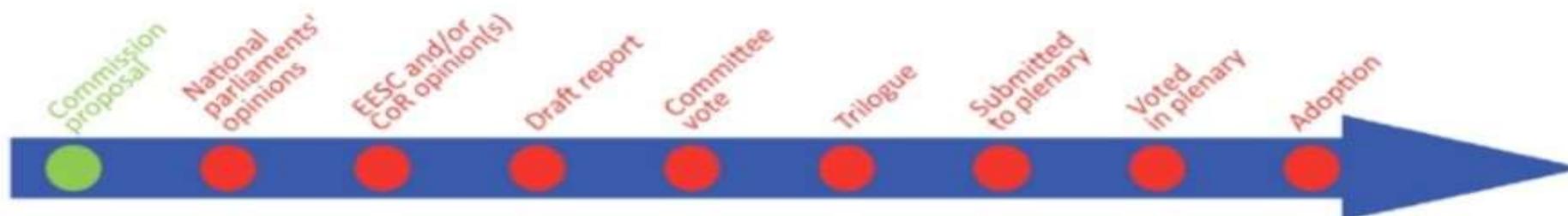
Program

1. Legislative train schedule
2. IFTTA Working Group
3. Feedback
4. What discussion in WG revealed?
5. Action?
6. Discussion
7. Important links



Proposal for a directive amending Directive(EU) 2015/2302 to make the protection of travellers more effective and to simplify and clarify certain aspects of the Directive

<i>Committee responsible:</i>	Internal Market and Consumer Protection (IMCO)	COM(2023) 905 29.11.2023
<i>Rapporteur:</i>	Alex Agius Saliba (S&D, Malta)	2023/0435(COD)
<i>Shadow rapporteurs:</i>		Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision')
<i>Next steps expected:</i>	Publication of draft report	



Feedback

- 50 individual organizations provided feedback
- 23 of which against
- 13 of which partly in favor, partly against
- 10 of which in favor



Who said what? – Interest groups

- Against
- Partly against
- In favor

- **Aviation industry** ●●●●●
Like the IATA or EasyJet Group
- **General Business** ●●●
Like the Czech Chamber of Commerce Association
- **Sports and tourism industry** ●●
Like the French equestrian association
- **Hospitality sector** ●●
Like the Finnish Hospitality Association (MaRa)
- **Travel technology** ●●●
Like eu travel tech or the Expedia Group
- **Holiday homes** ●●
Like the German Holiday Home Association
- **Travel operators** ●●●●●
Like Sunweb or the Nordic Leisure Travel Group
- **Mobility (auto club) sector** ●●
Like automobile associations or CarTrawler
- **Insurance providers** ●●●●
European, especially French and German, insurers
- **Travel agents and tour operators** ●●●●●●●●●●●
Like IFTTA, ABTA, the Lithuanian or Flamish travel associations
- **Travel Lawyers** ●
IFTTA, Ernst Fuhrich

Positive feedback – key points

- Travellers will benefit from **improved rights**
- **Clearer** rules and **reduced legal uncertainty**
- **Insolvency protection** beneficial to consumers
- Clarification of the **roles of different actors**
- B2B rules on **reimbursement** ensure smooth process for consumers
- Art. 12a: rules for vouchers and refunds provide **transparency** and **quicker** reimbursements
- Art. 17: **minimisation of financial risks** by requiring organisers to have mechanisms for consumer protection in place, **clarity** on organiser's responsibilities

Negative feedback – key points

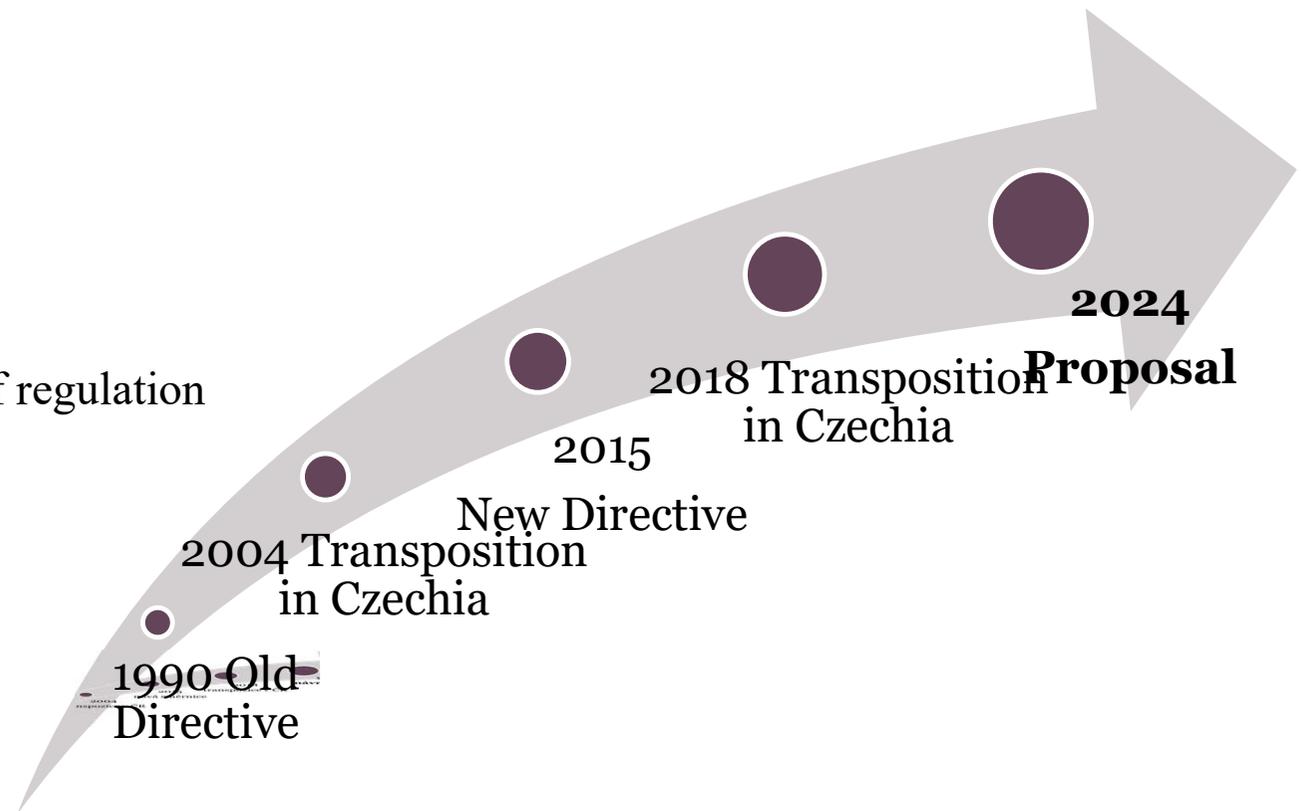
- Should not use **COVID-19 pandemic** as baseline for regulating the travel and tourism industry
- Doubts whether measures affecting businesses are **proportionate** to consumer's benefits
- PTD may go against EU goal of competitive and fair **travel market**
- **Broad** definition of packages is unfavourable to consumers, results in less choices and higher price
- **Extension** of definition “**package**” to include purchase of **separate services** with separate payments from a single point in a certain amount of time increases **administrative** burden for organisers
- **Sport** associations and **smaller** enterprises should be excluded from the definition
- **Lack of consistency** between PTD and the Air Passenger Rights Regulation
- According to **airlines companies**, market is already **overregulated**
- **Limitation** of **down payments** for package organisers to 25 % risks weakening different players in the tourism industry, not proportional and not necessary to protect consumers

Example of Proposed Changes

- Provide better **balance** of consumers' and travel businesses' interests
- Remove **inconsistencies** between rules on package travel and single transport tickets
- Exclude **vouchers** in **insolvency** protection
- Provide more information on **environmental impact** of travel
- Allow flexibility of requirements in the quality and reporting system (**Annex 5**)
- Consider that **airlines** in package travel **need protection** against possible **insolvency**
- Amend new **definition** of packages services as now it requires user tracking and invites concerns about GDPR
- **Payment in advance** is regulated too strictly
- Regarding consumer's place of residence or departure, liability to **refund** not to be put on organiser (except for natural events when no alternative can be provided)
- Exclude **obligation to refund vouchers** after their validity period is over
- Three-month refund period is **unrealistic**

What WG discussions revealed?

- Moved away from the original goal
- Free travel and protection
- When did it change?
- Exponential technology shift
- Renew the debate on the purpose of regulation

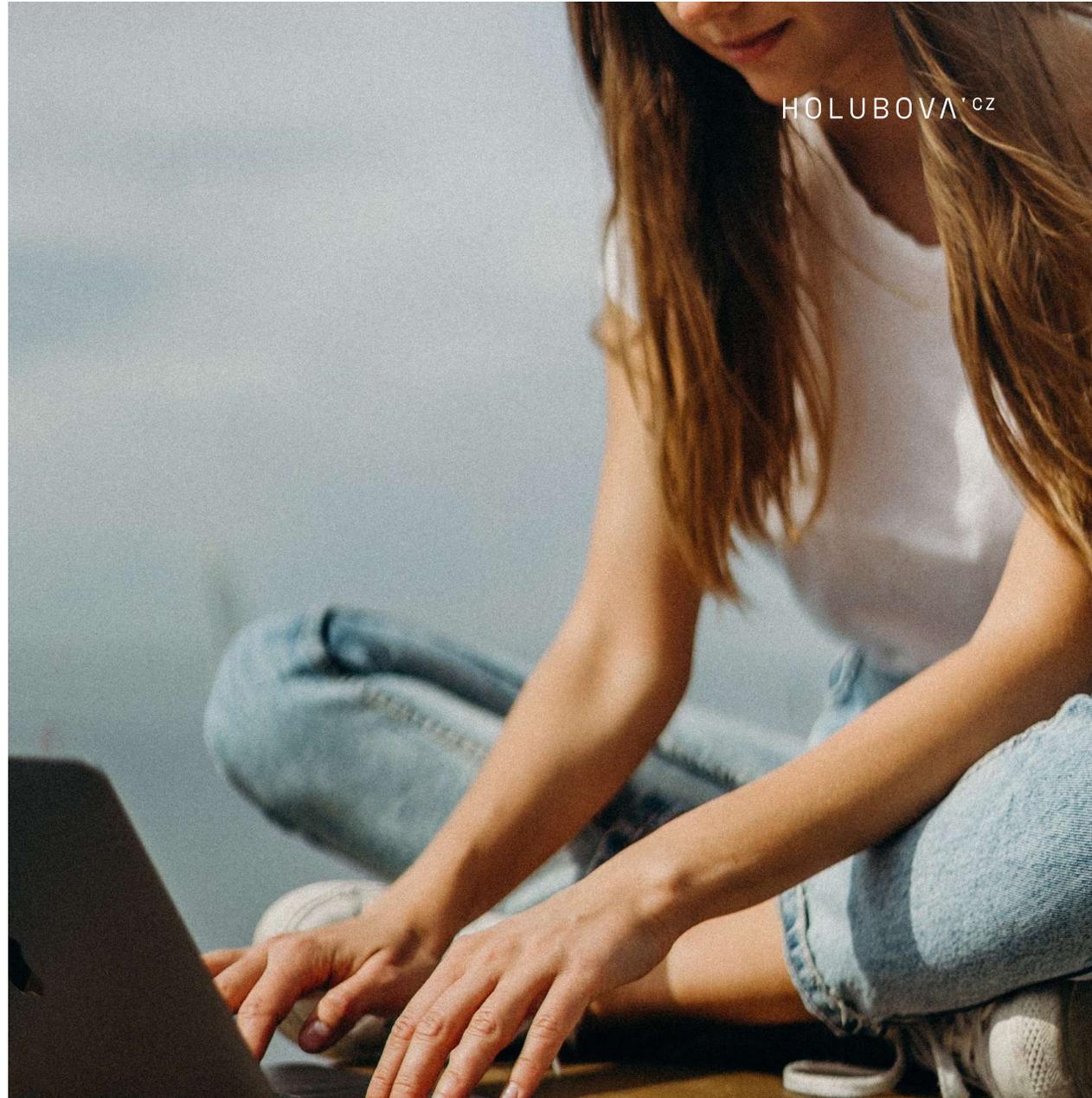


Action?

HOLUBOVA'02



Discussion



Thank you!

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