



Council of the European Union
General Secretariat

Brussels, 16 October 2024

WK 12957/2024 INIT

LIMITE

CONSUM

COMPET

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TRANS

TOUR

CODEC

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MEETING DOCUMENT

From:	Presidency
To:	Working Party on Consumer Protection and Information (Attachés) Working Party on Consumer Protection and Information
Subject:	Package Travel Directive - Questions on definitions - Power point presentation

Delegations will find attached a PowerPoint presentation on above-mentioned subject made by the Presidency at the Working Party on Consumer Protection and Information meeting held on 15 October 2024.

PUBLIC

WORKING PARTY ON CONSUMER PROTECTION AND INFORMATION

15 OCTOBER 2024

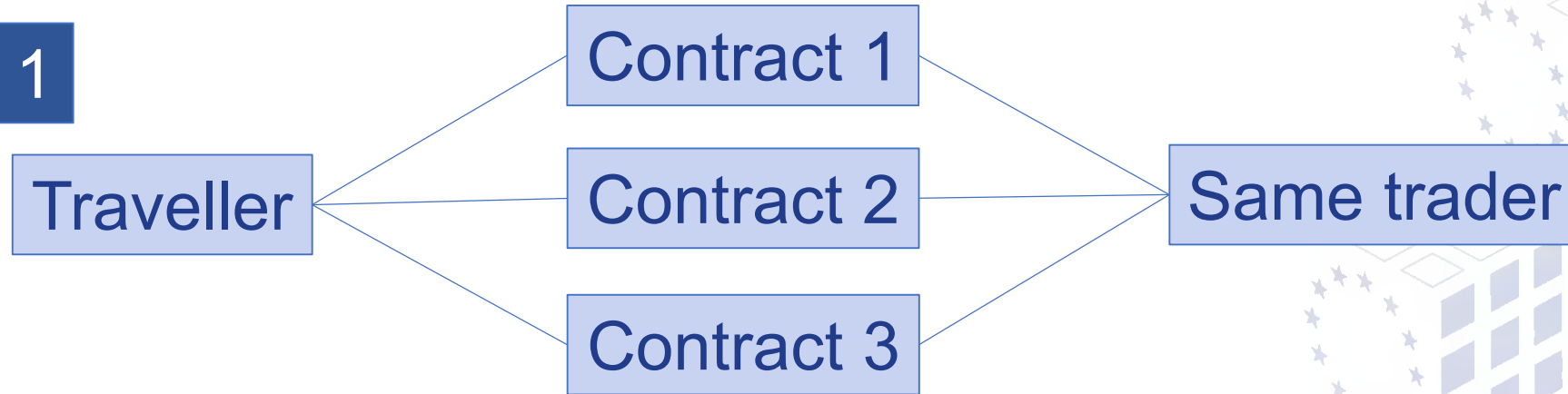
Questions on definitions



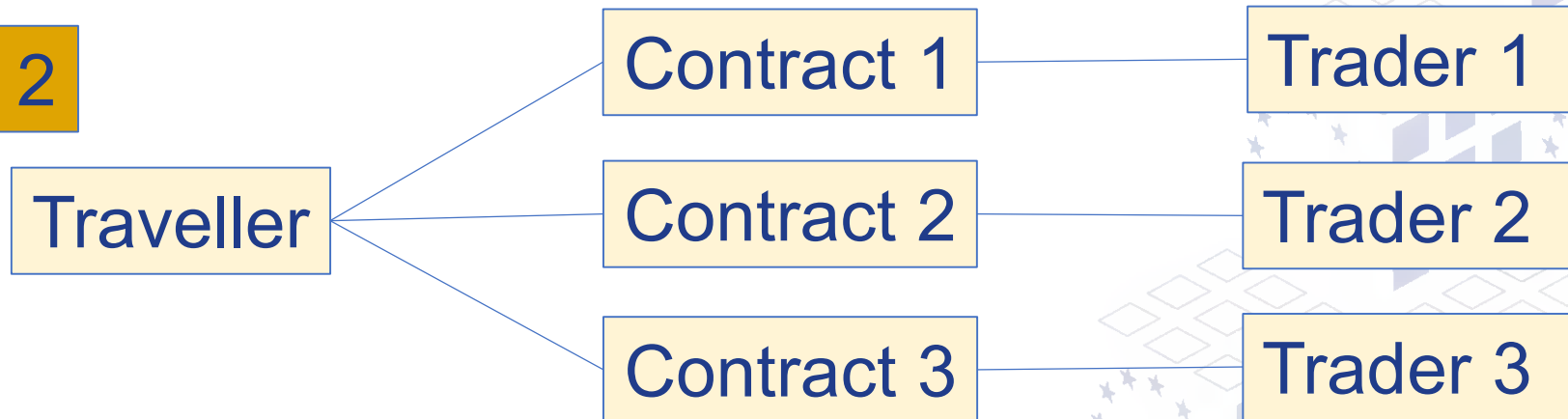
DEFINITIONS

MSs asked for explaining cases when there are **SEPARATE CONTRACTS** with different traders/travel service providers.

Case 1



Case 2



RESPONSIBILITY

?

Package? LTA?
Stand-alone?

DEFINITIONS



Characteristics of a PACKAGE

- ✓ „one trader responsible as an organiser” ...for the package as a whole (current Recital 22)
- ✓ information provided with mandatory content, in advance
- ✓ insolvency protection ensured
- ✓ reimbursements provided within 14 days

DEFINITIONS

Characteristics of LTAs

- ✓ traders are responsible for their own travel service
- ✓ each trader must have insolvency protection
- ✓ the trader responsible for the traveller's return must have a security covering repatriation

MSs shall ensure that LTA traders shall provide insolvency protection security... (Article 19)

How can we list, supervise and monitor them?

CASE STUDY ON CURRENT PTD



These 3 families are travelling to London: same flight, same hotel with same catering, same trip – **all contracted** for the same holiday **with the same trader**

Family 1

**flight + hotel + excursion
= 1 contract**
online or offline, single point of sale,
one trader

protected by PTD
responsible: organiser/trader
Article 3 point 2 (a)

Family 2

**flight contract + hotel contract + excursion contract
= 2 or more contracts**
online or offline, single point of sale,
one trader

protected by PTD
responsible: organiser/trader
Article 3 point 2 (b) (i) (ii) (iii) (iv)

Family 3

**flight contract + hotel contract + excursion contract
= 3 contracts**
online booking process with data transfer, separate
contracts with different traders, separate billings,
time difference within 24 hours

protected by PTD
responsible: first trader (data
transferer)
Article 3 point 2 (b) (v)

CASE STUDY ON CURRENT PTD



These 3 families are travelling to London: same flight, same hotel with same catering, same trips – **contracted with the different traders** for the same holiday

Family 4

**flight contract + hotel contract + excursion contract
= 3 contracts**
offline, one visit of P.O.S.
separate contracts with one trader,
separate billings

limited protection – LTA
Article 3 point 5 (a)

Family 5

**flight contract + hotel contract + excursion contract
= 3 contracts**
online booking process without data transfer,
separate contracts with different traders,
separate billings, within 24 hours

limited protection – LTA
responsible: each service
provider for its own service,
but! repatriation provided
Article 3 point 5 (b)

Family 6

**flight contract + hotel contract + excursion contract
= 3 contracts**
online or offline,
separate contracts, separate billings,
if one trader: 2 or more visit of P.O.S.,
if different traders: time difference exceeding 24 hours

**no protection under PTD –
stand alone services**

PRINCIPLES HU PRES OPTION „C”



- ✓ **Connected travel services for the same trip or holiday**
- ✓ **No matter how the trader offers it:**
 - **all in one, or**
 - **deliberately taken in parts, contracted and paid separately**
 - **or facilitating/assisting the traveller to make his/her package from a palette of travel services or travel service providers**

 **PACKAGE with full protection**

- ✓ **Travel services selected and connected by the traveller without facilitation/assistance**
- ✓ **Contracted with and paid to separate travel service providers**

 **STAND-ALONE SERVICES with no protection**

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THANK YOU FOR YOUR ATTENTION!

