

## **The Package Travel and Linked Travel Arrangements Regulations 2018** **Application to Guernsey businesses**

The Package Travel and Linked Travel Arrangements Regulations 2018 (PTRs) came into force in the UK on 1<sup>st</sup> July 2018 and apply to contracts made on or after that date. The PTRs implement the 2015 European Package Travel Directive (EU2015/2302), and apply to packages and linked travel arrangements sold in the UK, or advertised for sale in the UK, even if the organiser of the package or linked travel arrangement is not established in the UK.

The Regulations provide important protection for consumers to cover the unique characteristics of package holidays. Key protections include:

- Making the organiser liable for the performance of the travel services making up the package (even if they are performed by third parties)
- Protection against the insolvency of package organisers, ensuring travellers are refunded, or where applicable, repatriated should the organiser go bust.
- Detailed information requirements that make it clear what product the traveller is buying and the associated protections.

While the PTRs are UK regulations and are not in force in Guernsey, they apply to Guernsey businesses operating in the travel sector and selling or offering for sale packages to UK customers, or directing such activities to the UK by whatever means. Guernsey businesses, established outside the EEA, are considered Third Country businesses and are required to comply with the insolvency protection requirements of the Regulations.

In particular, the Regulations impose a requirement on an organiser of a package, or a facilitator of a linked travel arrangement, which is not established in the EEA, to hold insolvency protection of a type described in the regulations, namely bonding, insurance, trust account or a combination of insurance and a trust account.

Failure to hold such insolvency protection is an offence under the PTRs and could lead to enforcement action by UK Trading Standards Services.

Detailed guidance on the PTRs from the UK Government can be obtained through the following links:

Business Companion: <https://www.businesscompanion.info/en/quick-guides/services/package-travel-and-holidays>

Department for Business Energy and Industrial Strategy:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721309/package-travel-regulations-2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721309/package-travel-regulations-2018.pdf)

If you require further advice contact Guernsey Trading Standards:

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