



Věra Jourová
Commissioner for Justice, Consumers and Gender Equality
European Commission
Rue de la Loi 200
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Belgique

17 April 2014

Dear Commissioner Jourová

MODERNISING THE PACKAGE TRAVEL DIRECTIVE

As senior representatives of the European Union's travel industry, we are writing to ask for your continued support in achieving a robust and effective resolution to negotiations on a reformed Package Travel Directive (henceforth 'the Directive').

As you know, travel and tourism are vitally important sectors for the economy of many EU Member States. The Commission has recently estimated that tourism contributes around 10% of GDP across the EU28, creating and sustaining over 9 million jobs.

The European travel industry has worked very closely with your Services throughout the entire revision process of the Directive, including throughout the trilogue negotiations, and we would like to commend their professionalism, dedication and technical contribution.

We understand that the reform process for the Directive is now at an advanced and critical phase and we therefore want to take this opportunity to share with you some of our thoughts and concerns.

The revised Directive must be fit-for-purpose for the next decades, and must be fair and balanced for both consumers and travel businesses. Of critical importance for the European travel industry is to ensure that the scope of the Directive adequately reflects the realities of today's European travel marketplace, especially in relation to the growing proportion of sales that are made online using digital technology.

When the proposals for a revised Directive were launched by the Commission in July 2013, three clear objectives were outlined:

- Modernisation of European travel legislation;
- Enhancing consumer protection; and
- Improving clarity for consumers and businesses alike.

The European travel industry continues to support the reform process based on these principal aims. The growing popularity of the internet in facilitating holiday bookings and the spread of no-frills airlines has transformed the travel landscape in the EU, significantly changing the way consumers book their travel arrangements, and increasingly undermining the effectiveness of existing EU legislation.

If the EU is to deliver protection that is fit for purpose in a modern and increasingly digital economy, it is vital that all travel businesses offering similar arrangements to consumers are operating under the same regulatory framework, regardless of

whether they are operating on the internet or offline. A clear, consistent and effective regulatory framework is also the only way in which to enable businesses and consumers alike to enjoy increased clarity around their rights and obligations.

We are, therefore, asking the Commission to continue its vigorous support for the inclusion of online click-through sales, as defined in Article 3.2b (v) of the Commission's original proposal, in the revised Directive. In addition to supporting the inclusion of this clause, we specifically ask that the Commission:

- **Do all in its powers to encourage the Council to accept the inclusion of click-through sales.** The European travel industry supports the inclusion of click-through sales within the definition of 'package' as a necessary step to achieve a level playing field for the EU's travel businesses, and to ensure modernised consumer protections are in place within the EU.
- **Oppose any attempts to narrow this definition beyond what the Commission originally proposed. We would also encourage the Commission to ensure that the provision is not restricted to financial transactions involving the transfer of consumer card details.** Such a provision would be obsolete, as it simply does not reflect the commercial realities of the marketplace. To achieve this, it is essential that the word 'or' is retained in Article 3.2b (v).
- **Encourage the consideration of the introduction of a time-based limit on the conclusion of such contracts,** which will enhance clarity for consumers and businesses. The Parliament has adopted such an approach in their own text, and the industry would support this as a useful clarification.

We are in firm agreement with the Commission that an effective and considered resolution to the reform process must be the primary objective of all stakeholders. The European travel industry values the commitment and diligence which the Commission has shown from the early preparatory work on the revision of the Directive, to the present.

A clear, consistent and effective regulatory framework is of vital importance to consumers and businesses alike.

Yours sincerely,



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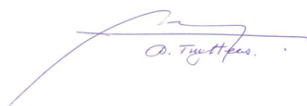
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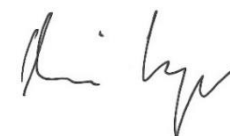
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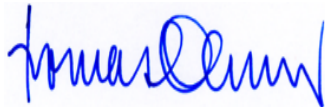
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