

COMPLAINT FORM — PACKAGE TRAVEL

Introduction

Given the recent exceptional circumstances caused by the eruption of an Icelandic volcano and its impact especially on air traffic, consumers and tour operators need to know that [Directive 90/314/EEC](#) on package travel, package holidays and package tours still applies to package travel affected by the impact of the volcano.

This means, for instance, that if you have booked a package¹, and your outbound flight was cancelled *before departure*, you are entitled to choose between a refund by the tour operator of the full amount paid for the package (not just the price of the flight ticket), or to accept an alternative package of equivalent or higher quality if the organiser can offer this.

Where, *after departure*, a significant proportion of the services contracted for is not provided, e.g. transport to the departure point at the agreed time, the organiser has to make suitable alternative arrangements, where necessary including accommodation, at no extra cost to the consumer, for the continuation of the package.

Please note that in exceptional circumstances such as these, passengers are however not entitled to additional financial compensation for damages or inconvenience, which would be due in other circumstances.²

Directive 90/314/EEC only applies to package travel. If you have booked a stand-alone air ticket and booked a hotel separately, Regulation (EC) 261/2004 on air passengers' rights applies. You can find more information on your rights here: http://ec.europa.eu/transport/passengers/air/air_en.htm

The [European Consumer Centres](#) in all Member States of the EU can be contacted for further advice.

How to proceed

Consumers who believe they have a valid complaint against an organiser of package travel established or operating within the European Union should first submit their complaint to the organiser. This standard letter may be used for this purpose. Please keep a copy of it for your own records.

Should the organiser fail to reply or if you find the reply unsatisfactory, you may submit a copy of your complaint to the national enforcement authority. A list of the competent national enforcement authorities can be found here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2009:169:0001:0054:EN:PDF>

¹ For a definition of 'package', see Article 2 of Directive 90/314/EEC.

² Directive 90/314/EEC, Article 4(6) second subparagraph (ii) and Article 5 (2).

This standard letter is to be used only for complaints relating to cancellations and stranded travellers where a package as defined in Directive 90/314/EEC has been booked.

1. Complaint submitted by:

Surname: Name:

Address:

Postcode: City:

Country:

Telephone number: E-mail:

2. The complaint concerns the following travel package:

Identity of the tour operator (organiser):

Booking reference:

Scheduled time and date of the outbound trip:

Offered time and date of the outbound trip:

Duration of the package holiday³:

Scheduled time and date of the return trip:

Actual time and date of the return trip:

3. Identity of the users of the travel package described above (please indicate if adult or child):

4. Describe as briefly as possible the event giving rise to the complaint (for example: cancelled package travel, not able to return home):

My complaint concerns the cancellation of my package holiday before the scheduled departure: tick yes or no

My complaint concerns problems getting home from my package holiday destination: tick yes or no

³ The service must cover a period of more than 24 hours or include overnight accommodation for Directive 90/314/EEC to apply.

5. If your package was cancelled by the tour operator:

When were you informed of the cancellation?

Were you informed that you could choose between (a) a refund of the amount you had paid for the entire package, or (b) a substitute package?

If yes, what did you choose and when did you notify the organiser of your choice?

If no, what were you told?

6. If you were not able to return as planned, were you offered replacement transport by your tour operator?

Were you offered any other assistance, such as information, meals or accommodation? If yes, please specify:

7. Did you have any extra expenses due to the delayed return for which you would like to be reimbursed, such as costs for transport, food or accommodation? Please enclose copies of receipts etc. which support your claim:

I hereby declare that all of the information provided in this form is true and accurate in all respects and for all the passengers concerned.

Date, place and signature of all the adults: