

# Act on Package Travel and Linked Travel Arrangements

2018, No. 95, 25 June

## Chapter II. Information obligations and content of the package travel contract

### ■ Article 5. *Required information before the conclusion of a contract*

□ Before a package travel contract is concluded, the trader shall provide the traveller with the standard information set out in a regulation, and, where applicable, the information referred to in Article 6.

□ Travellers shall be informed in a timely, clear, comprehensible and accessible manner of any changes to the information presented by the trader.

Where a package is purchased by separate traders through linked online booking processes, cf. point (2)(b)(5) of Article 4, all of the traders shall provide the information referred to in the first paragraph.

□ The Minister shall lay down in a regulation the standard information to be provided to a traveller before the conclusion of a contract, as well as the information to be provided where packages are purchased by telephone.

### ■ Article 6. *Pre-contractual information*

The trader shall provide the traveller with the following information, where applicable:

a. the main characteristics of the travel services:

1. the travel destination, itinerary, periods of stay and number of nights included. If the exact travel time has not yet been determined when the contract is concluded, the organiser, and, where applicable, the retailer, shall inform the traveller of the approximate time of departure and return;
2. the means and characteristics of transport;
3. the location, features and quality category of the accommodation;
4. the meal plans, if included;
5. visits, excursions or other included services;
6. whether any of the travel services will only be provided to the traveller as part of a group and, if so, the approximate size of the group;
7. the language in which the services will be provided; and
8. whether the trip is suitable for persons with reduced mobility and, upon the traveller's request, information on the suitability of the trip taking into account the traveller's needs;

b. the name, address, telephone number and e-mail address of the organiser and, where applicable, the retailer;

c. the total price of the package inclusive of all taxes and, where applicable, all additional fees, or, where those additional costs cannot reasonably be calculated in advance, an indication of the type of additional costs which the traveller may have to bear;

d. the arrangements for payment, including, where applicable, the amount which is to be paid as a down payment, the timetable for payment of the balance, and any financial guarantees to be provided by the traveller;

e. the minimum number of persons required for the package to take place and the timelimit, referred to in Article 16, before the start of the package required for the termination of the trip by the organiser;

- f. information on passport and visa requirements, including approximate periods for obtaining visas, and information of health formalities, of the country of destination;
- g. information that the traveller may terminate the contract before the start of the package in return for payment of a fee, see Article 15;
- h. information on optional or compulsory insurance.

The information referred to in point (a), points (c) to (e) and point (g) of the first paragraph shall form an integral part of the contract on the package and shall not be altered unless the contracting parties expressly agree otherwise.

**■Article 7. *Package travel contract***

Package travel contracts shall be in plain, intelligible and legible language and shall include the information referred to in Article 6 and the following information:

- a. special requirements of the traveller which the organiser has accepted;
- b. information that the organiser is responsible for the proper performance of all travel services included in the contract in accordance with Article 17, and obliged to provide assistance in accordance with the fourth paragraph of Article 19;
- c. the name of the entity in charge of the implementation of rules on insolvency protection;
- d. the name, address, telephone number and e-mail address of the organiser or another similar entity whom the traveller can contact regarding the performance of the package or other matters covered by this Act;
- e. information that the traveller is required to communicate any lack of conformity which he perceives during the performance of the package in accordance with Article 18;
- f. where minors, unaccompanied by a parent or another authorised person, travel on the basis of a package travel contract which includes accommodation, information enabling direct contact with the minor or the person responsible for the minor at the minor's place of stay;
- g. information on complaint handling procedures and out-of-court complaint mechanisms, where applicable;
- h. information on the traveller's right to transfer the package travel contract to another traveller in accordance with Article 11.

The organiser or retailer shall provide to the traveller a copy of the package travel contract or a confirmation of it on a durable medium. The traveller is entitled to a written copy of the package travel contract if the contract was concluded in the presence of both contracting parties.

If a package travel contract is concluded off premises, the traveller shall be provided with a copy or confirmation of the package travel contract on paper or, if the traveller agrees, on another durable medium.

**■Article 8. *Package travel contract pursuant to point (2)(b)(5) of Article 4***

When a package travel contract as referred to in point (2)(b)(5) of Article 4 is concluded, the trader to whom the data are transmitted shall inform the organiser of the conclusion of the contract leading to the creation of a package. The trader shall provide the organiser with the information necessary to comply with his obligations hereunder as an organiser.

As soon as the organiser is informed that a contract creating a package has been concluded, the organiser shall provide to the traveller the information referred to in the first paragraph of Article 7 on a durable medium.

**■Article 9. *Data and information to be provided to a traveller before the start of a package***

In good time before the start of the package, the organiser or retailer shall provide the traveller with the necessary receipts, vouchers and tickets, information on the scheduled times

of departure and, where applicable, the deadline for check-in as well as the scheduled times for intermediate stops, transport connections and arrival.

■ **Article 10.** *Further provisions on the obligations of a trader*

As regards compliance with the information requirements laid down in this Act, the burden of proof shall be on the trader.

If the organiser and, where applicable, the retailer has not provided the traveller with the required information on additional fees or costs, as referred to point (c) of the first paragraph of Article 6, the traveller shall not bear those fees or costs.