General aspects of consumer protection policy and, in particular, consumer information and education with regard to the application of Directive 90/314/EEC

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The committee adopted the own-initiative report by Philip BUSHILL-MATTHEWS (EPP-ED, UK) on general aspects of consumer protection and information policy in connection with the 1990 Package Travel Directive. It pointed out that, although the Directive lays down obligations and rights for consumers, organisers and retailers, complaints about package holidays had continued to rise sharply. The committee argued that the directive had failed to raise standards in the EU package travel industry sufficiently and therefore demanded that it be updated, widened in scope and re-issued as a priority. The committee wanted the current wide variations in interpretation of the directive to be reduced to give equally effective consumer protection throughout the EU. The case-law of the European Court of Justice should be taken into account and codified in the new directive. The committee also felt that the scope of the directive should be broadened to take account of the fact that many travellers now book component parts of holidays separately, rather than buying complete packages. Furthermore, there should be greater clarity regarding the precise liability of operator and agent for failure to fulfil a contract, whether or not the operator or agent had directly supplied the service in question. Member States should also ensure that consumers were made more readily aware of their rights of redress under the law and how to claim those rights. In addition, since many complaints were due to misleading or incomplete information, minimum information standards should be reviewed. Lastly, the committee made a number of recommendations designed to improve standards in this sector: organisers should inform consumers of any significant changes to the essential terms of the holiday no later than 14 days before departure date; there should be tighter rules regarding single person supplements, so that single parents and older people were not penalised; more information should be provided on the accessibility of holiday accommodation for disabled consumers; and strict limits should be put on post-contract surcharging, with a cut-off period of at least 30 days prior to travel.