

Sent: 11 September 2019 20:13

To: Info

Subject: Submission from Travel Centres on DIRECTIVE (EU) 2015/2302 on Package Travel and Linked Travel Arrangements

Dear Sir/Madam,

Travel Centres is a privately-owned, limited company with three employees that provides a range of services to independently-owned and managed travel agencies who, between them, trade out of 70 different locations across Ireland. All are licensed and bonded. Approximately 50% are also IATA accredited. Many are also members of the Irish Travel Agents Association (ITAA). My background is that of someone who has worked professionally in travel for 44 years and in a variety of senior management roles across both travel agency and tour operations. Over the course of those 44 years, I have seen some major upheavals such as the migration from manual systems to computerisation in the early eighties and subsequently the increasing impact of the Internet on global travel, from the mid to late nineties onwards. I am making this submission to the Commission for Aviation Regulation as I feel that the scope of the re-evaluation of the current regulatory regime is too narrow in its focus and thus does not address the fundamental shortcomings in that legislation. An example of the kinds of anomalies that the proposed 'tweaking' of the legislation will fail to address is the fact that travel agents and tour operators now account for only 15% of consumers who travel abroad (based on best estimates) — the bulk of whom book either directly with airlines or through websites whose hosting or beneficial ownership lie well outside the jurisdiction of the state. In the case of the former; may I remind the commission that there have been 36 airline failures over the past two years, the most recent of which was the second largest airline in France, Aigle Azur, whose demise led to more than 13,000 stranded passengers. Neither the former legislation nor the proposed update to that legislation in order to bring it in line with the recently ratified Package Travel Directive address the huge fallout — both financially and operationally — that occurs when such events happen and which are happening with increasing regularity.

Users of OTA's and other online entities are not protected either, in many instances, given the transnational nature of such online transactions and yet disproportionate resources are being invested in over-regulating a small section of the industry for no other reasons than:

1. By definition, they are small companies who lack the resources to fight the implementation of such legislation and thus represent the line of least resistance
2. The commission does not have the appetite to start afresh with a clean slate as that would involve too much work and/or resistance from their political masters who would like to preserve the status quo
3. The airline lobby is a more powerful one and does have the resources to deflect any attempts to regulate their responsibilities to the consumer

From our perspective, the current status quo is analogous to a government body who has been tasked with addressing the issue of consumer safety after a series of fatal car accidents and instead of conducting a 'root & branch' analysis of all potential contributing factors such as alcohol levels in drivers; speed of vehicles at point of impact; road and weather conditions; mechanical health of vehicles involved in collisions etc., instead decides to narrow their focus of enquiries and recommendations for changes based on the depth of tyre threads on said vehicles. Would such hypothetical recommendations effect a positive outcome on future road fatalities — probably.

Would it be as effective, were all the other variables to be taken into account as well? Absolutely not!

I refuse to be drawn into the conversation of the relative merits of Option F over all other options and so on, as such a dialogue fails to address the fundamental flaws that beset the current legislative regime which is that:

- It will not ensure the protection of all consumers
- It is inherently unjust in that it creates an unreasonable burden on a small sector within the industry that is least resourced to absorb such impositions
- It is ultimately anti-competitive because by forcing more small travel agents and tour operators out of business over time, consumers will be left at the mercy of larger, trans-national entities who will not provide the same levels of protection, service, advocacy or recourse as those same consumers currently enjoy.

Call me a cynic, but the current options seem to echo those that were originally proposed over two years ago, despite considerable input from the very industry that they will negatively impact, leading me to believe that that was always the agenda and that this consultative process has been little more than a convoluted, expensive but ultimately transparent attempt by CAR to further its own agenda by any means possible.

Sincerely yours,

Dominic Burke



Travel Centres

14, The Fairways | Golf Links Road | Dunmore East | Ireland X91 A21H.