

The guidelines and Regulations of attending or hosting a Retreat

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What is ABTOT?

- ABTOT is the Association of Bonded Travel Organisers Trust.
- ABTOT is an approved body (approved by Department for Business and Trade) which oversees a bonding scheme for its Members. Bonding is one of the three ways that travel organisers can comply with the insolvency protection obligations under The Package Travel and Linked Travel Arrangements Regulations 2018.
- ABTOT has around 300 Members, big and small, covering all sectors of the travel industry including wellness.
- ABTOT has been providing financial protection services since 1992.



The regulatory landscape for travel organisers

It is a legal requirement that all UK organisations selling package holidays must provide financial security for their customers' prepayments and repatriation home, in the event of the organisation's insolvency.

These requirements differentiate between:

- packages including flights, which are covered by the Air Travel Organiser's Licence (ATOL) system, enforced by the CAA.
- packages sold without flights, covered since 1992 by the PTRs and enforced by DBT, CMA and Trading Standards.

Both the ATOL Regulations and the PTRs are currently subject to Government review and industry consultation.

A reminder why the Regulations and ABTOT are in place



**Thomas
Cook**



What you need to do as a Retreat package
organiser

Defining a 'package'

A package is a combination of two or more different types of travel service which are combined for the purpose of the same trip:

- **Carriage of passengers**
 (flights, trains, ships, ferries, coaches etc.)
- **Accommodation**
 (hotels, villas, chalets, yurts, mobile homes, yachts etc.)
 NB: intrinsic accommodation as part of the carriage [e.g. sleeper train berth or ferry cabin] and long term residential accommodation is excluded.
- **Motor Vehicle Hire**
 (car and motorcycle included)
- **Any other tourist service**
 (these have to make up a 'significant' part of the package or be an 'essential feature'; examples include admission to concerts, ski passes, spa treatments, yoga and meditation courses etc.)

When is a package not a package?

- When the trip being organised only has a single element

If you only arrange carriage and accommodation is not charged for, nor any other 'tourist service' or car hire, or

If you only arrange the accommodation and the traveller organises all their own transport and there are no other 'tourist services'.

- If it is an LTA

An arrangement which requires a lower form of insolvency protection and repatriation cover than a package.

- If there is more than one element, in order to avoid being a 'package' there has to be clear separation of the booking and selection processes
- e.g. one booking has to be fully concluded before the next service is selected.

Exclusions under the 2018 PTRs

1) Packages and LTAs that last less than 24 hours.

Provided there is no overnight accommodation

2) Packages and LTAs that are organised occasionally and on a not-for-profit basis and for a limited group of travellers.

DBT advise occasionally to mean no more than a few times a year. DBT use the example of a 'one-off trip arranged by a church for its members'

3) Packages and LTAs purchased on the basis of a general agreement.

This covers bookings through framework contracts with business travel agencies. Smaller businesses and charities often use the same booking channels as holidaymakers and their customers are therefore entitled to the same level of protection.

EU clarification

Recital (19) from the 2015 PTD relates to occasional travel on a not-for-profit basis

- ‘Since there is less need to protect travellers in cases of short-term trips, and in order to avoid an unnecessary burden for traders, trips lasting less than 24 hours which do not include accommodation, as well as packages or linked travel arrangements offered or facilitated occasionally and on a not-for-profit basis and only to a limited group of travellers, should be excluded from the scope of this Directive. **The latter may for example include trips organised not more than a few times a year by charities, sports clubs or schools for their members, without being offered to the general public.** Adequate information on that exclusion should be made publicly available in order to ensure that traders and travellers are properly informed that those packages or linked travel arrangements are not covered by this Directive.’

So what is 'Occasional'?

There is **no objective test** for this. It will be a question of proportionality. Items to consider will include:

- Cost per person and availability to buy
- Number of trips arranged per year
- Purpose of trips
- Destination – overseas/UK based

You need to consider what will be proportional for your organisation;

- a small organisation taking a dozen clients away once a year, even if it is every year, possibly does not need to comply with the PTRs.

BUT ask yourself:

- Do you make a profit on the trip?
- Do you combine additional experiences for your clients?
- Do you open yourself up to being sued in case of an accident?
- Do you risk stranding your clients abroad if the money runs out?

Your obligations as a package organiser

If you do organise packages or LTAs on more than an occasional basis you need to ensure you have:

- ✓ Appropriate financial protection – by bonding with a travel trade association such as ABTOT or ABTA, per passenger insurance or an updated trust account which meets the rules.
- ✓ Appropriate liability insurance – remember you are liable if accidents happen.
- ✓ Appropriate contracts with suppliers – ensure they meet minimum standards and have their own forms of protection in place, so you don't end up bearing the cost of poor service.
- ✓ Clarity of information for your clients about the protection in place and also about how suitable it is for persons with reduced mobility – on websites, booking T&Cs and brochures.

What to look for as a consumer

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If you are looking to book a Retreat package – what should you look for from your organiser:

- ✓ Evidence of appropriate financial protection – such as a numbered ABTOT, ABTA and/or ATOL logo.
- ✓ Reference to financial protection in the booking conditions and invoice.
- ✓ A link to the ABTOT site where you can check the membership is genuine.



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14. Bonding and Financial Protection

If your holiday is by air it is fully protected and bonded with the CAA under our ATOL licence. When you buy an ATOL protected flight or flight inclusive holiday from us you will receive an ATOL Certificate. This lists what is financially protected, where you can get information on what this

Check an organiser's bona fides

ABTOT Members are reviewed quarterly and registered in our online directory: <https://www.abtot.com/abtot-members-directory/>



ABTOT Members Directory

Check a company's Membership

If you wish to check that a travel organiser is a Member of ABTOT, please check here.

Search members:

Search

Displaying 1 - 2 of 2

Success Retreats

5404

Success Tours Limited

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If you see the ABTOT logo and have checked it is genuine, you can book in confidence and with peace of mind that:

- you are booking with a reputable company and
- your monies are protected.

How ABTOT can help your business

- ABTOT Membership can provide a bonding solution to enable you to comply with the 2018 PTRs
- If you are not sure if you do need to comply – give us a call
- If you feel that we can better your current compliance solution – also give us a call!



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