Draft Regulations laid before Parliament under paragraph 5(2)(e) of Schedule 5 to the Retained EU Law (Revocation and Reform) Act 2023, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No.

CONSUMER PROTECTION

The Package Travel and Linked Travel Arrangements (Amendment) Regulations 2026

Made - - - -	***
Coming into force - -	*6th April 2027*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 14(1), (2), (3) and 20(1) of the Retained EU Law (Revocation and Reform) Act 2023(**a**).

The Secretary of State is a relevant national authority for the purpose of section 14(1), (2) and (3) of the Act(**b**).

In accordance with paragraph 5(2)(e) of Schedule 5 to the Act, a draft of these Regulations was laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Package Travel and Linked Travel Arrangements (Amendment) Regulations 2026 and come into force on 6th April 2027 (the "commencement date").

(2) These Regulations extend to the United Kingdom.

(3) The amendments made by regulation 2 apply to the Package Travel and Linked Travel Arrangements Regulations 2018 ("the 2018 Regulations")(**c**).

(4) The amendments made by regulation 2 and 3 do not have effect in relation to—

(a) any package travel contract as defined in regulation 2(1) of the 2018 Regulations; or

(b) any linked travel arrangement as defined in regulation 2(3) of the 2018 Regulations

entered into before the commencement date.

(**a**) 2023 c. 28. Retained EU Law (Revocation and Reform) Act 2023 has been amended but in ways which are not relevant to these Regulations.

(**b**) The term "relevant national authority" is defined in section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023.

(**c**) S.I. 2018/634, amended by S.I. 2018/1367, 2020/818.

Amendment of the Package Travel and Linked Travel Arrangements Regulations 2018

2.—(1) The 2018 Regulations are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in paragraph (1) in the definition of "trader" omit ", trader facilitating a linked travel arrangement";

(b) omit paragraphs (3) and (4);

(c) in paragraph (5), in the definition of "package"—

(i) after paragraph (a) omit "or";

(ii) after paragraph (b) insert—

"; or

(c) those services are provided under separate contracts with individual service providers if a single trader has facilitated, on the occasion of a single visit to, or contact with, the trader's point of sale, the separate selection of and separate payment for each of the travel services by the traveller.".

(3) In regulation 3 (application)—

(a) in paragraph (1), omit sub-paragraph (b) and the ", and" before it;

(b) in paragraph (2)—

(i) in sub-paragraph (a) omit "and linked travel arrangements";

(ii) in sub-paragraph (b) omit ", and linked travel arrangements facilitated,";

(iii) in sub-paragraph (c) omit "and linked travel arrangements".

(4) Omit regulation 26 (insolvency protection and information requirements for linked travel arrangements).

(5) In regulation 28 (liability for booking errors) in paragraph (2) omit paragraph (b) and the "and" before it.

(6) Omit regulation 29 (right of redress) and insert—

"Right to a refund

29A.—(1) Where—

(a) a third party has agreed to provide a travel service;

(b) the travel service forms part of a package provided by the organiser or, in a case under regulation 27, the retailer to a traveller; and

(c) the third party fails to perform or cancels the performance of the whole or part of the travel service,

the third party must refund to the organiser or, in a case under regulation 27, the retailer any payments which the organiser or retailer has made to the third party within 14 days.

(2) The 14 days referred to in paragraph (1) commence on the earlier of the day—

(a) following the day on which the third party cancels the performance of the whole or part of the travel service; or

(b) on which the relevant travel service was due to be performed.

(3) The third party may deduct from any refund that they are required to make under paragraph (1) any refund of the price of the travel service described in paragraph (1) that the third party has paid to the traveller, in respect of the non-performance or cancellation,

under the passenger rights legislation or the international conventions as defined in regulation 16(10).

Right of redress

29B. Where an organiser or, in a case under regulation 27, a retailer—

(a) pays compensation,

(b) grants a price reduction, or

(c) meets other obligations,

the organiser or retailer has a right of redress, including damages, from any third party which contributed to the event triggering the obligation to pay compensation, provide a price reduction or meet other obligations under these Regulations and may bring a claim in civil proceedings to enforce that right.".

(7) For regulation 30(1) (rights and obligations under these Regulations) substitute—

"30.—(1) A declaration by an organiser of a package that—

(a) the organiser is acting exclusively as a travel service provider, as an intermediary or in any other capacity, or

(b) a package does not constitute a package

does not absolve that organiser from the obligations imposed upon them under these Regulations.".

(8) In regulation 31(1) (enforcement authority) for ", 25 and 26" substitute "and 25".

(9) In regulation 32(1) (due diligence defence) for ", 25 or 26(10)" substitute "or 25".

(10) In regulation 33(1) (liability of persons other than principal offender) for ", 25 or 26(10)" substitute "or 25".

(11) In regulation 34(1) (prosecution time limit) for ", 25 or 26(10)" substitute "or 25".

(12) In regulation 35 (saving for civil consequences) for ", 25 or 26(10)" substitute "or 25".

(13) Omit the following Schedules—

(a) Schedule 6 (Information to be provided to the traveller, where the trader facilitates an online linked travel arrangement within the meaning of regulation 2(3)(a) and the trader is a carrier selling a return ticket).

(b) Schedule 7 (Information to be provided to the traveller, where the trader facilitates an online linked travel arrangements within the meaning of regulation 2(3)(a) and the trader is not a carrier selling a return ticket).

(c) Schedule 8 (Information to be provided to the traveller, where the linked travel arrangement is an arrangement within the meaning of regulation 2(3)(a) and the contract is concluded in the simultaneous physical presence of the trader (other than a carrier selling a return ticket) and the traveller).

(d) Schedule 9 (Information to be provided to the traveller, where the trader facilitates an online linked travel arrangement within the meaning of regulation 2(3)(b) and the trader is a carrier selling a return ticket).

(e) Schedule 10 (Information to be provided to the traveller, where the trader facilitates an online linked travel arrangement within the meaning of regulation 2(3)(b) and the trader is not a carrier selling a return ticket).

Consequential amendments

3. In consequence of the amendments made by regulation 2—

(a) in the Government of Wales Act 2006(**a**), in Schedule 7A, in Part 2, in paragraph 74(c), after "linked travel arrangements within the meaning of the Package Travel and Linked Travel Arrangements Regulations 2018 (S.I. 2018/634)" insert "as they stood on 5th April 2027", and

(b) in the Civil Aviation (Air Travel Organisers' Licensing) Regulations 2012(**b**) in regulation 4, in the definition of "trader" omit ", trader facilitating a linked travel arrangement".

Name
Title
Date
Department for Business and Trade

(**a**) 2006 c. 32. Schedule 7A (Reserved Matters) was inserted into the Government of Wales Act 2006 by the Wales Act 2017 (c. 4). Paragraph 74(c) of Schedule 7A was inserted by S.I. 2018/634.
(**b**) S.I. 2012/1017 as amended by S.I. 2018/670.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Package Travel and Linked Travel Arrangements Regulations 2018 (S.I. 2018/634) (the "2018 Regulations") and extend to the United Kingdom.

Regulation 1 provides that the Regulations will commence on 6th April 2027 but do not apply to any package travel contract or linked travel arrangement, as defined in regulations 2(1) and 2(3) respectively, of the 2018 Regulations which were entered into before that date.

Regulation 2 amends the 2018 Regulations in three main respects.

Regulation 2(2)(c) amends regulation 2(5) of the 2018 Regulations (interpretation) to add a further category to the definition of "package" where travel services are provided to a traveller under separate contracts with individual service providers, if a single trader has facilitated, on the occasion of a single visit to, or contact with, the trader's point of sale, the separate selection of and separate payment for each of the travel services by the traveller.

Regulation 2 revokes references to "linked travel arrangements" from the 2018 Regulations. Regulations 2(4) and (13) repeal regulation 26 (insolvency protection and information requirements for linked travel arrangements) together with Schedules 6 to 10.

Regulation 2(6) replaces regulation 29 (right of redress) with new regulations 29A, which provides a right to a refund, and 29B, which provides a right of redress.

Regulation 3 sets out the consequential amendments.

A full impact assessment has not been produced for this instrument as no significant impact on the private, public or voluntary sector is foreseen. An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk.

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