

On the Beach leaves ABTA. Practical consequences

The online tour operator On the Beach (OTB) is reported to have left ABTA. The reason for this seems to be a [disagreement](#) over when refunds should be offered to customers. ABTA say that according to their rules if a customer has purchased a package holiday and Foreign Commonwealth and Development Office (FCDO) advice is not to travel because of Covid at the holiday destination then travel companies should offer a full refund. However OTB say that this advice is not legally binding and they will not be offering refunds unless there are unavoidable and extraordinary circumstances present at the destination or in its immediate vicinity which significantly affect the performance of the package or the carriage of customers to the destination as laid down in the Package Travel Regulations. OTB will assess whether to make refunds on a case by case basis.

As far as customers are concerned this creates a difference in protection between packages sold by ABTA members who will give a full refund if FCDO advice is not to travel and packages sold by OTB who will only give a refund if Covid has had a significant effect upon the package. Note that OTB would remain liable to make full refunds if the flights were cancelled or the accommodation could not be provided as required under Reg. 11 of the Package Travel Regulations.

[16 September 2020]