



The internet offers consumers great choice and flexibility and this includes the possibility of creating your own holidays by booking flights and accommodation independently, but what many people do not realise is that things can go wrong when you reach your destination. October's ebulletin offers advice on how to avoid problems when booking accommodation online. This month's consumer problem concerns "free" diet pills which came at a hefty price.

If you have had a problem with a purchase from another EU country, please contact us on 01 8090600 or at [info@eccireland.ie](mailto:info@eccireland.ie). For information on your consumer rights in Europe, see [www.eccireland.ie](http://www.eccireland.ie)

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### **1. Room for improvement?**

The news that some of Ireland's most well established travel agents ceased trading this year has highlighted the changing way we take our holidays. The days of booking a two week package holiday from your local travel agent are now less and less frequent. Unfortunately European travel legislation dates back to the time when this was standard practice and consumers who prefer to book flights and accommodation separately, often using the internet, are finding that when things go wrong they have far less protection than they might think.

ECC Ireland has received a number of complaints from consumers who have used internet accommodation sites to book hotel rooms and apartments while travelling abroad. While in the vast majority of cases things go without a hitch, some consumers have found that, when they arrive, their hotel bears no relation to what they thought it would be, or even worse the hotel has no record of their booking, they are unable to contact the internet booking agents, and they are stranded without any accommodation, often at the height of the holiday season. They then have to find somewhere to stay and are frequently charged over the odds for last minute accommodation.

So what can you do to avoid finding yourself in a similar situation? Be aware that if you avail of the services of an online accommodation reservation provider, you typically enter into a contractual relationship with the hotel at which you book. Accordingly, you will then be subject to the hotel's cancellation policy and relevant terms and conditions. However, if the online reservation provider fails to pay or to transmit the details of your reservation to the hotel, the hotel may not even be aware of your booking and therefore there may not be any contract to fall back on.

In such cases, if the hotel says that your booking has been cancelled or they have no record of it, the hotel is not obliged to provide you with alternative accommodation. If the online reservation provider does not process the reservation or cancels it at the last minute, currently you may end up with very little option other than seeking a refund from the online reservation provider.

Therefore it pays to make sure that you are booking from a reputable booking agent site. At the very least you should check to see if it gives full contact details, consisting of an address and a landline, so that you can contact them easily. Also to avoid the expense and inconvenience of finding yourself in a strange country with no accommodation, always phone the hotel directly to confirm your booking before you travel. This way, if there is a problem, you have time to solve it and can minimise any inconvenience involved.

Finally the European Commission is aware of the fact that EU consumer protection law needs to be updated to reflect changes in the travel sector over the last decade. The Commission is currently investigating the possibility of amending the EU Package Holiday Directive and considering offering more protection to consumers who prefer to organise their holidays themselves. However, introducing changes to legislation is a slow process and meanwhile consumers should be aware of the risks. If you have a problem in this regard you can contact us at [www.eccireland.ie](http://www.eccireland.ie)

**2. In August I ordered, on a trial basis, free diet pills from a website. I only had to pay for the delivery, so I gave my credit card details for this purpose. I am not impressed with the pills but today I received a new package containing more pills. When I checked my credit card, I discovered to my horror that they are taking over €70 from my credit card every fortnight. I rang them to complain and they said that I cannot cancel my order as I did not cancel during free trial period.**

We are sorry to learn that the only way to lose weight these days is by not having money to buy food! Our advice to you on this matter is always read the fine print or you may end up getting what you (don't) deserve. Be particularly wary of free trials, not to mention miraculous diets. In your case, the terms and conditions probably stipulated that if you do not cancel during the initial trial period the trader would then charge you for the pills and further shipments will follow, at a charge. If you want to escape from the contract, you have to cancel in writing (e.g. registered post or email) any further deliveries.

If you are concerned about the standard of the food supplements received, you could contact the Food Safety Authority of Ireland, [www.fsai.ie](http://www.fsai.ie).

If you suspect that the product received is counterfeit, you should contact your local Garda Station. Always keep in mind that fraudsters strike us when and where they know us to be most vulnerable.

If you are concerned about the legitimacy of the trader, you should contact your credit card company immediately as your credit card could be compromised. Perhaps they are in a position to authorise a chargeback for you.

Finally, be on the safe side by simply following the steps suggested by our shopping assistant "Howard" on our website [www.eccireland.ie](http://www.eccireland.ie).

**If you want more information about this or any other cross-border consumer issue you can contact us on 01 8090600 or at [www.eccireland.ie](http://www.eccireland.ie).**

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