

# Rise in complaints to the European Consumer Centre

As Covid-related restrictions affected people's travel and holiday plans, ECC Ireland saw a surge in complaints last year, writes

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**Air travel issues accounted for 64% of complaints made to ECC Ireland last year, with cancelled flights and disputed entitlements to compensation driving a 130% increase in consumer complaints in this category.**

LAST year, the European Consumer Centre's (ECC) team of case handlers dealt with 8,035 consumer queries, according to the organisation's just published annual report. Over April-June 2020 alone, case numbers tripled compared to the same months in 2019. The single biggest contribution to this increase? Covid-19 travel cancellations.

Air travel issues, accommodation problems, and online shopping difficulties accounted for the bulk of complaints received by ECC Ireland in a Covid-dominated year.

Air passenger issues accounted for 64% of complaints. Cancelled flights and disputed entitlements to compensation drove a 130% increase in this category.

At the very beginning of the pandemic, there were 5,000 complaints from consumers all over Europe against Irish airlines specifically. ECC Ireland succeeded in mass-resolving 4,000 of these at source, by ensuring early refunds would be operated by the airlines, within an extended "yet reasonable" deadline.

By far the biggest issue over the second part of 2020 involved air passengers receiving vouchers instead of cash refunds. Under EU consumer law, the consumer has to agree to accept a voucher instead of a refund. Rules also state that vouchers must be valid for up to 12 months, at which point you should be able to cash them in. However, in many cases, airlines extended the validity of vouchers further into 2021 instead of operating refunds.

For third-party bookings, the refund process took even longer, as refunds had to be transferred from airlines to the passengers via the intermediaries. All of this made life particularly hard for passengers affected by Covid-related cancellations.

Another significant issue last year related to difficulties with flight tickets booked with those same intermediaries and third-party websites. A direct airline booking is protected in law through EU Regulation 261/2004, but that law

also applies to bookings made through booking intermediaries. A cancelled flight must be refunded within seven days, no matter who you book it through.

It also emerged last year that the responsibilities of the third-party booking agent and the airline aren't exactly clear. This is why many consumers found themselves being passed between the airline and the booking intermediary, who often charged steep administration fees to liaise with the airline on the consumer's behalf, and rarely did so effectively.

Non-responsive or non-cooperative third-party booking agents made life particularly hard for passengers impacted by Covid cancellations, especially when it came to refunds. As a consequence, some airlines changed their reimbursement procedures to allow a passenger to receive their refund directly from the airline, whereas ordinarily the refund would have been processed via the third-party agent.

On top of these general issues, ECC Ireland also dealt with a plethora of specific cases. In one of these, an Irish consumer booked a flight to Dublin from South America via the Netherlands. When he landed at the connecting airport, he found that the flight to Dublin had been cancelled. The airline closed its help desk and told everyone that they would need to find their own accommodation. The consumer had no luggage, and was given no assistance in finding either accommodation or a replacement flight from the airline.

However, with the assistance of ECC Ireland, the consumer was able to secure a refund for the cost of his hotel as well as a new ticket.

In another incident, a Dutch consumer booked flights for his family with an Irish airline. Two days before the flight was due, his son was diagnosed with chickenpox. This, according to the airline's terms, disqualified the passengers from flying, but entitled them to either a refund or a new booking on a later flight. The consumer and his family made a refund request, but the airline ignored it.

However, a refund was secured following the intervention of ECC Ireland.

Package holidays were another issue. In 2020, ECC Ireland received 670 submissions from Irish consumers relating to cancellations and reimbursement for package holidays booked with EU-based travel and tour operators.

While it was able to resolve the vast majority of these, 63 required the assistance of their colleagues across the ECC network.

One case typifies many others. In January 2020, an Irish consumer booked a package holiday (flights and accommodation) for July with a resort park in the Netherlands, and paid a €515 deposit. Of course, by July the advice was to avoid non-essential overseas travel, so the consumer contacted the resort to try to cancel.

The company resisted a refund, offering a credit note instead, but again, with the help of the ECC network, the consumer was able to receive a full refund.

Another Irish consumer was due to travel on a package holiday booked with a UK-based travel agent in April 2020. Because the hotel was closed for Covid-related reasons when the time came to travel, the consumer sought a full refund, and they were advised it would be processed by August 2020. It wasn't. ECC Ireland worked with its UK colleagues obtained a full refund for the consumer.

Mass Covid-related cancellations of hotel and other accommodation bookings also created headaches for consumers. A significant number of complaints related to accommodation having to close due to coronavirus travel disruptions. Others related to unexpected supplementary charges, problems with the reimbursement of deposits, price increases, overcharging, rooms not being available on arrival, issues with accommodation contract terms and conditions, incorrect booking details, and difficulties with the booking process.

Unlike those relating to travel agents and airlines, almost half of the complaints in this category remained unresolved. This reflects the fact that accommodation-only bookings aren't covered by EU package travel legislation. There were successful interventions, however. An Irish family booked a holiday in the Seychelles for April 2020 through a travel agency but, when April came, the island was closed to tourists. The travel agency informed the consumers that a refund was impossible under the terms and conditions of the reservation. However, it turned out that the hotel in the Seychelles had never been paid by the Dutch travel agent. ECC Ireland worked with its Dutch colleagues to obtain a full refund for the consumer.

Car rental usually features far more prominently in ECC Ireland annual reports. However, because there was so little foreign travel last year, fewer cars were rented by Irish citizens within the EU. Most of the 55 complaints received related to Covid cancellations.

Unlike travel agents and airlines, there's no specific European legislation relating to car hire. Many consumers found that, when they could not or were not allowed to travel and wanted to cancel the car hire booking, their rights depended entirely on the terms of their rental contract, many of which did not favour the consumer. In some cases, emergency national rules introduced to deal with the pandemic didn't favour the consumer either.

ECC Ireland provides expert, free and confidential advice on your consumer rights when buying goods or services in person or online, or travelling in/from any other EU states. For more information, visit [eccireland.ie](http://eccireland.ie) or telephone 01 8797620.

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