



Consumer Champion

with Sinead Ryan

Still waiting on a flight refund? Then here are the main culprits

NEWS that Ryanair may be grounding its fleet in Shannon and Cork over winter brought home – if it were needed – the ongoing affects of Covid-19 on the travel industry.

Of course, everyone will feel greatly for the staff who will be laid off (without pay, it has to be said).

But the same airline is responsible for the enormous delays in meeting its own obligations to issue refunds to thousands of passengers unable to fly since March.

I have received a few dozen of these and the confusion, upset and anger is palpable.

In addition, travel agents who are refusing refunds and credit notes, also come in for opprobrium.

So I thought this week I'd update where we're at.

The Industry

Probably no other has been affected by the pandemic as badly. Business is down 95pc.

Domestic travel accounts for 30pc of the overall tourism spend in Ireland, the rest is tourists.

There are 250,000 jobs at risk in the sector, Ireland's largest indigenous industry, and it won't be improving any time soon.

Airlines, agents and accommodation providers are all feeling it.

Ryanair

Ryanair doesn't like dealing with travel agents.

It doesn't like 'scraper sites' either, which bundle packages together by including their flights.

It prefers people to book directly.

As such, they may question the provenance of bookings made by third parties and this is leading to delays in getting refunds for can-

celled holidays.

They are also worried about customers claiming refunds twice, the 'double jeopardy' rule.

Ironically, if you booked a flight yourself which was cancelled you have a better chance of getting a refund than if you booked via a travel agent.

Consumer laws state that you are entitled to a refund if any element of your package doesn't take place.

But the Irish Travel Agents Association (ITAA) says its members have had problems accessing flight refunds – from Ryanair in particular – and it's affecting "bricks and mortar" travel agents as well as online.

One is owed €500,000 in flight refunds alone. The airline "refuses" to deal with them, according to its CEO Pat Dawson.

That said, this writer was contacted by customers of a small number of travel agents who were bouncing them back to airlines instead of issuing a refund or the State-backed credit notes, which they are obliged to do.

While most are truly doing their best, a few are confusing customers.

If in doubt, you should get in touch with the ITAA (www.itaa.ie, Ph. 01- 417 9696) and complain.

Travel Package Legislation is Directive EU 2015/2302 and it is their responsibility.

"If the flight component of a package holiday is cancelled by the airline, the consumer can seek a refund for the entire package from the package organiser.

"If the flight component of a

package holiday operates but passengers cannot travel due to restrictions in the country of origin or destination, they may be able to terminate the entire package on grounds of extraordinary circumstances with no penalties", says [ECC Ireland](#).

Although all travel agencies have websites, Online Travel Agencies (OTA) is the term used for third-party booking agencies, usually outside Ireland.

The popular LoveHolidays.co.uk is an example. While many operate compliantly, some are refusing refunds. Your rights are not the same, according to [ECC Ireland](#).

"As it stands, the current legislation suggests that if the OTA acts as a booking agent/intermediary, it is not obligated to issue a refund for cancelled flight until such refund is operated by the airline.

"Consumers who book via OTAs usually enter into two contracts: one with the OTA, which usually specifies the agent's obligations, and another with the airline operating the flight booked via the agent.

"Under these contracts, the OTA is not responsible for whether the flight is operated by the airline or not. Where consumers terminate contracts and claim/expect a full refund under the Package Travel Directive, they can request it in cash.

"You can seek assistance from [ECC Ireland](#). If the matter is not resolved you can seek redress through the courts."

Insurance

A number of companies auto-renew their insurance policies.

People got in touch to say premi-

ums were being taken from their accounts even though a travel policy is all but redundant in 2020.

All insurers must offer a cooling-off period, in writing, so customers have an opportunity to cancel. They are all doing this, but often, because the auto-renew is issued from a no-reply email address, they don't know how to do that.

You must call them - and you won't be charged.