

# HOLIDAYS

## & refunds

Hatti Suvvari is the consumer advocate and podcast host empowering the British public with their rights. Motivated by a passion to democratise the public's access to justice, Hatti created *Get Legally Speaking*, the UK's first and leading legal podcast. Since realising those around her who weren't immersed in the legal world were falling victim to expensive legal costs and myths in the system, Hatti became passionate about debunking, and demystifying the law.



Hatti Suvvari, Consumer Advocate and host of podcast *Get Legally Speaking* ([www.getlegallyspeaking.com](http://www.getlegallyspeaking.com))

After months of Covid-19 restrictions, we seem to be getting closer to the thought of being able to go overseas on holidays, with restrictions being lifted using a traffic light system, though widespread limitations on travel remain. But where do you stand if you are trying to get money back for a cancelled holiday? Can you cancel a holiday if the country that you have booked to go to is on the red list? And what about insurance policy cover?

The Government guidelines on [www.gov.uk](http://www.gov.uk) states that if package holiday organisers cancel your holiday, then you are entitled to a full refund within 14 days of the cancellation date. Importantly, your refund should be provided irrespective of whether the company you booked with has received funds from other companies involved in your trip, such as airlines.

### **Can I cancel my holiday if it turns out I have to self-isolate on my return?**

There is always a risk that a green-list country may move to the amber or red list whilst you are away on your holiday. If this does happen, then you will need to quarantine after your holiday - something that could be difficult for many people, due to work commitments or having a young family, which could make it challenging to stay in a hotel room for 2 weeks.

It is important to note that holiday operators do not have to refund you if you are unexpectedly forced to self-isolate on your return. You should go through the terms and conditions that were provided to you at the time that you booked your holiday, or indeed if you moved your holiday from a previous date, due to Covid-19 travel restrictions.

### **Will I be refunded if my holiday is cancelled?**

If the government announces that travel to a particular country is not advised, then airlines and travel companies are likely to cancel any pre-booked flights or holidays to that country, and if this does happen, then you are entitled to a full refund, and you should choose to receive that refund in the form that you paid, rather than in any form of vouchers.

An airline should refund the money within seven days, although some people have had to wait longer, and a package holiday should be refunded, in full, within 14 days.

### **What if I make a decision that it's too risky to travel?**

This is far less clear-cut. If you cancel, rather than the travel provider doing so, then you have no automatic right to receive a refund, and you should refer back to the terms and conditions that you would have been provided with at the time of your booking. It is definitely worth contacting the holiday provider or airline to discuss your concerns, and ask to see what options you have.

### **Does my insurance cover me in an amber-list country?**

Anyone planning to travel to an amber-list country should look up their proposed destination on the Foreign Office (FCO)'s country-by-country list. This is really important to do, as if the FCO advises against travel to a certain country, then travel insurance would almost always be invalid.

If the FCO does not advise against travel to the country that you are booked to go to, then the cost of medical treatment abroad would be covered. In most cases that would include treatment if you contracted Covid.

It is important to note, that although travel to amber-list destinations is allowed, the Department of Health still advises holidaymakers against it.

### **Why is this so complicated?**

Rules are inevitably going to be complex, given that the risk of Covid varies so much between countries.

The government has published a charter that sets out our consumer rights when booking travel while Covid-19 measures remain in place, and it is worth taking a look at this.

It says it expects travel operators to be "flexible" with customers, given the circumstances, and the Competition and Markets Authority (CMA) has warned package holiday firms that they must adhere to refund rules.

Why not listen to my free Podcast episode over on my website at [www.getlegallyspeaking.com](http://www.getlegallyspeaking.com), in which we discuss holidays and travel during Covid-19, called *Holidays and Travel Law During The Crisis Part 1*.

**Important: This is a fast-changing situation. The info above is at the time of this article.**