



Examining recent legal and regulatory developments to establish liability and mitigate risk

# Travel & Tourism Law

Wednesday 6 July 2011

Central London



## Attending this timely event will enable you to:

- Understand the temporal scope of **Rome II** in relation to **jurisdictional issues** in holiday claims
- Consider what lies ahead for **travel operators' liability** in relation to **excursions**
- Examine crucial developments in **international aviation regulation**
- Discuss the law on compensation for holiday and flight **cancellations and delays**
- Analyse the widening scope of consumer protection under the **ATOL scheme**

## Chaired by:

Matthew Chapman, 1 Chancery Lane

## Speakers:

Mike Bowers, TUI Travel PLC

Andy Cooper, Thomas Cook Group plc

Julian Homerstone, Virgin Atlantic Airways Ltd

James Dingemans QC, 3 Hare Court

Peter Stewart, Field Fisher Waterhouse LLP

Sarah Prager, 1 Chancery Lane

Akhil Shah QC, Fountain Court Chambers

Stephen Mason, Travlaw LLP

Claire Mulligan, Argent Health & Safety, Plexus Law

Julian Chamberlayne, Stewarts Law LLP

Michael Gwilliam, Plexus Law

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## Travel & Tourism Online: interactive half-day workshop

Thursday 7th July 2011, 09.00 to 12.30, 3 CPD hours

Workshop hosts:

Sarah Prager and Jack Harding, 1 Chancery Lane

In association with



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# Travel & Tourism Law

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## Why attend this conference?

It has been a turbulent year for the travel and tourism industry. Snow, strikes, earthquakes and volcanic ash cloud have all contributed to the chaos faced by the worldwide travel industry. As political uprisings in major tourist destinations now take their toll on the travel and tourism sector, a radical transformation of the legal and regulatory landscape is underway.

The ATOL scheme is set to undergo the biggest overhaul in recent years and the EU has brought forth further changes to the Denied Boarding, Cancellation and Delay Regulation. It is now essential that you keep up-to-date in this fast changing and increasingly regulated area.

**Butterworths Travel & Tourism Law** conference will provide a comprehensive insight into the most recent developments, from the proposed changes to the Package Travel Directive to crucial developments in UK and EU aviation regulation. Chaired by **Matthew Chapman** of **1 Chancery Lane**, our eminent speaker panel will offer practical advice ensuring you establish liability and mitigate risk in this progressively complex industry.

The afternoon will feature streamed roundtables to offer topics of appeal to delegates involved in claimant and defendant work and to those in both industry and private practice.

## Join our experts to address the following key questions:

- When is a holiday also a package according to the **Package Travel Directive**?
- What are tour operators liable for in relation to **cancellation and delay**?
- How will the **ATOL reforms** change the way travel agents contract with consumers?
- How can you ensure **local safety standards experts** compile relevant reports?
- When is an airline liable for **in-transit incidents**?

## Who should attend?

- Travel & tourism solicitors
- Tour operators
- Travel & tourism barristers
- Travel agents
- Aviation lawyers
- Insurers

## Who will you meet?

You will be in good company, organisations that have benefited from our Travel & Tourism Law conferences include:

1 Chancery Lane • 3 Hare Court Chambers • ABTA • Arnold Fisher Insurance Services Limited • ASB Law • Barlow Lyde & Gilbert LLP • Blake Lapthorn • C&S Solicitors • Chambers of James Guthrie QC • Colemans-CTTS • Dawsons LLP • DWF LLP • Explore Worldwide • Gates and Partners Solicitors • Horwich Farrelly Solicitors • Intrepid Travel • K&L Gates LLP • McKinty & Wright Solicitors • Northumbria University • Original Travel • Outer Temple Chambers • Pannone LLP • Penningtons Solicitors LLP • Plexus Law • RJW Business & Regulatory Investigations • Stones Solicitors • Thomas Cook Group • Travlaw LLP • Vantage Insurance Services Limited •

## Travel & Tourism Online: Workshop

**Thursday 7th July 2011, 09.00 to 12.30, 3 CPD hours**

The explosive growth of online travel retail is set to continue. Whilst convenient and cost-effective, the use of online travel agencies can also create many challenges for both the consumer and tour operator.

Our hosts will provide practical advice to ensure you understand the liability and risks involved in relation to online travel booking.

### Workshop aims:

- Gain an overview of the legal developments in relation to online booking
- Discuss the key issues in relation to web-based marketing
- Consider the position of the online travel agent – principal or agent?
- Understand the relevant data protection issues
- Examine the interface between private international law and online booking

### Workshop hosts:

**Sarah Prager** and **Jack Harding**, 1 Chancery Lane

## Don't just take our word for it! Hear what delegates at our previous Travel & Tourism Law conference said:

*"Excellent overview of a wide disparity of topics"*

L Haas, Blake Lapthorn

*"Useful and informative"*

V Wilkins, Vantage Insurance Services

# Programme

Wednesday 6 July 2011

- 08.50 Registration and coffee
- 09.20 Chair's opening remarks**  
[Matthew Chapman, Barrister, 1 Chancery Lane](#)
- 09.30 Jurisdictional issues and holiday claims**
- Jurisdiction
  - Choice of law
  - The temporal scope of Rome II
  - Forum shopping
  - Damages
- [James Dingemans QC, 3 Hare Court](#)
- 10.15 Local standards in tour operator claims**
- Overview of the local safety standard debate
  - Does the claimant have to prove liability at a local standard?
- [Speaker to be confirmed](#)
- 11.00 Coffee
- 11.20 Package holidays: to package or not to package**
- Solving the riddle of when a holiday is also a package
  - When do package regulations apply?
  - Dynamic packages
  - The future of the Package Travel Directive
- [Peter Stewart, Partner, Field Fisher Waterhouse LLP](#)
- 12.00 Excursions**
- What lies ahead for travel companies' liability?
  - Are we moving towards a strict liability regime?
  - *Parker v TUI UK Ltd*
  - *Moore v Hotelplan*
  - The principal-agent problem
  - Managing risk in excursion portfolios
- [Claire Mulligan, Managing Director, Argent Health & Safety and Partner, Plexus Law](#)  
[Sarah Prager, Barrister, 1 Chancery Lane](#)
- 12.45 Lunch
- 13.45 Developments in aviation law**
- Overview of the Montreal Convention
  - Application of the Montreal Convention compared with former Warsaw Convention
  - Recent developments in EU regulation of passenger claims
  - Investigating accidents: incidents on board aircraft and incidents caused by embarking and disembarking flights
  - Airline-ground handling disputes
- [Akhil Shah QC, Fountain Court Chambers](#)
- 14.25 Denied boarding, cancellation and delay**
- Overview of Denied Boarding Regulations
  - Passenger rights

- What are tour operators liable for?
  - What are the airlines liable for?
  - Law on compensation for cancellations
  - Lessons learnt: volcanic ash, snow fall and strikes
- [Stephen Mason, Senior Partner, Travlaw LLP](#)

**15.05 ATOL reform**

- Widening the scope of financial protection
- Flight-plus – how will this change the way travel agents are contracting with customers?
- The end of the agent?

[Speaker to be confirmed](#)

15.35 Afternoon tea

**Roundtable - Option 1**

**15.50 Instructing local safety standards experts**

- What is required of them?
- How can we ensure that reports are relevant, useful and appropriate?

[Julian Chamberlayne, Partner, Stewarts Law LLP](#)

**Roundtable - Option 2**

**15.50 Assembling the evidence to defeat a claim**

- What do we do when we lose a claim?
- Indemnity and recovery actions

[Michael Gwilliam, Partner, Plexus Law](#)

**16.30 What does the future hold?**

- An overview of industry hot topics and forecast of future developments

[Moderated by: Matthew Chapman, Barrister, 1 Chancery Lane](#)

[Mike Bowers, General Counsel for UK & Ireland, TUI Travel PLC](#)

[Andy Cooper, Director of Government and External Affairs, Thomas Cook Group plc](#)

[Julian Homerstone, General Manager for Legal Affairs, Virgin Atlantic Airways Ltd](#)

**17.20 Q&A**

**17.25 Chair's closing remarks**

**17.30 Conference ends**

**Chaired by:**

Matthew Chapman is a Barrister at 1 Chancery Lane, London. Matthew's practice includes package holiday matters and all cross border personal injury claims. He has acted for claimants and for carriers in claims arising out of the international transport conventions. He is also instructed in recovery and indemnity actions (regularly representing tour operators and local Hoteliers). Matthew was Conciliator for the Passenger Shipping Association Conciliation Scheme between 2005 and 2010 and is the Chairman of the Travel and Tourism Lawyers' Association.

# Registration

## Travel & Tourism Law

Wednesday 6 July 2011

Central London

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\*The early booking discounts are only available when you register by the dates stated below.

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### Forthcoming Events

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Intellectual Property in the Digital Environment – 16 June 2011

Legal Services Regulation Forum – 23 June 2011

Professional Negligence and Liability – 28 June 2011

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### You can still benefit from the day's event if you can't make it!

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To order call on +44 (0)20 7347 3573 or return the booking form.



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### Administration

**VENUE**  
Central London

**FEE**  
Your one-day fee includes attendance, refreshments, lunch and course documentation. Full payment, including VAT must be received prior to the conference. Please post a cheque for the full amount with your completed registration form or tick the payment by credit card box and we will call you to obtain card details. Once payment has been received a VAT invoice/receipt will be issued.

**OUR CONFIRMATION OF YOUR BOOKING**  
All bookings will be acknowledged in writing within five working days of receipt and joining instructions (final conference details and a venue location map) will be emailed to delegates approximately two weeks before the event. Please telephone the Bookings Enquiries line immediately:  
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Please call me to discuss my requirements in more detail.

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**DOCUMENTATION SALE**  
Your notes will be dispatched within five working days after the event. Please call us if you do not receive your notes by two weeks after the event.

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A refund of fees will be made only for cancellations received in writing at least 14 days before the event (less a 25% cancellation fee to cover administration costs). No refunds will be made for cancellations received within 14 days of the event and failure to attend after confirming a booking will be subject to the same terms. We regret that the transfer of a booking to another event cannot be made but a substitute delegate will be accepted at any time before the event.

This programme is correct at the time of going to press. However, we reserve the right to alter or cancel the programme due to circumstances beyond our control.

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