

The Travel Industry continues to throw up fascinating issues with a legal slant. The big issue remains: What is a Package? and despite the Court of Appeal decision and guidance from DBERR there are many in the industry who are still looking for clarity and guidance. Insolvency and insolvency protection is a perennial issue and it remains to be seen whether the new insolvency scheme recently introduced by the CAA to underpin the tried and tested ATOL system will work in practice. The activities of the airline industry continue to cause concern – be it their pricing policies, their advertising campaigns or their treatment of passengers and these issues will be fully aired in a session entitled: 'I'll accuse: Airlines in the Dock'. The internet is a crucially important marketing tool for the travel industry but one which throws up a plethora of legal obstacles - to trip up the unwary and penalise the dishonest. The industry is also no stranger to disasters – natural or manmade - and it would be a foolish company indeed that ignored the possible effect of such an event on their business and its reputation.

All these topics are of vital importance to the travel industry, to policy makers and to travel lawyers and will be discussed at length in this, the eighth conference in the series hosted jointly by Northumbria University and Nova Southeastern University. As usual our prestigious panel of speakers has been given time to debate the topics at length. The purpose is to provide delegates not only with an in-depth approach to the issues but also for them to be able to enter into a dialogue with speakers. Additionally the social programme, the lunches and the conference dinner will give delegates the chance to converse with each other and mingle with the speakers in a more relaxed environment.

We are also firmly of the belief that the law does not have to be dull and there are two very informative sessions which have been chosen not simply because of the content but also because of the entertaining and thought provoking fashion in which they will be presented. We commend to you Gary Davidson's opening presentation on US travel litigation and the mock trial by Alan Saggerson's team from I Chancery Lane.

## VISIT OUR WEBSITE

This programme is advance notice of the conference. All the speakers listed in the programme are confirmed but more speakers may be added and the programme will change to take account of this. To keep fully up to date you should visit our website at:

<http://tlc2008.unn.ac.uk>

There you will find much more information about the conference than we can ever hope to print in the conference leaflet, including information on travel to Newcastle, accommodation and other tourist information.

## SPONSORSHIP OPPORTUNITIES

The conference offers companies a wide variety of sponsorship opportunities. If you would like details of how you can exploit these please contact Maureen Cooke on +44 (0) 191 243 7597.

E-mail: [maureen.cooke@northumbria.ac.uk](mailto:maureen.cooke@northumbria.ac.uk)

## CPD/CLE

The University is an approved institution for the purposes of Continuing Professional Development and delegates qualify for 10 hours CPD/CLE by attending the conference.

Please tick the appropriate box.

## Registration Fees – Full Conference:

All conference sessions, all meals and refreshments as advertised in the conference in the programme, full course materials, the conference dinner and a year's subscription to the International Travel Law Journal - £415.00

Members of the Association of British Travel Agents (ABTA) are offered a discounted price of £295

A discount of £85 is offered to subscribers of the International Travel Law Journal; speakers; second and subsequent delegates from the same company or organisation; members of the International Bar Association Leisure Industry Committee; members of the Travel and Tourism Lawyers Association (TATLA); members of the International Forum of Travel and Tourism Advocates (IFTTA); members of the Association of Independent Tour Operators (AITO) - £330

## Registration Fees - Thursday Only:

With conference dinner - £250

Without conference dinner - £200

Please note: there are no discounts on these fees

**How to Book:** You may book by phone, by post, by fax or by e-mail, but in all cases we need you to complete the booking form below as confirmation of your booking. All communication should be addressed to Maureen Cooke, the conference administrator.

**By post:** Legal Services Unit, University of Northumbria, Newcastle upon Tyne NE1 8ST

**By Fax:** 0191 243 7506

**By Phone:** 0191 243 7597

**By E-mail:** maureen.cooke@northumbria.ac.uk

Name(s): \_\_\_\_\_

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

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Telephone No: \_\_\_\_\_ E-mail: \_\_\_\_\_

Invoice Address (if different to above):

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I enclose a cheque/please invoice me for\* \_\_\_\_\_

\* delete as appropriate

All cheques should be made payable to Northumbria University

## How to Book Accommodation

We have reserved a limited number of standard bedrooms at the Copthorne Hotel at special conference rates. To book one of these rooms you must contact the hotel direct on 0191 222 0333 and mention that you are attending the conference.

## Cancellation

If you have to cancel your booking please send us a written cancellation (by letter, fax 0191 243 7506, or e-mail maureen.cooke@northumbria.ac.uk) not less than 10 working days before the conference. No telephone cancellations will be accepted. A refund of your conference fee less a £25 administrative charge will then be sent to you. After this time we cannot accept any cancellations and the full fee is payable. Failure to attend the conference will be regarded as a late cancellation and your payment will be forfeited.

# Eighth International Travel and Tourism: Policy, Law and Management Conference



*Influence the Policy*

*Shape the Law*

*Manage the Consequences*

Copthorne Hotel, Newcastle upon Tyne

**10-12 September, 2008**

A major international conference organised by the Travel Law Centre, Northumbria University, in conjunction with the International Travel Law Journal and the Shepard Broad Law Center, Fort Lauderdale, Florida.



Shepard Broad



Law Center



2.30 pm

3.30 –

4.30 pm

**Registration: Copthorne Hotel, Quayside**

**“It couldn’t happen here, could it?”**

America is way ahead of us (if that is the right phrase) as far as litigation is concerned. Class actions, contingency fees and punitive damages are all familiar aspects of US law whereas in the UK they are still in their infancy – if not stillborn. But the chances are that they will flourish and grow over this side of the Atlantic as well.

In this session, Gary Davidson, well known for his litigation and arbitration work in the US, will give us the benefit of his wide experience in a survey of US travel law cases – a talk that promises to be not only hugely entertaining but will also serve as a warning to UK companies of the perils of litigation yet to come.

*Gary Davidson, Attorney, Diaz Reus, Miami*

*Moderator: Joseph Harbaugh, Dean, Shepard Broad Law Center, Nova Southeastern University, Fort Lauderdale*

5.45 pm

**Buses leave the Copthorne for Northumbria University**

6.00 pm

**Drinks Reception**

School of Law  
Northumbria University

6.30 pm

**Professorial Lecture: Happy Holidays!  
The Real Story about Tourist Health and Safety Abroad**

Holidays are ideally a time to relax, unwind, have fun with family and friends; perhaps try new and different experiences, from local foods and beverages, shopping or just exploring other cultures, through to more energetic activities such as adventure sports. As the world’s largest industry, tourism caters for every wish or whim. However, unfamiliar environments and unfamiliar activities can be a two edged sword. This presentation goes behind the scenes to look at:

- Tourist behaviour at home and on holidays
- Industry responsibilities to protect customers
- Likely areas of mishap and misadventure for tourists
- The legal landscape – consumer protection and personal responsibility.

With the United Nations World Tourism Organisation forecasting 1.6 billion international arrivals by the year 2020, the ‘real’ story of tourist health and safety is interesting, important and compelling.

*Jeff Wilks, Visiting Professor of Law, Northumbria University*

*Introduction by Professor Philip Plowden, Dean, School of Law, Northumbria University*



9.30 am

9.40 am

10.20 am

11.40 am

12.00pm

12.45 pm

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## Welcome & Introduction

*Chancellor, Northumbria University*

## Keynote Session:

### Challenges facing the Travel Industry

The travel industry does not exist in isolation, it is subject to the same conditions as other industries – be they economic, social, political or environmental. In this keynote presentation Noel Josephides will give us the benefit of his thoughts on how the industry can survive and thrive in these challenging times.

*Noel Josephides, Sunvil Holidays*

*Moderator: David Grant*

### Accuse – the airline industry in the dock

Airlines don't enjoy the best of press. They are attacked for their misleading advertising. Some impose draconian terms and conditions on their operators and consumers alike. They are under fire for their emission levels. The response of some to consumer protection legislation is to ignore it. Their loyalty programmes are of dubious value. And yet, in the last 20 years they have revolutionised the availability of cheap and frequent travel. Pioneers of travel or highwaymen of the new ways - you decide!

This session will examine the arguments for and against and will also give delegates the opportunity to offer their opinion on these and other issues.

*Panel Members*

*Simon Bunce, ABTA*

*Stephen Mason, Stephen Mason Solicitors*

*Cliff Atkinson, Monarch Airlines*

*Moderator:*

*Simon Chamberlain, Field Fisher Waterhouse LLP*

## Coffee

### Is your website legal?"

The internet has proved to be an invaluable marketing tool for the travel industry but it is beset with legal pitfalls for the unwary. In this session a leading travel lawyer will examine some of the issues thrown up when dealing over the net. These include issues of copyright, data protection, contract formation, insolvency protection, misdescriptions, pricing policies, customer product ratings and blogs and 'dynamic packaging'.  
*Andrew Burnham, MacIntyre Hudson, Accountants*

*Peter Stewart, Field Fisher Waterhouse*

*Moderator: Iain Lindsay, Sabre Holdings*

**Event sponsored by MacIntyre Hudson**

1.45 pm

## Mock Trial – Part One

The Travel Law team at 1 Chancery Lane will present a holiday trial illustrating what can go *wrong* and what can go *right*! The trial will take place on Thursday 11th September. You are prepared to be on tenterhooks for *The Verdict*. The trial papers will be provided to all observers and a quiz will be held. An Overnight Quiz ("You the Jury") based on the trial will also be announced in our Verdict session.

Watch spellbound as *Brenda Wallace* and her team take on the assembled might of tour operators and their local rep. *Tooeey* and the *Enfants Ecoli* resort on the Caribbean island of Benedictine. There will be no *monsters*. Who knows, you might just learn a thing or two more fun (and much shorter) than the *Diarist*.

*Alan Saggerson, Matthew Chapman, Sarah*

3.15pm

## Coffee

3.35pm

### "It's a package, stupid!"

Despite extensive litigation, followed more recently by the DBERR, many in the travel industry remain unclear as to what a 'package' is and whether they are covered by the Package Regulations. The position is further confused by the fact that a company is acting as a principal or an agent and the liability of the company.

In this session we hope to cut through some of the confusion to be a straightforward account of the new guidance followed by an explanation of the legal status of principals and agents followed by a discussion of three specific areas of law flowing from being designated as a package. The session will cover principal or agent status.

### What is a package? Who are principals and agents?

*Michael Chapman, Senior Lecturer and Head of Law, Northumbria University*

### Packaged or unpackaged? Principals and agents

**The practicalities of the new package**

*David Moesli, CAA*

**The financial and VAT consequences of package**

*Andrew Burnham, MacIntyre Hudson, Accountants*

**Liability for suppliers.**

*Jeff Wilks, Visiting Professor, UCL*

*Moderator*

*Andy Cooper, Director-General FTO*

## Close

5.00 pm

## Buses leave for Beamish

6.15 pm

7.15 pm

## Drinks Reception sponsored by Travel Law

8.00 pm

## Conference Dinner – Beamish Museum

Dress - smart casual

will conduct a mock package and why; and what might just lay afternoon - but be dict on Friday morning. Case and there will be an easy the trial, the winners of which on on Friday.

er twin sons *Jules and Vern* for *Vacances Sans Frontier*; its t hotel on the lovely be tears, laughter and n something – and it will be na Inquest.

*Prager and Jack Harding*

recently by guidance from confused about the definition ed by the Package Travel ed by the issue of whether a and how this can also affect

ne of this confusion. There will guidance and what it means and als and agents. This will be spects of the consequences e organiser and the choice of

**Principals and**

*and Barrister, School of Law,*

**Principal or Agent?**

**new ATOL regime:**

**sequences.**

*Hudson*

*University of Northumbria.*

**Weekly**

**m**

**9.30 am**

**New European Law on Passenger Rights of Disabled People: What does it mean for airlines, airports and passengers?**

European Union Regulation 1107/2006 deals with the rights of air travellers with disabilities and those with “reduced mobility”. The first part of the Regulation, which prohibits airlines from denying boarding to disabled passengers except on clearly established safety grounds, came into force in July 2007. The remaining provisions, which deal mainly with standards of service which must be provided to disabled passengers at airports, come into effect in July 2008.

The presentation will deal with both the legal framework and the policy and practical issues around it and will take stock of the experience to date and the challenges that lie ahead.

Speakers

*Keith Richards, ABTA*

*Ann Frye*

*Moderator: Melanie Pears, Ward Hadaway*

**10.20am**

**Crisis Management**

Most tour operators are vaguely aware that common-sense dictates that they have a crisis plan. But other priorities get in the way so planning the plan gets put off time and time again.

It is only when the unthinkable happens and the company is plunged into a business-threatening disaster situation that reality strikes home.

This is the story of how one company went through a week-long nightmare and emerged feeling - with the zeal of the converted - that the company sorely needed a crisis plan to avoid suffering like that again.

When an Explore Worldwide tour group were kidnapped by Islamic extremists the company hit the world headlines for seven tumultuous days. Derek Moore, co-founder and Operations Director at Explore at the time, will take you through the unfolding drama on a day by day basis, recounting the inside story of a crisis that the world media watched and recorded.

And what did the company learn - through bitter experience - about how a crisis should be planned for, handled, and executed? Derek will tell you of the lessons painfully learned.

Speaker

*Derek Moore, The Groups Company*

**11.05 am**

**Coffee**

**11.20 am**

**The Verdict, The Team from 1 Chancery Lane**

**12.20 pm**

**Closing Remarks**

**Professor David Grant**

**12.30 pm**

**Lunch sponsored by the Copthorne Hotel**