

## **A Submission on Directive 2011/83/EU on Consumer Rights from Fáilte Ireland**

Dear Sir/Madam,

Fáilte Ireland welcomes the opportunity to comment on the proposed implementation of the directive. While it is fully recognised that responsibility for legislation is a matter for the Oireachtas, the points arising may help inform how the directive is transposed into Irish law.

Our concerns related to a number of tourist specific matters which are as follows:

- Car rental is not covered by the directive as a contract is signed and executed on the trader's premises. It sometime happens that an overseas visitor books a car rental with an incomplete understanding of the full cost and associated charges arising. In such instances visitors may receive confirmation of a booking only to be advised of additional costs and charges at the point of rental, e.g., collision damage covers, fuel charges, and the like. This is leading to complaints and frustration on the part of visitors to Ireland.
- The blanket decision not to grant consumers a right of withdrawal, after the passing of a cooling down period, in the case of certain services where the conclusion of the contract implies the setting aside of capacity which, if a right of withdrawal were exercised, the trader may find difficult to fill. For example, accommodation reservations or bookings for cultural events. In certain instances, 'hidden' charges (such as fuel charges noted above) are only made known to the customer at the point of contract execution. Again, this is leading to complaints and frustration on the part of visitors to Ireland.

It might be worth considering the value in giving consumers a right of withdrawal post the cooling off period when hidden charges exceed a certain value, say 50%, of known booking costs.

We are available to discuss any of the points raised. Once more, I would like to thank the Department for the opportunity to make this submission.

Regards,

Caeman Wall

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