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The HAJJ and UMRAH Pilgrimages

Important Information for organisers of package trips

If you are organising Hajj and Umrah trips it is more than likely that you will be subject to the Package Travel Regulations (PTRs) 1992.

This is a brief guide to the responsibilities of package travel organisers in the UK under the PTRs. Further and more detailed information can be found in the package travel section of the consumer pages of the Department for Business, Innovation and Skills (BIS) website www.bis.gov.uk. You can also obtain advice from your local authority Trading Standards Department who are responsible for enforcing the PTRs. You can find the address and telephone number for your local Department by entering your postcode on www.tradingstandards.gov.uk. If you are unsure as to how a particular situation might affect your business, you may also wish to take legal advice.

What is a package?

To be called a package a trip must consist of pre-arranged travel that must cover a period of at least 24 hours, or include overnight accommodation and be a combination of at least two of the following: transport; accommodation; another tourist service which forms a significant part of the package (e.g. tour guide excursions, entertainment etc). It must also be sold at an inclusive price.

Any brochures or internet sites (or other means of information) on the trips provided to customers must contain the following information:

The price, the destination or destinations of the trip; type of transport to be used (e.g. scheduled flight); type of accommodation (location, degree of comfort and class); trip itinerary.

Before a contract for a trip is completed or agreed, a customer must be provided with the following information in writing or in some other appropriate form:

Passport/ and visa requirements; health requirements for the country being visited; security and repatriation arrangements in the event of insolvency.

Before a customer goes on the trip, they must be given, in good time:

Details about the trip itinerary; transport connections; times and places; the name and address of a company representative or an appropriate contact for them to use whilst they are on their trip. The customer must also be provided with a written copy of the terms of the contract for the holiday.

Changes to the details of the trip

Significant changes to the trip such as flight details or itinerary should be made known to the customer as quickly as possible in order for them to take appropriate decisions and in particular to withdraw from the contract without penalty. If you do not do so you may be liable to compensate the customer.

Overall duty of care to the customer

Under the PTRs tour operators who sell package trips are liable to the consumer for any damage caused to him or her by the failure of hoteliers, suppliers and services within the holiday contract. This is unless; the failure is not due to the tour operator; is the fault of the consumer or a third party unconnected with the provision of the services contracted; is due to unforeseeable circumstances which could not have been avoided even if all due care had been taken.

Air Travel Organiser's Licence (ATOL)

Under the Package and Civil Aviation Travel Regulations you must hold an Air Travel Organiser's Licence (ATOL) if you are arranging packages which include a flight element. ATOLs are managed by the Civil Aviation Authority (CAA). Holding a licence means that if you go out of business, the CAA can give refunds to people who can't travel and arrange for people already abroad to finish their holidays and fly home.

If you act as an agent for a tour operator selling Hajj air packages you must issue to your customers a receipt when taking payment which confirms the operator's name and ATOL number, as well as all the Hajj arrangements the operator is responsible for, including flights, accommodation, and transfers.

You must also pass on the operator's confirmation invoice.

If you buy flights from an ATOL holder as an agent and add these to your own Hajj arrangements to make a package you will require your own Air Travel Organisers Licence.