

# What are the requirements for tourism services in the European market?

There are a number of legal, non-legal, voluntary and common requirements that organisations offering tourism services to the European market must or should comply with. European tour operators must comply with strict regulations that ensure their travelling customer is protected financially and will be personally safe while travelling overseas. The most important legislation for European tour operators is the Package Travel Directive (EU) 2015/2302.

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## 1. What are the mandatory requirements?

### European Package Travel Directive

The [European Package Travel Directive](#) protects European travellers' rights when they book package holidays. Amendments made in 2018 take account of changing booking methods among travel consumers. The Directive expanded the definition of package travel to include customised packages and linked travel arrangements as follows:

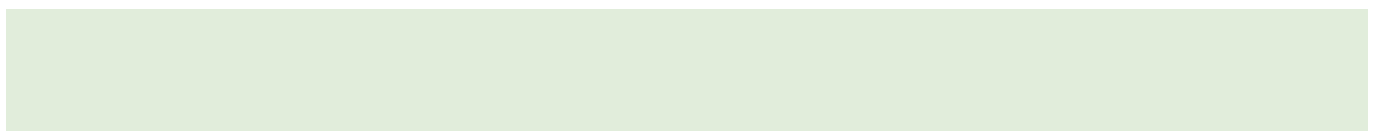
- A package holiday is defined as a combination of at least two different types of travel services, such as transport, accommodation or a tourist service, such as a trip to a historical attraction. All elements of the package holiday are booked and paid for through one agent at the same time.
- Linked travel arrangements are travel services bought in different contracts over a 24-hour period and are linked to the same package.

The broadening of the concept of travel package aims to provide clearer information for travellers on the sort of travel product they are buying and the corresponding level of protection. In particular, the new concept of linked travel arrangements ensures that payments are protected in case the seller goes bankrupt. The update also creates stronger cancellation rights, requires clear liability arrangements and applies to online bookings.

European tour operators will expect you to have liability insurance and insolvency protection in compliance with the European Package Travel Directive. You must be able to provide full details of your insurance policies.

Tour operators outside the European Union are not legally bound by the European Package Travel Directive, but European operators will expect their foreign suppliers to have relevant liability insurance in place so they can make sure that their customers are protected according to the Directive.

The COVID-19 pandemic has had a major effect on tourism worldwide. In response to COVID and the scale of the challenge facing the travel industry, the European Commission (EC) issued [Information on the package travel directive in connection with COVID-19](#), which provided advice regarding the cancellation of package holidays. In May 2020, this was followed by a [recommendation on vouchers offered to travellers as an alternative to reimbursement for cancelled package travel and transport services](#). Individual European countries announced temporary regulatory measures, and this paper issued by ABTA, [EU Member State changes to Package Travel Regulations](#), provides a summary of actions taken to date by a variety of nations.



## Tips:

Learn more about the European Package Travel Directive. [This European Commission factsheet](#) is a good starting point. The CBI [report on the European Package Travel Directive](#) provides detailed information on it.

You can also read an outline of the regulations on this [ABTA page on the new package travel regulations](#).

Keep checking to see if any other changes to the European Package Travel Directive are issued as travel restrictions continue to ease.

## Liability insurance

All European tour operators must have their own liability insurance for damages caused by third parties to ensure they comply with the European Package Travel Directive. Some operators, like [TUI](#), require potential suppliers to indicate the extent of coverage provided by their own liability insurance. In most cases, suppliers are required to have the appropriate level of liability insurance.

If you sell tours or packages directly to European travellers, they will also expect you to have comprehensive liability insurance so they are fully covered while under your care.

Liability insurance for tour operators usually has three areas of coverage:

- Third-party or public liability covers bodily injury and property damage to customers in your care.
- Contingent auto liability is additional auto liability over and above local compulsory automobile insurance for owned, hired and non-hired vehicles.
- Contingent watercraft liability covers owned, hired and non-owned watercrafts with motors that carry paying passengers. Local tour operators wishing to work with cruise lines are required by the cruise lines to have excursion insurance.

For business insurance that covers you in the event of travel risk, crisis management and response, you can consider a specialist provider such as [Global Rescue](#), which provides an integrated service for medical, security, travel risk and crisis management all over the world. For tour operators, Global Rescue offers a partnership scheme whereby members insure clients' trips, reduce the risk of liability and earn revenue for their own business through the sales of insurance policies. This type of scheme can generate confidence among your buyers, and several leading tour operators have partnered with Global Rescue. It has an in-house operations team that provides [regular travel updates](#) on the global COVID-19 situation.

## Tips:

Fully research what liability and insolvency insurance policies for tour operators are available in your country to make sure all aspects of the services you provide are covered by your insurance policy. Make sure you check the minimum requirements European tour operators will require from you. Ensure the liability insurance you buy covers independent travellers too.

Communicate clearly with your buyer that you have this insurance in place and make sure you include details in a terms of reference section on your website.

If liability insurance is not available in your country, urge relevant authorities and trade associations to try to change this. Ask current and potential buyers if they can help to exert influence. It may be possible to obtain liability insurance from other countries, for instance, companies in South East Asia could look at insurers in Hong Kong, China and Australia.

Ensure participants who take your tours have their own personal travel insurance. This does not affect your liability, but they are more likely to contact their own insurance company first.

Do not include international flights in your packages to avoid responsibility for repatriation and accommodation in the event of disruptions and cancellations.

## General Data Protection Regulation (GDPR)

The EU adopted the General Data Protection Regulation (GDPR) in 2016 to replace the 1995 Data Protection Directive, which had been adopted when the internet was still in its infancy. Fully recognised as law across the EU in May 2018, GDPR better protects people's privacy, expressly referencing personal data storage, processing and sharing. Personal data includes name, address, email address, bank details, social media data, passport information, biometrics, online identifiers, such as an IP address, among other data. The purpose of GDPR is to give persons in the EU more power over where and how their personal data is stored and used.

The new GDPR rules obviously apply to the European travel industry, including tour operators which directly handle traveller personal data. But it also applies to any company anywhere in the world that processes the personal data of people who reside in the European Union. If you sell directly to European residents, it affects you too.

The most important changes brought by GDPR include:

- Clearer rules: privacy policies need to be written in clear, straightforward language.
- User consent: users must give an affirmative consent before their data can be used. This means users must actively opt in. Pre-determined opt-out options are no longer permitted.
- Greater transparency: users must be clearly informed when their data will be transferred outside the EU. Data collection must be done for a well-defined purpose, which if changed must be informed to users.
- Stronger rights: users have full rights to access their data and request it to be erased. Businesses must inform users without delay in cases of data breach.
- Stronger enforcement: the European Data Protection Board has the power to impose fines of up to €20 million or 4% of a company's worldwide turnover for noncompliance.

### Tips:

Study the [General Data Protection Regulation \(EU\) 2016/679](#). Make sure you understand what you can and cannot do with customer data.

Audit your current data to determine whether it complies with GDPR. Use a GDPR checklist for help, such as [this GDPR checklist for data controllers](#).

Check your privacy policy to ensure that it clearly relates to customers how you collect, store and use personal data.

Set up clear consent request forms and keep records of obtained consent. For more information about obtaining and managing consent, read the [ICO's GDPR consent guidance](#).

## Brexit

The UK will still need to comply with similar rules to the GDPR if and when it exits the EU. The British [Data Protection Act 2018](#) supplements the GDPR in the UK. The ICO has also published a range of useful [guidance and resources](#) for organisations, including this specific guide, [Data protection at the end of the transition period](#)

for small businesses.

### Tip:

The [European Tour Operators Association \(ETOA\)](#) publishes regular policy updates which you should follow, including detailed information on travel from 2021 in the post-transition period. You could also consult the [ABTA's advice for travellers](#) on Brexit to keep abreast of issues that may affect your clients.

## COVID-19

As international travel advisories begin to lift over the coming months, you need to keep abreast of travel developments across European markets.

Read more about how the EC is supporting the relaunch of travel and tourism across Europe through the launch of web platform, [Re-open EU](#), that will provide real-time information on borders and available means of travel through the continent. This will give you some useful information about how Europeans are beginning to travel again.

Keep monitoring the advice European governments are providing their nationals about travelling abroad:

- The foreign ministries of EU Member States provide travel advice to their citizens and you can find a full list of ministries on the [European Commission](#) website.
- In the UK, the government website regularly updates its [list of countries and territories that are exempt from advice against 'all but essential' international travel](#).
- The German government also issues comprehensive travel advice and regulations through the [Federal Foreign Office](#), as does the Dutch government through the [Government of the Netherlands](#).
- To keep abreast of travel developments throughout the Schengen region, consult [Schengen Visa Info News](#).

UNWTO has also created a [COVID-19 section](#) on its website and regularly posts new information to its extensive range of online resources and guides for tourism businesses to consult. In a June 2020 article entitled '[Restrictions on travel easing as Europe leads cautious restart of tourism](#)', European countries were leading the restart of the tourism industry while [COVID-19 and Transforming Tourism](#) (August 2020) suggested that tourism could safely restart in the Middle Eastern region.

The World Travel & Tourism Council (WTTC) has published a range of [Safe Travel Protocols](#) to support a number of tourism-related sectors, including Tour Operators, Hospitality, Adventure Operators and Attractions. The aim of the protocols is to align the private sector behind common standards to ensure the safety of staff and tourists as the sector moves towards a new normal. Becoming Safe Travels-designated will help boost travellers' confidence, reassured by globally standardised health and hygiene protocols. You should download and study the most appropriate protocols for your organisation and apply for the [Global Safety Stamp](#).

### Tips:

See if there are any national standards that have been created to reassure travellers to your country/destination that your business adheres to government and public health guidance. Have a look at what has been developed for other countries such as the '[We're Good to Go industry Standard](#)', issued by Visit Britain in the UK.

Make sure you know what the COVID-19 regulations and restrictions are for visitors to your country. You should be able to find these on your own government's website.

## 2. What additional requirements do buyers often have?

### Code of conduct

European tour operators seek professional and reliable suppliers. To protect their brand image of proficient, accountable organisations, European tourism businesses effectively provide the services they agreed with their customers, including taking responsibility for them. Consequently, many European tour operators will have their own code of conduct, which they require their suppliers to comply with.

A typical code of conduct may include some or all of the following:

- Health and safety requirements on safely managing guests and staff.
- Business ethics standards to minimise environmental impact, work with local people and locally owned businesses, avoid child labour and protect animals and the environment.
- Corporate social responsibility standards for monitoring responsible tourism policies.

#### Tips:

Study European tour operators' codes of conduct to see how they compare with your business practices.

Establish your own code of conduct. Seek advice from one of your current buyers to align your policies with their own code of conduct.

Refer to [TUI's Supplier Code of Conduct](#) as an example of the commitments many tour operators require.

Another example for you to study is Dutch operator [Better Places Travel's Code of Conduct](#), which outlines what it expects its suppliers to comply with.

### Professionalism and reputation

Meeting the needs of customers is of paramount importance to European tour operators, which continually monitor satisfaction ratings. Travellers like to feel protected and safe when they book a trip or excursion. They rely heavily on word-of-mouth recommendations, social media commentary and review platforms, such as TripAdvisor. Many European travellers are keen to share their experiences on these platforms, whether good or bad, and negative reviews naturally affect the European tour operators' reputation.

Many European tour operators choose to do business with a destination management company (DMC), which is responsible for ensuring that local operator suppliers comply with their requirements. Being a member of national or international tourism associations can help boost your reputation as a local tour operator with DMCs and European tour operators. The [Adventure Travel Trade Association \(ATTA\)](#), for example, is a global membership organisation for a wide variety of travel companies, including tour operators. Becoming a member of an organisation such as ATTA can help you to promote your business to a wider audience.

Membership in trade associations can bring additional benefits, including:

- Networking opportunities with similar operators, other professionals in the industry and potential clients;
- Access to industry insights and events to stay up to date with new trends;
- Added recognition through awards programmes.

### Tips:

Research tourism associations in your country and internationally and decide which ones are most suitable for your business.

Make sure to promote your membership on your website.

Share your own customers' testimonials, photos and videos on your website and social media channels.

Regularly conduct your own customer satisfaction surveys and ask for testimonials and reviews.

## Sustainability

Sustainability and environmental protection are hot topics in every industry around the world. In tourism, travelling sustainably has become a very important issue in recent years. Increasing numbers of travellers are concerned about their carbon footprint and seeking ways of minimising the environmental impact of their travels. However, sustainability in tourism is a broad concept. The World Tourism Organization defines sustainable tourism as 'tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities.'

The [Global Sustainable Tourism Council \(GSTC\)](#) establishes and manages global sustainable standards known as [GSTC Criteria](#), for industry and destinations. Their [industry criteria](#) set the guiding principles and minimum requirements for tour operators and hotels, including natural resources protection and sustainability. The GSTC Criteria are strongly connected to the United Nations Sustainable Development Goals (SDGs), a UN call to action to promote global prosperity while protecting the planet. Tourism is widely recognised as a key sector in the challenge of meeting the 17 SDGs (see chart 1 below). Read more about [tourism and the SDGs](#) to see how your business can contribute to sustainable development.

Chart 1. UN Sustainable Development Goals



# **SUSTAINABLE DEVELOPMENT GOALS**



Source: UNWTO

Where tourism is not sustainably managed, it can stimulate undesirable development, social disruption, loss of cultural heritage and permanent environmental damage. Tour operators all over the world are in a unique position to help travellers make sustainably conscious choices. European tour operators like to have local people and businesses as partners in their travel destinations, not only because it adds value to their product and enhances the travel experience, but also because it brings measurable benefits to local communities, helps to preserve biodiversity and wildlife habitats and brings local economic growth.

Euromonitor International has identified six key drivers of sustainability that can help businesses create their own strategies to comply with legislation, increase business opportunities and develop resilience in the long term.

Chart 2. Euromonitor sustainability drivers



Source: Euromonitor International

Tour operators often use carbon reduction strategies, low-carbon options and carbon offsetting initiatives to compensate for the carbon emissions their operations and trips generate. These initiatives include tree planting and contributing to international carbon reduction programmes. Carbon offsetting is common among airlines, which regularly offer their passengers the opportunity of making a financial contribution towards a carbon offsetting initiative to compensate for their flight's emissions. Assess the carbon footprint of your business using a [carbon footprint calculator](#) and medium-sized companies. Look for local schemes in your country to offset your own organisation's carbon footprint.

### Tips:

Study the [Global Sustainable Tourism Council's Criteria for Tour Operators](#) and consider becoming certified so that your business complies with the highest social and environmental standards.

There are a number of global sustainable certification schemes that comply with the GSTC Criteria, such as [Travelife](#), [Vireo](#) and [TourCert](#).

Look into any sustainability certification schemes that might exist in your country, such as [CST](#) in Costa Rica and [RTTZ](#) in Tanzania.

Research the sustainable tourism policies of European tour operators so you can focus on complying with their needs, which are likely prominently featured on their websites. Many tour operators include sustainability policies and best practices in their codes of conduct, which also have integrated environmental, social and economic criteria.

The website [SustainingTourism](#) provides a helpful list of leading global tour operators and their sustainable tourism activities. Study how tour operator [Intrepid](#) has become the world's largest carbon neutral travel company since 2010.

## Responsible tourism

Responsible tourism is strongly linked to sustainable tourism. Much like sustainability, responsible tourism has become an important issue affecting the industry in such areas as the protection of children, wildlife preservation, environmental protection and overtourism.

Positive social impact measures that prioritise social impact before profit are an important factor within responsible tourism. Social impact measures include actions such as preserving local cultures/heritage, strengthening communities and providing social services. Many European operators have a Corporate Social Responsibility (CSR) charter in which they outline the social impact measures they adopt and [Quality in Travel](#) provides certification for travel companies in the UK.

[B Corporation](#) was developed in the United States and the B Corp certification programme is based on how well a company is governed, how well staff are treated and what they do to benefit communities, customers and the environment. Intrepid Travel is [the world's largest travel B Corporation](#) and in their [B Impact Report](#), you can find out the measures they have taken to become certified.

Many European tour operators have signed up to [The Code](#), an industry-driven initiative to fight against the sexual exploitation of children in tourism. Suppliers are often required to adhere to The Code's standards, which usually includes a zero-tolerance approach throughout the supply chain. Visits to orphanages in developing countries have been recently singled out after many reported cases of children being purposefully kept in poor conditions, denied food, clothing and other essentials to attract more money from visitors. In reaction, a growing



number of European tour operators have been removing trips to orphanages from their itineraries altogether.

Conserving wildlife through responsible tourism has also become an important issue for the industry. Wildlife tourist attractions that offer close animal interactions such as touching, cuddling and riding animals are considered negative to the animals' welfare and species conservation. Responsible European tour operators will expect their suppliers to not promote practices that negatively affect animal welfare and conservation efforts.

Overtourism happens when too many visitors go to a particular destination. This has negative impacts on the environment and destination, as well on the local quality of life of people and wildlife. European tour operators are increasingly aware of the negative impacts of overtourism, especially because many European destinations are classic examples of overtourism. It is important that you understand the impact of overtourism on your destination and take measures to mitigate them, including diverting visitors to alternative sites or encouraging travel in different seasons.

### Tips:

Make sure to promote trips that do not involve child exploitation of any kind and cannot be considered harmful to the long-term preservation of wildlife.

Read the UNWTO's compilation of good practices entitled [15 Years of the UNWTO World Tourism Network on Child Protection](#).

Consider obtaining a copy of the ABTA's [Global Welfare Guidance for Animals in Tourism](#), which include six manuals that work as practical guides for travel businesses and suppliers of animal experiences.

You can read more about overtourism in the UNWTO's report [Overtourism? Understanding and Managing Urban Tourism Growth beyond Perceptions](#).

Read more on responsible tourism and [marketing responsible and sustainable tourism](#) to assess how your business measures up. Create your own responsible tourism policy and/or CSR charter and check it against [requirements from other organisations](#).

## 3. What are the requirements for niche markets?

### ISO standards

The International Organization for Standardization (ISO) is an independent, nongovernmental international organisation with a membership of 164 national standard bodies. ISO standards are voluntary, consensus-based, market relevant international standards that ensure products and services are safe, reliable and of good quality. They help companies access new markets and facilitate trade by driving up standards and offering continuity among organisations.

Specific standards have been developed for a wide range of tourism and hospitality segments, including [bareboat charter](#), [wellness spa](#), [thalassotherapy](#) and [medical tourism](#).

Relating to responsible tourism, the [ISO 26000](#) for Social Responsibility provides guidance to organisations committed to operating in a socially responsible way. While it does not provide certification, only guidance, adherence to the standard will help your organisation stand out to buyers. The chart below indicates the issues that are covered by the guidance and that each sub-segment is related to the governance of the organisation.

Chart 3: Social Responsibility: 7 Core Subjects

## Social responsibility: 7 core subjects



\* The figures denote the corresponding clause numbers in ISO 26000.

Source: ISO

### Tips:

Consult the [ISO Catalogue for tourism and related services](#) for standards that are relevant to your business.

Download the [ISO 26000](#) to help clarify what social responsibility is, so you can apply measures to your own business. This is important, so that European tour operators can see that your business operates responsibly and sustainably.

Use the ISO Standards as a guide to enhance your safety standards and ensure you publicise this on your website.

## Standards for adventure tourism

The ISO standards for adventure management were developed in 2014. The [ISO 21101:2014](#) standard provides a basis for adventure tourism activity providers to plan, promote and deliver adventure tourism activities as safely as possible. The [Practical Guide for SMEs](#) offers step-by-step guidance and examples. [ISO 21103:2014](#) specifies the minimum requirements for information to be provided to participants before, during and after adventure tourism activities. Recently published (August 2020), the [ISO 21102:2020](#) establishes requirements and expected skills for leaders in adventure tourism activities.

A new standard to cover [service requirements for hiking and trekking activities](#) is currently under development. If your business provides hiking and/or trekking activities, you should keep an eye out for when the standard is published.

## Standards for adventure tourism in the UK

The British Standards Institution (BSI) has developed a [British Standard for adventurous activities outside the](#)

[United Kingdom \(BS8848:2014\)](#). The standard details good practices to ensure the safety and well-being of travellers and minimise the risks of adventure travel. It is specifically aimed at UK tour operators and providers of any adventurous activities outside the UK, including adventure holidays, gap-year trips, volunteering projects, charity challenges, expeditions, field research and educational visits. It covers planning, transport, staff, accommodation and the activities themselves.

Although voluntary, most British tour operators that specialise in adventure are highly likely to ensure that their trips and holidays comply with BS8848. It is important for them to provide peace of mind for participants across all their activities. It is likely that British adventure tour operators will expect suppliers in other countries to comply with BS8848.

### **Tips:**

Read the [BSI guide to the British Standard for adventurous activities outside the United Kingdom](#). Although voluntary, showing that you comply with and understand the importance of BS8848:2014 will give you a competitive edge.

If you are able to comply with BSI or ISO standards, promote it on your website and other materials so tour operators trust on you to care for their clients.

## **Meeting customer needs across niche tourism segments**

The tourism industry is comprised of many tourism niches that attract travellers with different needs and expectations. It is important to ensure you understand what customers want so that you can take steps to meet these needs. Some examples of these segments include:

- Community-based tourism (CBT) – these travellers desire authentic experiences and enjoy immersing themselves in local communities. They like to feel like that they are making an important contribution. In homestay CBT experiences, luxury facilities are not required but clean spaces with at least basic toilet facilities are the minimum standard for accommodation.
- Voluntourism – these travellers are keen to provide hands-on help to local communities.
- Adventure tourism – travellers who look for thrill and adventure experiences.
- Wildlife tourism – travellers who like to see positive animal welfare and habitat conservation in practice.
- Birders – travellers who choose destinations where bird life is plentiful and varied, along with specific bird groups and endemic species.

### **Tips:**


Check with your European tour operator what standard is required to meet the needs of their European client.

Learn more about your relevant niche markets. Read the CBI's niche market reports on specific segments, such as [adventure tourism](#), [community-based tourism](#), [wildlife tourism](#) and [rural tourism](#).


This study was carried out on behalf of CBI by [Acorn Tourism Consulting Limited](#).

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