
STATUTORY INSTRUMENTS

1992 No. 3288

The Package Travel, Package Holidays and Package Tours Regulations 1992

Withdrawal by consumer pursuant to regulation 12 and cancellation by organiser

13.—(1) The terms set out in paragraphs (2) and (3) below are implied in every contract and apply where the consumer withdraws from the contract pursuant to the term in it implied by virtue of regulation 12(a), or where the organiser, for any reason other than the fault of the consumer, cancels the package before the agreed date of departure.

(2) The consumer is entitled—

- (a) to take a substitute package of equivalent or superior quality if the other party to the contract is able to offer him such a substitute; or
- (b) to take a substitute package of lower quality if the other party to the contract is able to offer him one and to recover from the organiser the difference in price between the price of the package purchased and that of the substitute package; or
- (c) to have repaid to him as soon as possible all the monies paid by him under the contract.

(3) The consumer is entitled, if appropriate, to be compensated by the organiser for non-performance of the contract except where—

- (a) the package is cancelled because the number of persons who agree to take it is less than the minimum number required and the consumer is informed of the cancellation, in writing, within the period indicated in the description of the package; or
- (b) the package is cancelled by reason of unusual and unforeseeable circumstances beyond the control of the party by whom this exception is pleaded, the consequences of which could not have been avoided even if all due care had been exercised.

(4) Overbooking shall not be regarded as a circumstance falling within the provisions of subparagraph (b) of paragraph (3) above.

Commencement Information

II Reg. 13 in force at 23.12.1992, see [reg. 1](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Package Travel, Package Holidays and Package Tours Regulations 1992. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2018/634 reg. 37\(1\)\(a\)](#)
- Instrument saved by [1998 c. 46 s.30Sch.5 Pt.II s.C7\(g\)](#)