

If you have lost money on a poor holiday, don't waste more money on a case you cannot win.



Once you have decided what your rights are, you will need to take a series of steps to solve your problem. It may seem a long procedure, but it does work.

- Check the brochure, the booking conditions and any other holiday documents to make sure you have a valid complaint. You can also ask your travel agent for their advice.
- Be certain that the problem was the responsibility of the tour operator. Car hire or an excursion that **you** organised independently is not their responsibility.
- Collect together all documents, including your invoice, ticket stubs and any complaint forms completed at your resort. Evidence in photographs and videos, and names and addresses of other dissatisfied holidaymakers will be useful.

**The person who booked the holiday will now need to write to the tour operator straight away and report the problem.**

- Write to the Customer Services Manager and set out the problem in detail. Put the holiday reference number from your invoice at the top of your letter. Include **copies** of any documents and, where appropriate, photographs. Don't send originals of documents.

- ✦ Make it clear how much you are claiming. Remember, you may be entitled to a refund **plus** compensation. Don't **demand** something you're not entitled to. Ask the company to give you their answer within a reasonable time -say four weeks. **Keep a copy** of your letter.

Your problem may well be solved at this stage. **WELL DONE!** Put the pack away for future use.

- ✦ If the tour operator replies and asks for more information, be as helpful as you can. This may help them resolve the problem. If the tour operator asks for any more documents, send **copies**, not the originals. Stress that you want your problem resolved quickly. **Keep a copy** of any letters you write.

The tour operator will either deny your claim, offer you less than you have claimed or agree to settle your claim in full.

- ✦ If your claim is denied or you are offered less and you still feel your claim is both valid and reasonable, you must **write again** and say so. Ask the tour operator for a final offer. **Keep a copy** of this letter.

Most problems should be solved by this stage. If yours isn't and you still feel you have a valid claim -**PRESS AHEAD.**

- ✦ If the tour operator has not replied, has denied your claim or made a final offer you are not prepared to accept, you may apply to the Association of British Travel Agents (ABTA) to have your case referred to arbitration. Or you may have to consider going to Court. However, any Court action may have to be taken in the UK, not the Isle of Man.

- ✦ Before you do so, you should write one more time to the tour operator. See the sample letter enclosed and send it by **Recorded Delivery**. (You must go to the Post Office for this). **Keep a copy** of your letter.

- ✦ Most claims can be settled by an informal procedure in the Small Claims Court. This doesn't need to involve an advocate. You can pick up further leaflets that explain fully the procedure from the Court.

**Remember, Court is a last resort.**

- ✦ Before you go to Court, **think carefully.**

**Ask yourself:**

- | Is my claim both valid and reasonable?
- | Have I got **evidence**?  
It is **your** job to prove your case.
- | Has the tour operator got money to pay what the Court may award?  
It's **not worth** suing a person or limited company if they have gone bust.