

# **Package Tour (Section 2521 – 2549a of the Czech Civil Code)**

## **Abstract**

The diploma thesis focuses on the description of the legal regulation of the package tour contract in the Civil Code and other legal regulations related to the package tour. The aim of the thesis is to describe and to analyse the legal regulation of the package tour contract in the Civil Code and in Act No. 185/2020 Coll., regarding some of the measures to mitigate the effects of the coronavirus epidemic referred to as SARS CoV-2 on the tourism industry, also known as the so called Lex Voucher. The package tour contract is a key institution in the tourism legislation and is largely influenced by European legislation. Therefore this thesis also describes and often refers to the legal regulation of two basic directives, on which the regulation of the package tour contract in the Civil Code is based on. The essential directives are called Council Directive No. 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours, and Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC. Since the tourism industry has been significantly affected by the coronavirus pandemic in the last three years, it was necessary to adopt a special law that will regulate the procedure in a situation where the tour organiser is not able to refund the customer the payments received for unfulfilled trips no later than 14 days after termination of the obligation from the contract. The aforementioned Lex Voucher is just such a special law. The diploma thesis describes the legislation contained in this law, but also evaluates it in its conclusion.

The work is divided into four parts. At its beginning, the work briefly deals with the development of tourism and the history of the package tour contract. The second part describes key European legal regulations, especially directives, which are the basis of the current legal regulation of the package tour contract. This part also deals with public legislation related to package tour, namely Act No. 159/1999 Coll., regarding certain business conditions in the field of tourism. The comprehensive third part describes in detail the legal regulation of the package tour contract in the Civil Code, which is also evidenced by the systematic labeling of individual chapters. In the fourth part the work focuses on the legislation contained in Act No. 185/2020 Coll. In the very conclusion, the work evaluates this adjustment, which was adopted as a quick reaction to solving the effects of the coronavirus pandemic in the field of tourism. Critical aspects are presented here from the point of view of the legislation itself according to the Lex

Voucher, but also from the point of view of compatibility with EU law. The diploma thesis also briefly comments some court decisions related to the Lex Voucher.