

Case Details

Case Details

National ID	VSL I Cp 4405/2010
Member State	Slovenia
Common Name	link
Decision type	Other
Decision date	30/03/2011
Court	Višje sodišče v Ljubljani (First instance and/or appellate court, Ljubljana)
Subject	
Plaintiff	
Defendant	
Keywords	

Directive Articles

Package Travel Directive, [Article 1](#)

Headnote

The consumer has to prove, that an optional excursion was an essential part of the pack-age travel contract.

Facts

The first instance court upheld a claim for execution of payment against the defendant (consumer). The Appellate court confirmed.

Legal issue

Defendant and claimant (tour organiser) have concluded a contract for a package tour to Iceland. They have also agreed on an optional excursion to Greenland against payment. Later, the claimant has cancelled the optional excursion. Ten days prior to departure the claimant has informed the defendant that the optional excursion is >doubtful< and five days later, that it is cancelled. The defendant has cancelled the entire trip. In the proceedings, the defendant failed to prove that the optional excursion (to Greenland) was the essential part of the package travel contract.

Decision

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Legal Literature

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Result