

# THE UK TO BRING IN HOLIDAY SICKNESS CLAIM REGULATIONS



If you're from the UK, you may have heard of the new regulations governing sickness claims that came into effect last month. Legal regulations will impose a limit on legal fees for the first time – just as in the case of personal damages. Before the change, legal costs were found to be often out of control, making it cheaper for tour operators to settle extrajudicial cases instead of defending them.

This was a "gap" in the tourism industry, and it was believed by many that it favoured unfair claims related to holiday illnesses.

Despite the number of reported cases of illnesses in these resorts falling within the last few years, According to ABTA, the Association of British Travel Agents, in the 3 years between 2013 and 2016 there was an **increased 500% in claims**, from about 5,000 to about 35,000.

After having quashed false claims for damages in court, four couples have been convicted or charged with paying high legal fees since last October. These cases were brought privately by tour operators TUI, Thomas Cook and Red Sea Holidays.

Justice Minister Rory Stewart reiterated that making a false claim for holiday sickness is fraud and also said:

“This behaviour also tarnishes the reputation of British people abroad. That is why we are introducing measures to crack down on those who engage in this dishonest practice.”

## **What does these changes mean for real claims?**

If you do happen to have the misfortune of falling ill on your summer holidays you should take the following steps:

Report illness to vacation representative; Make sure to ask for a written record of the complaint and ask for a copy; Obtain medical advice and obtain a copy of medical records; Keep all receipts for purchased drugs and store receipts for taxi expenses incurred in connection with medical advice; Talk to other holidaymakers at the same hotel to see if other people are suffering from the same or similar illness and get names and addresses.

While holiday companies are cracking down on false claims, they are still bound by the Package Travel regulations 1992 and if they breach these regulations (e.g. if you fall ill due to unhygienic food practices)

then you are still within your rights to claim compensation.

To do this, it is best to contact a genuine solicitor who specialises in claims for [food poisoning abroad](#) rather than giving your details to someone you meet abroad. An experienced company can give you the advice you need and as they are law accredited and regulated, they will not want to process any claim they think could be seen as fraudulent.

People who have actually suffered food poisoning on holiday need not be frightened by high profile prosecutions, these were brought justly to people attempting to defraud holiday companies out of thousands of pounds for illnesses they never suffered. They are not designed to punish those who rightly need to bring a claim against their tour operator.

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