



## TYPES OF HOLIDAY ACCIDENTS

Many **different types** of **holiday accident exist**, you will note but a few detailed below. If any of them **sound familiar**, then Simpson Millar LLP can provide you with **advice on your rights to compensation**.

Types of holiday accidents:

- Package holiday accidents
- General holiday accidents
- Hotel accidents
- Road accidents abroad
- Slips/trips/falls abroad
- Water sports accidents abroad
- Skiing accidents
- Cruise ship accidents
- Holiday accidents in the UK

You can claim **compensation** for nearly **all accidents** through the **English Courts**.



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Accident Type	Description	Injuries/Liability
<b>Package Holiday Accidents</b>	<p>If you received an <b>injury</b> or <b>illness</b> and <b>booked</b> your trip through a <b>UK Tour Operator</b>, you may have a potential <b>claim for compensation</b>. The Package Travel, Package Holiday, and Package Tour <b>Regulations 1992</b> provide <b>protection</b> for people who <b>suffer a holiday injury or illness</b>.</p> <p>These Regulations state that a <b>package deal consists of two out of three</b> of the following activities:</p> <ul style="list-style-type: none"> <li>▪ transport</li> <li>▪ accommodation</li> <li>▪ other tourist services, such as excursions which amount to a significant activity</li> </ul>	<p><b>Liability</b> will probably <b>lie</b> with the <b>Tour Operator</b> and the <b>additional benefit</b> of making a holiday accident claim in the <b>UK</b> is the <b>amount of compensation</b> awarded. The UK can potentially give out <b>higher awards</b> than abroad.</p>
<b>General Holiday Accidents</b>	<p>Involvement in an <b>accident abroad</b> through <b>no fault</b> of your own, you may have a potential <b>compensation claim</b>.</p>	<p>Unfortunately many <b>people</b> get <b>injured</b> or become <b>ill</b> when on holiday due to <b>poor food hygiene and safety standards</b>.</p>
<b>Hotel Accidents</b>	<p>If you have <b>slipped, tripped or fallen</b> and suffered <b>injury</b> at a <b>hotel</b> or in the hotel grounds and the <b>fault lay elsewhere</b>, you may have a potential <b>compensation claim</b>.</p> <p>Some of the most <b>common types of holiday injuries</b> that occur in hotel rooms include:</p> <ul style="list-style-type: none"> <li>▪ slips and falls in the bath or shower</li> <li>▪ cuts and bruising from poorly placed shelves and cabinets</li> <li>▪ falls from balconies</li> </ul>	<p>Adequate <b>safety measures</b> should <b>prevail</b> to ensure the <b>protection of guests</b> and visitors from reasonably <b>foreseeable risk of injury</b> or harm. However, many hotels <b>do not meet</b> the <b>level of health and safety</b> required of them and as a result the <b>hotelier</b> becomes <b>negligent</b> while innocent people suffer holiday injuries or illness.</p>

Accident Type	Description	Injuries/Liability
	<ul style="list-style-type: none"> <li>▪ electric shocks</li> </ul>	
<b>Road Accidents Abroad</b>	<p>If you have had a <b>road traffic accident abroad</b> through <b>no fault</b> of your own, as a <b>driver, passenger or pedestrian</b>, then you may have a potential <b>compensation claim</b>.</p> <p>If you obtained your <b>injuries</b> from an <b>uninsured driver</b> or the <b>victim</b> of a "<b>hit and run</b>" involving an untraced driver, you could still <b>succeed</b> with a <b>claim</b> for <b>compensation</b>, as there is a centrally administered <b>motor insurance bureau</b>, which ensures that victims of road traffic accidents can <b>recover compensation</b>.</p> <p>Dependent upon the circumstances, you can bring a <b>claim</b> in the <b>UK</b> directly against the <b>driver's insurers</b> or their <b>claims representatives</b> in the UK.</p>	<p>In some <b>countries</b>, <b>passengers, pedestrians and cyclists</b> may have an <b>automatic right to claim compensation</b> for a road traffic accident, even if <b>nobody is at fault</b>.</p> <p>In a <b>successful claim</b>, <b>damages</b> can be <b>substantial</b> and you will need <b>specialist advice</b> to ensure that you <b>receive an amount</b> that <b>justifies</b> your <b>injuries</b> and any ongoing <b>losses</b>, as necessary.</p>
<b>Slips/Trips/Falls Abroad</b>	<p>If you have <b>slipped, tripped or fallen abroad</b> through <b>no fault</b> of your own, you may have a potential <b>compensation claim</b>.</p>	<p>These <b>injuries occur</b> due to the <b>low health and safety standards</b> abroad.</p>
<b>Water Sports Accidents Abroad</b>	<p>If you have had a <b>water sports accident abroad</b> through <b>no fault</b> of your own, <b>whilst in the water</b>, participating in activities such as scuba diving or jet skiing then you may have a potential <b>compensation claim</b>.</p>	<p>Common causes of injuries:</p> <ul style="list-style-type: none"> <li>▪ badly maintained or dangerous equipment</li> <li>▪ inadequate training</li> <li>▪ lack of supervision, or</li> <li>▪ insufficient, or the absence of, warning signs</li> </ul>

# Personal Injury

Accident Type	Description	Injuries/Liability
<b>Skiing Accidents</b>	If you have had an <b>accident</b> whilst <b>skiing or snowboarding abroad</b> , you may have a potential <b>compensation claim</b> .	Depending on the circumstances it may be possible to <b>bring a claim</b> against the <b>Tour Operator</b> in the <b>English jurisdiction</b> . For example if you have: <ul style="list-style-type: none"> <li>received <b>inadequate</b> or <b>defective equipment</b> or given <b>insufficient training</b> or <b>supervision</b>, or</li> <li>if you have <b>slipped</b> due to the build up of <b>snow or ice</b> on the <b>walkways</b> of your resort</li> </ul> <p>you could have a <b>claim</b>.</p>
<b>Cruise Ship Accident</b>	If you have had an <b>accident</b> whilst on board a <b>Cruise ship</b> , you may have a potential <b>compensation claim</b> .	You may have <b>tripped</b> or <b>slipped</b> on a <b>defect</b> in the <b>walkways</b> of the ship, <b>suffered food poisoning</b> or <b>injured</b> yourself whilst on an <b>organised excursion/activity</b> .
<b>Holiday Accidents in the UK</b>	If you have incurred an <b>injury</b> whilst on <b>holiday in the UK</b> , depending on the circumstances, you may have a potential <b>compensation claim</b> from the <b>Tour Operator</b> or <b>directly</b> against the <b>hotel/resort</b> you stayed at.	If you have had an <b>accident</b> whilst <b>sight seeing</b> or on an <b>activity not organised</b> through the <b>Tour Operator/hotel</b> , again <b>depending</b> on the <b>circumstances</b> , then you may also have a <b>right of action</b> against the <b>activity organisers</b> or <b>local authority</b> .

This guide contains information on current legal issues applicable at the time of printing. Note there may have been changes subsequently which have not been incorporated in to the material. This guide is intended for information purposes only and its content should not be applied to any particular set of facts or relied upon without legal or other professional advice. For further information on how we can help you please contact:

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