
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Civil Aviation (Air Travel Organisers' Licensing) Regulations 1972, as amended.

In addition to some minor and drafting amendments the following changes are made:

(1) The only categories of person who may, in the United Kingdom, make available flight accommodation, and hold themselves out as being entitled to do so, are set out in regulation 3. Those categories have been extended to include any person who is capable of supplying a valid ticket for the relevant flight and who, before accepting any payment, supplies such a ticket (regulation 3).

(2) All persons holding themselves out as being entitled to make available flight accommodation are required to disclose the capacity in which they are so entitled and if acting as agent for the holder of an Air Travel Organiser's Licence to identify their principal (regulation 3).

(3) New provisions relating to the acceptance of payment and provision of receipts have been introduced (regulation 4). The contravention of those requirements is an offence in respect of which the penalties are set out in regulation 15(2).

(4) Regulation 9(1)(b) of the 1972 Regulations (which provided that on the transfer of the business, or the relevant part thereof, of an ATOL holder, the licence would in the circumstances specified be treated as if it had been granted to the transferee) has been omitted.

(5) The fine payable on summary conviction for failing to surrender a licence when requested to do so by the Authority pursuant to regulation 13 has been increased to an amount not exceeding Level 3 on the standard scale (regulation 15(1)).

(6) The fine payable on summary conviction for contravening regulations 3 (see above) and 14 (failure to comply with the terms of a licence and furnishing false information) has been increased to an amount not exceeding the statutory maximum (regulation 15(2)).