
STATUTORY INSTRUMENTS

1995 No. 1054

The Civil Aviation (Air Travel Organisers' Licensing) Regulations 1995

PART III

LICENSING PROVISIONS

Grant and refusal of licences

- (a) **6.** (1) (a) Subject to sub-paragraph (b), an application for the grant of a licence shall be made in writing to the Authority and where such an application is made the Authority shall
 - (i) grant a licence to the applicant in the terms requested in the application;
 - (ii) grant a licence in those terms with such modifications and subject to such conditions as the Authority thinks fit; or
 - (iii) refuse to grant a licence.
- (b) The Authority may refuse to consider an application unless it is accompanied by the charge payable under section 11 of the Act.
- (a) (2) (a) The Authority shall refuse to grant a licence in pursuance of an application if the Authority is not satisfied that the applicant is a fit person to make available flight accommodation (and in determining whether the applicant is a fit person the Authority shall have regard to his and his employees' past activities generally and, where the applicant is a body corporate, to the past activities generally of the persons appearing to the Authority to control that body, but shall not be obliged to refuse a licence on the grounds that it considers the applicant has insufficient experience in making available accommodation for the carriage of persons on flights).
- (b) The Authority may refuse to grant a licence in respect of an application if the Authority is not satisfied that the resources of the applicant and the financial arrangements made by him are adequate for discharging his actual and potential obligations in respect of the activities in which he is engaged (if any) and in which he may be expected to engage if he is granted the licence.
- (3) If the holder of a current licence applies for the grant of another licence in continuation of or in substitution for the current licence and his application:
 - (a) contains such particulars with respect to such matters relating to his fitness, resources and financial arrangements as the Authority may have specified in respect of the holder of that licence in a notice in writing served on him not less than four months before the expiration of the term of the current licence (or in the case of a licence having a term of less than six months at the time of the grant of the licence);
 - (b) is accompanied by the charge payable under section 11 of the Act; and
 - (c) is served on the Authority not less than three months (or half the term of the current licence whichever be the less) before the expiration of the term of the current licence;

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then, unless the application is withdrawn and without prejudice to the Authority's power to revoke, suspend or vary the current licence, the current licence shall not cease to be in force by reason only of the expiration of that term until the Authority gives its decision on the application.