
STATUTORY INSTRUMENTS

1997 No. 2912

CIVIL AVIATION

**The Civil Aviation (Air Travel Organisers'
Licensing) (Second Amendment) Regulations 1997**

Made - - - - 8th December 1997
Laid before Parliament 10th December 1997
Coming into force - - 31st December 1997

The Secretary of State for Transport, in exercise of the powers conferred on him by section 71 of and paragraphs 1 and 2 of Part III to Schedule 13 to the Civil Aviation Act 1982⁽¹⁾ and of all other powers enabling him in that behalf and after consultation with the Civil Aviation Authority as required by section 71(2) of that Act, hereby makes the following Regulations:

1. These Regulations may be cited as the Civil Aviation (Air Travel Organisers' Licensing) (Second Amendment) Regulations 1997 and shall come into force on 31st December 1997.

2. The Civil Aviation (Air Travel Organisers' Licensing) Regulations 1995⁽²⁾, shall be further amended as follows:

(1) In regulation 1(2) after the definition of "an ATOL confirmation invoice" there shall be inserted:

""end user" means a person who either makes use of flight accommodation for travel in person or who, without accepting any payment, provides it to another person who uses that flight accommodation for travel in person;"

(2) In regulation 1(2) in the definition of "flight accommodation" for "the carriage of persons on flights by aircraft" there shall be substituted "the carriage of a person on a flight by an aircraft".

(3) In regulation 1(2) at the end of the definition of flight accommodation the word "and" shall be omitted.

(4) In regulation 1(2) after the definition of "flight accommodation" there shall be inserted:

""the specified method" means:

- (a) in the case of a document required to be given to a person from whom payment is accepted and who is present, by handing the required document to him in person at the time such payment is made; and
- (b) in any other case, by sending the required document by post or by some other means no less expeditious as soon as reasonably practicable and in any event not later than the following working day;

(1) 1982 c. 16; the expression "prescribed" is defined in section 105(1).
(2) S.I.1995/1054, to which there is an amendment not relevant to these Regulations.

“a ticket provider” means a person who, in respect of the making available of flight accommodation, supplies to the person from whom payment is accepted a valid ticket either before accepting payment or, following acceptance of payment, by the specified method; and”.

(5) For regulation 3(1)(e) there shall be substituted:

“(e) he is acting as a ticket provider.”.

(6) For the heading to regulation 4 there shall be substituted:

“Provision of flight accommodation, acceptance of payment and provision of receipt”.

(7) For regulation 4(3) there shall be substituted:

“(3) A person acting as a ticket provider shall not make available flight accommodation except to a person who he has reasonable grounds for believing will be the end user of that flight accommodation.”

(8) Regulation 4(5) shall be omitted.

Signed by authority of The Secretary of State for Transport

Glenda Jackson
Parliamentary Under-Secretary of State,
Department of the Environment, Transport and
the Regions

8th December 1997

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Civil Aviation (Air Travel Organisers' Licensing) Regulations 1995.

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

- (1) End user is defined as a person who either uses, or provides to another person without charge to use, flight accommodation (regulation 2(1)).
- (2) A ticket provider is prohibited from supplying tickets to a person unless he has reasonable grounds to believe that that person will be the end user (regulation 2(6)).