
STATUTORY INSTRUMENTS

2012 No. 1017

**The Civil Aviation (Air Travel
Organisers' Licensing) Regulations 2012**

PART 4

LICENSING PROVISIONS

CHAPTER 1

Application for, and refusal of, an ATOL or accreditation as an accredited body

Refusal to grant an ATOL

32.—(1) The CAA must refuse to grant an ATOL if the CAA is not satisfied that the applicant is a fit person to make available flight accommodation.

(2) The CAA may refuse to grant an ATOL or a variation to an ATOL if the CAA is not satisfied—

- (a) that the applicant is competent to make available flight accommodation;
- (b) that the resources of the applicant and the financial arrangements made by the applicant are adequate for discharging the actual and potential obligations in respect of the activities in which the applicant is engaged (if any) and in which the applicant may be expected to engage if granted the ATOL;
- (c) that it has appointed a person acceptable to the CAA as its accountable person; or
- (d) that the applicant has complied with all or any of regulations 7, 8 and 9 of the Civil Aviation (Contributions to the Air Travel Trust) Regulations 2007(1) which are applicable to it in the circumstances.

(3) In determining whether the applicant is a fit and competent person under paragraph (1) or 2(a) the CAA must have regard to—

- (a) the past activities generally of the applicant and the applicant's employees; and
- (b) where the applicant is a body corporate, the past activities generally of the persons appearing to the CAA to control that body.

(4) The CAA is not obliged to refuse an ATOL on the grounds that the applicant has insufficient experience in making available flight accommodation.