

# Airline Agent Deed of Undertaking

Standard Term 12 compliance – undertaking to **accept responsibility** if a schedule airline fails.

Date Month Year

This Deed of Undertaking is made the  day of

by:

ATOL No.

of:

Postcode

(hereinafter called 'the licence holder') of the first part and the Civil Aviation Authority of CAA House 45-59 Kingsway London WC2B 6TE (hereinafter called 'the CAA') of the second part.

Whereas the licence holder has applied to the CAA for the grant or variation of an Air Travel Organiser's Licence and in order to grant such a licence or variation the CAA requires the licence holder to give an undertaking in the form set out below.

Now this deed witnesses as follows:

1. Subject to paragraph 2, the licence holder undertakes to the CAA that in the event that any airline in respect of which the licence holder has acted as agent cannot provide flight accommodation in accordance with its obligations to any of the licence holder's customers the licence holder shall refund to the customer as soon as reasonably practicable:
  - a) in the event that no carriage for which the customer has contracted with the airline has been provided, all sums paid by the customer in respect of the carriage; or
  - b) in the event that part of the carriage for which the customer has contracted with the airline has been provided, a fair proportion of any sums paid by the customer in respect of the carriage having regard to the proportion of the contracted carriage which has been provided to the customer.
2. The licence holder need not refund monies to the customer in accordance with paragraph 1 if the customer has accepted an alternative settlement offered by the licence holder.
3. In this deed 'customer' means a person (other than an air travel organiser or travel agent) who has made a payment or on whose behalf a payment has been made under or with a view to entering into an air travel contract with an airline on whose behalf the licence holder is acting as agent in provision of flight accommodation for the carriage of that person or of another person on whose behalf he is booking.

In witness whereof this document is executed as a deed by

Name:

Signature:  Date:

the day and year first above written.