



STATUTORY INSTRUMENTS.

**S.I. No. 105 of 2021**

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TRANSPORT (TOUR OPERATORS AND TRAVEL AGENTS) ACT, 1982,  
(DISBURSEMENTS FROM FUND) REGULATIONS, 2021

TRANSPORT (TOUR OPERATORS AND TRAVEL AGENTS) ACT, 1982,  
(DISBURSEMENTS FROM FUND) REGULATIONS, 2021

The Commission for Aviation Regulation, in exercise of the powers conferred on it by sections 18 and 25 of the Transport (Tour Operators and Travel Agents) Act, 1982 (No. 3 of 1982), pursuant to section 9 of the Aviation Regulation Act, 2001 (No. 1 of 2001), hereby makes the following regulations:

1. These Regulations may be cited as the Transport (Tour Operators and Travel Agents) Act, 1982, (Disbursements from Fund) Regulations, 2021.

2. In these Regulations –

“Covid-19” means a disease caused by infection with the virus SARS-CoV-2 and specified as an infectious disease in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations, 1982 (S.I. No. 390 of 1981) or any variant of the disease so specified as an infectious disease in those Regulations;

“refund credit note” means, subject to Regulation 4, any voucher, coupon or other document or instrument, including in electronic form, issued by a tour operator or travel agent to a customer in respect of the cancellation, due to Covid-19, of an overseas travel contract.

“the Fund” means the Travellers’ Protection Fund established under section 15 of the Transport (Tour Operators and Travel Agents) Act, 1982.

3. Payments from the Fund may be made to a customer who holds a refund credit note where the tour operator or travel agent who issued the refund credit note is unable or fails to meet the financial or contractual obligations owed to the customer by the tour operator or travel agent pursuant to the refund credit note concerned.

4. A refund credit note is not a voucher, trading stamp or token within the meaning of Regulation 15 of the Transport (Tour Operators and Travel Agents) Act, 1982 (Claims by Customers) Regulations, 1983 (S.I. No.104 of 1983) and the said Regulation 15 shall not apply to a refund credit note.

5. The Commission shall be the final arbiter on the admissibility of claims in respect of payments from the Fund in respect of Refund Credit Notes for which the claimant is unable to provide adequate documentary proof.

6. The Transport (Tour Operators and Travel Agents) Act, 1982 (Disbursements from Fund) Regulations, 2020, are hereby revoked.

L.S.

GIVEN under the seal of the Commission for Aviation Regulation,  
8 March, 2021.

CATHY MANNION,  
Commissioner.

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