Consumer Protection Group
ATOL Crisis Management

FAILURE OF My Fidelisst UK Ltd - ATOL 10392

Date of Failure 20/06/2012

My Fidelisst UK Ltd has ceased operating. It was licensed under the Air Travel Organisers' Licensing (ATOL) scheme managed by the Civil Aviation Authority (CAA). If you had a flight booking with My Fidelisst UK Ltd you may be able to claim a refund of the money you paid.

How to claim

To claim through the ATOL scheme for a holiday which was booked through My Fidelisst UK Ltd please fill in the claim form below using BLOCK CAPITALS. Then send it to:

CAA Claims
PO Box 3007
Reading
Berkshire
RG1 9RS

Please ensure that you send originals of the documents issued to you as photocopies are not acceptable. You should keep photocopies of the documents sent for your records.

Fill in the claim form **only** if you were due to travel on a flight with My Fidelisst UK Ltd or if you were abroad when My Fidelisst UK Ltd stopped trading. You can only claim for flights if these were to be provided by My Fidelisst UK Ltd. If you booked elements separately with your travel agent, they are not covered. You should contact your travel agent.

Answer all the questions on the form that apply to you and make sure you supply all the documents that we ask for. This will help us process your claim as quickly as possible.

We scan all claims, so please do not use staples or treasury tags to attach the pages together.

Below is a step-by-step guide to help you fill in the form.

If you have not already received a refund due

We understand that some customers were promised refunds by My Fidelisst UK Ltd but did not receive them. The refund promised may have been because you had a cancelled flight. Please follow the instructions for a forward booking claim where you will also need to give us all the letters or emails from My Fidelisst UK Ltd. Also fill in an 'outstanding liability declaration' form, which is available on our website. You need to sign this in front of a commissioner of oaths, officer of the court or solicitor who will then sign and stamp this.

(Add the outstanding declaration form to your claim if this applies to you.)

Time Limits for making a Claim
Please ensure that you submit this claim form within one year of 20/06/2012. We cannot consider or pay claims received at the address above after 19/06/2013.

1. FAILED ATOL HOLDER'S BOOKING REFERENCE

Failed ATOL holder's booking reference
We need the booking reference of My Fidelisst UK Ltd. This reference will appear on any of the documents you received from My Fidelisst UK Ltd or your travel agent if you used one.

2. DATE OF DEPARTURE

Date of departure
Please tell us on what date you were due to fly.

3. NUMBER OF PASSENGERS

Failed ATOL holder's booking reference
Please tell us how many people over the age of two were due to fly.

4. YOUR DETAILS

We will use these details to contact you by letter, phone or email. You need to tell us if these details change.

If you have filled in the email section, we may contact you by email.

5. TYPE OF CLAIM YOU ARE MAKING

Is your claim for a forward booking or out-of-pocket expenses?

You have a 'forward booking' if your flight was due to take place after 20/06/2012

You have an out-of-pocket expenses claim if you were abroad when My Fidelisst UK Ltd stopped trading. We cannot consider claims for items which were not part of your contract with the failed company. We do not cover phone calls, internet use or compensation. We also do not cover the costs of travelling to the airport or airport accommodation for the time immediately before your holiday was due to begin.

6. IF YOU BOOKED DIRECT WITH THE FAILED ATOL HOLDER

By ATOL confirmation invoice, we mean the document issued by My Fidelisst UK Ltd which contains the full details of your booking. It may be in the form of an email or a document, but would normally include their logo and ATOL number.

7. IF YOU BOOKED THROUGH A TRAVEL AGENT

If you booked your My Fidelisst UK Ltd flight or air holiday through a travel agent, you must send us all the documents the travel agent sent to you, including your ATOL confirmation invoice (see above) and ATOL receipt.

By ATOL receipt we mean the receipt issued by your travel agent at the time of your first payment confirming your flight. This must confirm that your booking was with My Fidelisst UK Ltd and should show their ATOL number.

Please use the box provided to explain if and why you cannot provide this document.

If you do not have this document, please provide the receipt you were given by your travel agent.

We can only accept the actual ATOL receipt given when you made your booking. We cannot accept an ATOL receipt issued after 20/06/2012 when My Fidelisst UK Ltd stopped trading.

We cannot process your claim in full without these documents.

Please supply all correspondence you have received from your travel agent and My Fidelisst UK Ltd in connection with your booking. This includes emails, flight tickets, e-tickets and so on. This is because the documents will differ from agent to agent and you may think you do not have the documents you need, as we have asked for above, when they are simply called something different. By sending us all documents, we will know you have nothing further to provide.

8. YOUR PROOF OF PAYMENT

You must not leave this section blank.

If your claim is for a forward booking, tell us how you paid for your flight. Your payments will be either to My Fidelisst UK Ltd or to a travel agent.

Now, follow the instructions below depending on how you paid.

Method of payment - credit card, debit or charge card, cheque, cash and so on.

NOTE: We must see all payments made even if you are not claiming for some of them.

If you paid by debit card or charge card or credit card

We need the original or a clear copy of the bank/credit card statement showing the payment made to My Fidelisst UK Ltd or the travel agent.

The bank statement must show the name of the account holder.

If you paid by cheque

- the original cleared cheque from the bank or building society; or
- a good photocopy of both sides of the cleared cheque; or
- a letter from your bank or building society confirming how much the cheque was for, who it was made payable to and the date it cleared.

If you made a cash payment of £500 or under

We need the actual receipt issued when the cash was paid - **we cannot accept a re-issued receipt**. This needs to confirm that the payment was in cash.

If your receipt does not state cash, please fill in section 13.

If you made a cash payment over £500

Single cash payment over £500 direct to My Fidelisst UK Ltd

You need to fill in a sworn statutory declaration (see section 13). This needs to be signed in front of a commissioner of oaths, officer of the court or solicitor who will then sign and stamp it.

You need to provide a bank statement showing where the money came from.

Single cash payment over £500 to a travel agent

You need to fill in a sworn statutory declaration (see section 13). This needs to be signed in front of a commissioner of oaths, officer of the court or solicitor who will then sign and stamp it.

If you paid by bank transfer

For bank-to-bank transfers we need to see the bank statement showing the transaction in full including account names and numbers. The bank statement must show the name of the account holder.

If you paid cash over the counter, we need to see the paying-in slip showing the account number and sort code of the firm you paid. As this involves cash, follow the instructions headed **Single cash payment over £500 direct to My Fidelisst UK Ltd**

9. REFUND DETAILS

This section of the claim form **must** be original and not a photocopy. We need to make sure we refund the person or people who are owed the money.

We can either refund everyone who pays or we can refund another person or company you choose.

By **payer** we mean the person who paid, even if their name does not appear on the booking documents issued by My Fidelisst UK Ltd.

Travel agents or tour operators sometimes give the public a replacement holiday in exchange for what they call an 'assignment'. This means we refund the travel agent or tour operator instead of the payer. To do this we need all the payers to fill in and sign this section.

With some banks and building societies we cannot transfer money without the account holder's roll number. The account holder's bank statement will include this if it is needed for bank transfers.

We cannot provide refunds into credit-card accounts.

If the payment is to be made to a non-UK account, we will also need the BIC/SWIFT code and IBAN number to make the payment. You can get these from the bank to which the payment is being made.

What if more than two people paid?

If more than two people paid, each person should print Section 9 of the claim form and attach this to the claim.

10. PASSENGER DECLARATION

This section of the claim form **must** be original and not a photocopy. This must be filled in by someone who was due to travel on a flight with My Fidelisst UK Ltd or someone who was abroad when My Fidelisst UK Ltd stopped trading.

11. TRAVEL AGENT'S DETAILS

Only your travel agent can fill this in.

You should send your claim to your travel agent to fill in this section.

12. LOW-DEPOSIT BOOKINGS

Your travel agent will need to fill this in.

You should send this to your travel agent to fill in this section.

13. DECLARATION OF CASH PAYMENTS

This section of the claim form **must** be original and not a photocopy. Fill in this section only if you paid more than £500 in cash or if you paid a lower amount but can't provide an original receipt confirming you paid cash or the receipt does not state 'cash'.

This needs to be signed in front of a commissioner of oaths, officer of the court or solicitor who will then sign and stamp it.

14. FINAL CHECKLIST

Please use this checklist to make sure you give us all the documents and information we need.

		Tick
1.	Failed ATOL holder's booking reference	☐
2.	Date of departure	☐
3.	Number of passengers	☐
4.	Your details	☐
5.	Type of claim you are making	☐
6.	If you booked direct with the failed ATOL holder	☐
7.	If you booked through a travel agent	☐
8.	Your proof of payment	☐
9.	Refund details	☐
10.	Passenger declaration	☐
11.	Travel agent's details	☐
12.	Low-deposit bookings	☐

Consumer Protection Group

Air Travel Organisers' Licensing

ATOL claim form

Before you fill in the form, please make sure that you read the guidance notes

Failed ATOL holder: .....

1. Failed ATOL holder's booking reference

Failed ATOL holder's booking reference: .....

2. Date of departure

Date of departure: .....

3. Number and names of passengers

Number of passengers: .....

Names of passengers covered by the booking

……. ……. …….

……. ……... …….

4. Your details

Full name: .....

Address: .....

County: .....
Postcode: .....

Phone (day): ....

Email: .....

5. Type of claim you are making

Tick the type of claim you are making:

Forward booking ☐

Out-of-pocket expense claim ☐

Self fulfilment ☐

6. If you booked direct with the failed ATOL holder

If you booked direct with the failed ATOL holder, please send us all the documents you received from them, including the ATOL confirmation invoice.

If you cannot send us these documents, please explain why.

7. If you booked through a travel agent

Send us all the documents you received from your travel agent, including the ATOL receipt and ATOL confirmation invoice.

Name of travel agent: .....

If you cannot send us these documents, please explain why.

8. Your proof of payment

Please send us proof of all the payments made including receipts issued for out-of-pocket claims. This will depend on how you paid. Please see the guidance notes that accompany this form.

Paid by	Paid to	Date	Method	Amount

Important note: We cannot refund insurance premiums and you should contact the company that issued the policy.

Sub total £	
Minus insurance - £	
Other deductions - £	
Total claim £	

9. Refund details

This section must be signed by the person who paid. This person should fill in their own bank or building society account details or someone else's if they want us to refund them instead. This can be an individual or a travel agent or tour operator who has given you a replacement holiday.

I authorise you (the Civil Aviation Authority), the Air Travel Trust or ABTA Limited to pay any refund due to:

Account holder's name: .....

Account holder's address: .....

County: ....Postcode:

Name of bank: .....

Account number: ☐☐☐☐☐☐☐☐

Bank sort code: ☐☐ ☐☐ ☐☐

Roll number: .....

Signed by payer: .... Date:

Name of payer: .....

Signed by second payer: .... Date:

Name of second payer: .....

10. Passenger declaration

If the Air Travel Trust decide to make me or anyone in my party a payment for the amounts I or my party have claimed from the Trust, I legally transfer to the Air Travel Trust any claims for damages, in debt or otherwise which I or any member of my party has or may have arising out of or relating to the failed ATOL holder. This includes any claim against the failed ATOL holder, the travel agent or my credit card issuer.

I agree that any claim may be transferred to ABTA Limited or the Federation of Tour Operators, as appropriate, if one of those organisations refunds to me all or part of the amounts that I have claimed on this ATOL claim form.

I declare that the information I have provided in connection with my claim is the truth and that neither I nor any other member of the party listed above have received, or expect to receive, any refund from the failed ATOL holder or any insurance company of the amounts claimed above. I confirm that I have no insurance cover against tour operator or ATOL holder failure.

Passenger name: .....

Signed: .... Date:

by the person claiming (for and on behalf of all members in the party listed above)

11. Travel agents details

If you booked through a travel agent, they should fill in this section and section 12 if it applies.

Firm: ..... Contact name: .....

Address: .....

County: .....
Postcode: .....

Phone: ....

I confirm that I received the payments listed by the customer for the holiday shown and that I (please tick the appropriate box):

- paid the failed ATOL holder by cheque (I enclose the cleared cheque and a reconciliation including the name of the lead passenger and the failed ATOL holder's booking reference, and amount paid for each booking); ☐
- paid the failed ATOL holder by direct debit (I enclose the official bank statement showing the transaction and a reconciliation including the name of the lead passenger and failed ATOL holder's booking reference, and amount paid for each booking); or ☐
- paid the failed ATOL holder by credit card (I enclose the official credit-card statement and a reconciliation including the name of the lead passenger and failed ATOL holder's booking reference, and amount paid for each booking) ☐

12. Low deposit bookings

Total deposit due for booking: .....

Amount paid by the customer: .....

Amount claimed of deposit unpaid: .....

I enclose the low-deposit agreement as signed by the customer (please tick to confirm). ☐

I declare that the amount claimed above has not been paid to me by or on behalf of the customer or by any other person.

If the Civil Aviation Authority, the Air Travel Trust or ABTA Limited pays all or part of my claim, I guarantee that I will not claim the amount from the customer or any other person. If any money is paid to me by or on behalf of the customer or by any other person, I will repay the organisation that paid my claim.

Signed: .... Date:

13. Declaration of cash payments

This section should be filled in by the person who paid the cash and must be stamped, signed and witnessed by a solicitor, commissioner for oaths or an officer of a court appointed by a judge to take declarations.

I (your name): .....

Of (your address): .....

County: ....Postcode:

declare the following:

On date: ....I paid: £ in cash to the office of:

Name of the firm that accepted the cash: .....

firm's address: .....

County: ....Postcode:

The cash payment was for part or full payment for a holiday, including flights, booked with:

Name of failed ATOL holder: .....

Which was due to depart on (date of departure): .....

At the time of the cash payment referred to above, a receipt was issued to me by:

Name of the Firm that accepted the cash: .....

Following the failure of (name of failed ATOL holder): .....

I have filled in the necessary claim form and sent you all the documents you need, including the cash receipt referred to above to support my application for repayment under the ATOL scheme. I confirm that since I was issued with the cash receipt referred to in paragraph 3, I have not been given any substitute or other cash receipts for my payments for the holiday booked with:

Name of failed ATOL holder: .....

I am now making this declaration to support my application for a refund under the ATOL scheme.

Court or solicitor's address: .....

County: .... Postcode:

Day: .... Month: .....
Year: .....

Witnessed by a solicitor, commissioner for oaths or officer of a court appointed by a judge to take declarations.

Official stamp

Signature of payee: .....

Signature of solicitor, commissioner for oaths or officer of a court: .....