

FAILURE OF ENJOY HOLIDAYS LTD – ATOL 10360

Date of Failure 15 August 2012

Enjoy Holidays Limited 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 inclusive booking with Enjoy Holidays Ltd you may be able to claim a refund of the money you paid subject to the Air Travel Trust's Payment Policy which is available to read in full on the [ATOL website](#).

How to claim

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

CAA Claims
PO Box 3007
Reading
Berkshire
RG1 9RS

Fill in the claim form **only** if you were due to travel on a flight or holiday that included a flight with Enjoy Holidays Ltd or if you were abroad when Enjoy Holidays Ltd ceased operating. You can only claim for flights, accommodation or other services if these were to be provided by Enjoy Holidays Ltd.

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

Flight only consumers with scheduled airline tickets or e-tickets

If you booked just a flight on a scheduled or low cost carrier and you hold a valid reservation, you will still be able to travel as planned and cannot make a claim. Further information about this is available on the ATOL website in the [Air Travel Trust Payment Policy Statement](#)

Consumers with flight inclusive package bookings in possession of scheduled airline paper tickets or e-tickets

Consumers who booked a flight inclusive package holiday or a flight, accommodation and other services and who have been issued with tickets on a scheduled or low cost airline, may choose to travel as the airline ticket remains valid.

If the booking includes accommodation and other elements consumers should be aware that there is a risk that the accommodation or other elements of the holiday have not been paid for, and consumers may be asked to pay again to receive these services. Consumers should check with the accommodation or other service provider to confirm the availability and the costs of repurchasing before travelling.

Consumers with flight inclusive packages or flight bookings on a scheduled or low cost carrier, who elect to travel should ensure that they keep a clear receipt for any ground services that formed part of their ATOL protected booking, together with their method of payment. This will be required in order to submit a claim to the CAA for a refund. It should also be noted that claims cannot exceed the total cost of the ATOL protected booking with Enjoy Holidays Limited.

Consumers are also able to rebook accommodation and other services before departure and submit claims to the CAA provided the receipt showing the method of payment and applicable charges is available. Any alternative accommodation or other services booked should be of the same standard and board basis as the original booking with Enjoy Holidays Ltd.

Time Limits for making a Claim

Please ensure that you submit this claim form within one year of 15 August 2012. We cannot consider or pay claims received at the address above after 14 August 2013.

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

1. FAILED ATOL HOLDER'S BOOKING REFERENCE

Failed ATOL holder's booking reference

We need the booking reference of Enjoy Holidays Ltd. This reference will appear on any of the booking documents you received from Enjoy Holidays Ltd, including their ATOL holder's confirmation.

2. DATE OF DEPARTURE

Date of departure

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

3. NUMBER OF CONSUMERS

Number of consumers.....

Name of lead consumer on booking.....

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 for which you are claiming a full refund, a forward booking but where you were able to use elements or were you overseas at time of booking?

You have a **'Forward booking for which you are claiming a full refund'** claim if your flight or air inclusive package was due to take place after the date of failure and you did not travel

You have a **'Forward booking but used an element'** claim if you were in possession of scheduled or low cost airline tickets at the date of failure, which remained valid, and which you used to travel.

Please note that we require you to provide evidence of payment for the replacement elements such as accommodation or transfers in addition to evidence of payment to the failed ATOL holder for the original booking. It should also be noted that there is a limited to the amount you can claim, which cannot exceed the cost of the ATOL protected booking.

You have an **'Overseas at time of booking'** claim if you were abroad when Enjoy Holidays Ltd stopped trading.

We cannot consider claims for items which were not part of your contract with the failed company. You are

able to claim for things like accommodation, transfers or car-hire costs, which would have been part of your original booking. 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 holder's confirmation, we mean the documents issued by Enjoy Holidays 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 AN AGENT OF THE FAILED ATOL HOLDER

This section is not applicable as Enjoy Holidays did not sell air holidays through travel agents

8. YOUR PROOF OF PAYMENT

You must not leave this section blank.

If your claim is for a forward booking with payment made directly to Enjoy Holidays Ltd, tell us how you paid for your flight or air holiday. Your payments should have been made to Enjoy Holidays Ltd.

If you were overseas or travelled after the failure date using valid tickets, tell us how you paid the overseas suppliers, in other words, the hotel or transfer 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 credit card

We will not refund credit-card payments made to Enjoy Holidays Limited. Instead, you need to claim these from your credit-card company.

If you paid by debit card or charge card

We need the original or a clear copy of the bank statement showing the payment made to Enjoy Holidays Ltd the travel agent, hotel, airline or transfer 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 £1,000 direct to Enjoy Holidays Ltd

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 you no longer have this receipt, please fill in section 13.

If you made a cash payment over £500 to a supplier other than Enjoy Holidays 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.

Single cash payment over £1,000 direct to Enjoy Holidays 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.

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 instruction's headed **Single cash payment over £1,000 direct to Enjoy Holidays 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 Enjoy Holidays 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. CONSUMER 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 or air holiday with Enjoy Holidays Ltd or someone who was abroad when Enjoy Holidays Ltd ceased operating.

11. AGENT'S DETAILS

This section is not applicable as Enjoy Holidays did not sell air holidays through travel agents

12. LOW-DEPOSIT BOOKINGS

This section is not applicable as Enjoy Holidays did not sell air holidays through travel agents

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 £1,000 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	<input type="checkbox"/>
2. Date of departure	<input type="checkbox"/>
3. Number and names of Consumers	<input type="checkbox"/>
4. Your details	<input type="checkbox"/>
5. Type of claim you are making	<input type="checkbox"/>
6. If you booked direct with the failed ATOL holder	<input type="checkbox"/>
7. If you booked through a travel agent	X
8. Your proof of payment	<input type="checkbox"/>
9. Refund details	<input type="checkbox"/>

- 10. Consumer declaration
- 11. Travel agent's details X
- 12. Low-deposit bookings X



Consumer Protection Group
Air Travel Organisers' Licensing

ATOL Claim Form



This form can be completed on-line before printing off and signing where required.
Before completing 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 CONSUMERS

Number of consumers:

Name of lead consumer on the booking:

4. YOUR DETAILS

Full name:

Address:

County: Postcode:

Phone (day): Mobile:

Email:

5. TYPE OF CLAIM YOU ARE MAKING

Tick the type of claim you are making: Forward booking and claiming a full refund [] Forward booking but used an element [] Overseas at time of booking []

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 at the time of the booking, and at any time prior to the date of travel,

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

7. IF YOU BOOKED THROUGH AN AGENT OF THE FAILED ATOL HOLDER

Send us all the documents you received from your agent at the time of the booking, and at any time prior to the date of travel.

Name of 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. CONSUMER 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 claim(s) 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.

Consumer's name:

Signed: Date:

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

11. AGENT'S DETAILS

If you booked through an agent of the failed ATOL holder, they should fill in this section and section 12 if it applies.

Firm: Contact name:

Address:

County: Postcode:

Phone: ABTA number:

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 consumer:

Amount claimed of deposit unpaid:

I enclose the low-deposit agreement as signed by the consumer (please tick to confirm):

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

Signature of payee:

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

