FAILURE OF TANA CONSULTANTS LIMITED – ATOL 2848

Date of Failure: 30 September 2012

Tana Consultants 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 Tana Consultants Limited 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 trip which was booked through Tana Consultants Limited please fill in the claim form below using BLOCK CAPITALS. Then send it to:

CAA ATOL Travel Claims
PO Box 127
Chichester
West Sussex
PO18 8WQ

Fill in the claim form **only** if you were due to travel on a flight or trip that included a flight with Tana Consultants Limited or if you were abroad on a flight inclusive booking when Tana Consultants Limited ceased operating. If you had to pay for replacement services, you can only claim for these if they were to be provided by Tana Consultants Limited.

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

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

If you booked a flight inclusive package or a flight, accommodation and other services and have been issued with tickets on a scheduled or low cost airline, you 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 Tana Consultants 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 Tana Consultants Limited.

Time Limits for making a Claim

Please ensure that you submit this claim form within one year of 28 September 2012. We cannot consider or pay claims received at the address above after 27 September 2013**.**

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

1. DETAILS OF PERSON COMPLETING THE CLAIM FORM

We will use these details to contact you by letter, phone or email. You will need to tell us if these details change during the processing of your claim.

If you have filled in the e-mail section, we may contact you by e-mail.

2. NUMBER OF CONSUMERS

Please tell the total number of consumers included in your booking.

3. TANA CONSULTANTS LIMITED'S DETAILS

Please put the name of the ATOL holder with whom your booking was made. You also need to put the unique reference number shown on the ATOL Certificate issued to you in respect of the booking (if applicable) This number can be found at the bottom left of the Certificate.

4. DATE OF DEPARTURE

Please tell us when you were due to fly from the UK.

5. TYPE OF CLAIM YOU ARE MAKING

You have an **'Overseas at the time of the ATOL holder's failure'** claim if you were abroad when Tana Consultants Limited stopped trading. We need you to list the payments you made for replacement services in section 6, but there is no need to list the payments made in respect of the original booking

You have a **'Forward booking and claiming a full refund'** claim if your flight or air inclusive package was due to depart from the UK after the date of failure and you did not travel. You need to list all payments made for the original booking in section 6 of the claim form

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

Please note that you need to provide evidence of payment for the replacement elements such as accommodation or transfers as well as evidence of payment to Tana Consultants Limited for the original booking in section 6. It should also be noted that there is a limit to the amount you can claim, which cannot exceed the cost of the ATOL protected booking.

We cannot consider claims for items which were not part of your booking with the Tana Consultants Limited. 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. PROOF OF PAYMENT FOR ORIGINAL BOOKING/PROOF OF PURCHASE OF, AND PAYMENT FOR REPLACEMENT SERVICES

You must not leave this section blank.
This section **must** be original and not a photocopy. It should be signed in column 10 by the person or people who originally paid, and who should be shown in column 3. If the person or people who originally paid wish to choose someone else to receive the refund, or the refund to be made into a different account, please put the details of the account for the refund to be made to in columns 7-9 of this section. You can choose an individual or an agent of the failed operator or another ATOL holder who has replaced the ATOL protected booking.

IMPORTANT NOTE: We cannot make refunds into credit card accounts. If you paid Tana Consultants Limited using a credit card, you need to put the details of where you want the refund to be paid into columns 7-9 of 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.

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 details from the bank to which the payment is being made.

If you have a forward booking:

If your claim is for a forward booking please show us how you paid for your flight or flight inclusive trip. Your claim is a forward booking if you had not commenced your trip at the date of failure, even if you travelled using a valid element of your booking (typically your flights) and you are claiming for replacement services you had to purchase.

Please note that the following guidance does not apply to consumers who were already overseas when Tana Consultants Limited failed. Guidance for passengers who were overseas when Tana Consultants Limited failed is shown at the bottom of this section.

Please follow the instructions below depending on how you paid.

If you paid Tana Consultants Limited directly by credit card

- We can process payments made by credit card provided that the payments were made directly to Tana Consultants Limited and not to an agent of the failed company.
- We need the original or a clear copy of the credit card statement showing the payment to Tana Consultants Limited. The statement needs to show your name.
- <u>For your security please make sure you blank out the first 12 digits of your card number if these appear on the statement.</u>

If you paid Tana Consultants Limited by debit or charge card (directly to Tana Consultants Limited, but did not also pay using your personal credit card as described above, or if you paid an agent of Tana Consultants Limited)

- We need the original or a clear copy of the bank statement showing the payment made to Tana Consultants Limited, or an agent of Tana Consultants Limited.

- The bank statement must show your name.

If you paid Tana Consultants Limited using a cheque or bankers' draft (directly to Tana Consultants Limited or an agent of Tana Consultants Limited)

Please send us one of the documents shown below.

- We need the original cleared cheque or bankers' draft from the bank or building society, or a letter from them confirming who provided the money, or who it was payable to.

- We will accept a good photocopy of both sides of the cleared cheque or bankers' draft.

- We will also accept a letter from your bank or building society confirming how much the cheque or bankers' draft was for, who it was made payable to and the date it cleared.

If you paid Tana Consultants Limited in cash

- We need the actual itemised 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 the itemised receipt does not show that payment was made in cash, you need to fill in a sworn statutory declaration (see section12). 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.

Cash payments over £1,000 direct to Tana Consultants Limited or to an agent of the Tana Consultants Limited

- We need you to fill in the declaration in respect of cash payments (see section12). The declaration needs to be sworn and witnessed by 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 cannot provide satisfactory evidence to show where the money came from we may ask for a photocopy of your passport for money laundering purposes.

Cash payments over £500 made to a travel service supplier

- You need to fill in a sworn statutory declaration (see section 12). 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.

Bank transfers

- 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 directly to Tana Consultants Limited.

7. CONSUMER ASSIGNMENT AND DECLARATION

This section of the claim form **must** be original and not a photocopy. The assignment and declaration section must be filled in by someone who was named to travel on a flight or air holiday with Tana Consultants Limited.

8. FLIGHT-ONLY 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-only with Tana Consultants Limited or someone who was abroad when Tana Consultants Limited stopped trading.

9. AGENT'S DETAILS

If your booking was made through an agent of Tana Consultants Limited, the agent should complete this section, and section 10 if applicable.

10.LOW-DEPOSIT AGREEMENTS

If your booking was made through an agent of the Tana Consultants Limited, the agent should complete this section, and section 9 if applicable.

11.DOCUMENTATION

You must provide us with all the documentation relating to the booking issued by Tana Consultants Limited, or an agent of Tana Consultants Limited which contain the full details of your booking. These may be in the form of e-mails or documents, but would normally include their logo and ATOL number.

If the booking was amended in any way after the date of booking, you should provide any documentation or e-mails issued in respect of the amendments made.

If for any reason you are unable to provide us with these documents you need to explain the reasons. Please note that the failure to provide all documentation or an explanation at the time the claim is made may result in a delay in the processing of the claim.

12.DECLARATION IN RESPECT 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 directly to Tana Consultants Limited, or an agent of Tana Consultants Limited or if you were overseas at the date of the failure and paid more than £500 in cash to a travel service supplier such as a hotel.

If any receipts you have for cash payments do not state on them that cash was the method of payment, you will also need to complete the declaration. If you do not have a receipt for a payment made in cash, you will not be able to claim a refund.

This declaration needs to be sworn in front of a Commissioner of Oaths, officer of the court or solicitor who will then sign and stamp it.

IMPORTANT: For money laundering purposes, we require evidence of the cash used for the payment being withdrawn from your bank. If you are unable to provide this evidence you should send a copy of the page from your current passport which includes your photograph

to us with the completed claim form.

FINAL CHECKLIST

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

	Tick
1. Details of person completing the claim form	☐
2. Number of Consumers	☐
3. Tana Consultants Limited's details	☐
4. Date of departure	☐
5. Type of claim you are making	☐
6. Proof of payment for original purchase and for replacement services	☐
7. Consumer assignment and declaration	☐
8. Flight-only declaration	☐
9. Agents details	☐
10. Low deposit agreements	☐
11. Documentation	☐
12. Declaration in respect of cash payments	☐

Consumer Protection Group
Air Travel Organisers' Licensing

ATOL Claim Form

Civil Aviation Authority

Before completing the form please make sure that you read the Guidance Notes.

1. DETAILS OF PERSON COMPLETING THIS CLAIM FORM (this person must be named to travel on the ATOL protected booking)

Full name: .....

Address: .....

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

Phone (day): ..... Mobile: .....

Email: .....

2. NUMBER OF CONSUMERS

Number of consumers included in your booking: .....

3. FAILED ATOL HOLDER'S DETAILS

Name: .....

ATOL Certificate Number (Unique Reference Number): .....

4. DATE OF DEPARTURE

UK departure date: .....

5. TYPE OF CLAIM YOU ARE MAKING

Tick the type of claim you are making:

In section 6:

You were overseas at time of the ATOL holder's failure ☐

- Attach receipt(s) for the replacement service(s) you had to purchase to complete your trip.
- List all the payments you made for these replacement services and attach a copy of the relevant bank or credit card statement, if applicable. (If you paid by other means please refer to the Guidance Notes.)

NB: There is no need to provide evidence of payment for your original booking.

Your UK departure date is after the date of the ATOL holder's failure and you are claiming a refund ☐

- List all the payments made for your original booking.

Your UK departure date is after the date of the ATOL holder's failure but you used or intend to use an element of your original booking (e.g. flight) ☐

- List all the payments made for your original booking and attach a copy of the relevant bank or credit card statement showing the transaction. (If you paid by other means please refer to the Guidance Notes.)
- Attach receipt(s) for the replacement service(s) you had to purchase to complete your trip.
- List all the payments you made for these replacement services and attach a copy of the relevant bank or credit card statement, if applicable. (If you paid by other means please refer to the Guidance Notes.)

6. PROOF OF PAYMENT FOR ORIGINAL BOOKING / PROOF OF PURCHASE OF, AND PAYMENT FOR, REPLACEMENT SERVICES
(See Guidance Note for what you can and cannot claim)

Please list all the payments made to the failed ATOL holder, its agent (if applicable) or other travel service suppliers (if applicable).
Please attach all receipts received and bank/credit card statements or equivalent evidence of your payment. (If you paid by other means please refer to the Guidance Notes.)

1	2	3	4	5	6	7	8	9	10
						Details of Bank Account into which the refund should be made			
Date paid	**Service purchased**	**Paid by**	**Paid to**	**Method of payment** (see also Section 12 if cash)	**Amount paid**	**Account name**	**Account No.**	**Sort Code**	**Signature of person named in Column 3**

IMPORTANT NOTE: We cannot refund cancellation fees, amendment fees and administration fees. In addition we cannot refund insurance premiums and you should contact the company that issued the policy.

Sub Total

Minus Insurance - £

Other Deductions - £

Total Claim £

7. CONSUMER ASSIGNMENT AND DECLARATION

In consideration of the Trustees of the Air Travel Trust deciding to exercise their power to make me, or anyone else intending to make use of the ATOL protected booking, a payment in respect of the amounts claimed from the Air Travel Trust, to the extent not already assigned, I hereby assign to the Trustees of the Air Travel Trust any claim(s) however arising for damages, in debt, indemnity or otherwise which I or anyone else intending to make use of the ATOL protected booking has or may have arising from or relating to the failed ATOL holder.

I agree that any such claim may be re-assigned to ABTA Limited as appropriate, if ABTA refunds to me all or part of the amounts that I have claimed on this ATOL Claim Form.

I hereby declare that the information I have provided in connection with my claim is the truth and that neither I nor anyone else intending to make use of the ATOL protected booking has received or expects to receive any refund from the failed ATOL holder or any insurance company of the sums claimed above. I confirm that neither I nor anyone else intending to make use of the ATOL protected booking has insurance cover against tour operator/ATOL holder failure.

Signature of consumer named in Section 1 of this claim form:

Signed: ..... Date: .....

for and on behalf of all consumers intending to make use of the ATOL protected booking.

8. FLIGHT-ONLY DECLARATION

This section must be filled in if you booked just a flight with the failed ATOL holder.

I hereby declare that no request was made to book any accommodation or car hire outside the UK at the same time, or a day either side, as the flights for which I am claiming a refund.

Signature of consumer named in section 1 of this claim form:

Signed: ..... Date: .....

for and on behalf of all consumers intending to make use of the ATOL protected booking.

9. AGENT'S DETAILS

If this booking was made through an agent for the failed ATOL holder, the agent should fill in this section (and section 10 if applicable).

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

Address: .....

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

Phone: ..... ABTA number (if applicable): .....

I confirm that I received the payments listed by the consumer for the trip shown and that I: *(please fill in all the boxes below that are applicable)*	Amount £	Date
• paid the failed ATOL holder by cheque. I enclose a copy of the cleared cheque, evidence this cleared and a reconciliation that includes the name of each lead consumer, the failed ATOL holder's booking reference and amount paid, for each booking;		
• paid the failed ATOL holder by direct debit. I enclose the bank statement showing the transaction and a reconciliation that includes the name of each lead consumer, the failed ATOL holder's booking reference and amount paid, for each booking;		
• paid the failed ATOL holder by credit card. I enclose the official credit card statement and a reconciliation that includes the name of each lead consumer, the failed ATOL holder's booking reference and amount paid, for each booking;		
• paid the monies collected from the consumer, but not paid to the failed ATOL holder, to the Air Travel Trust;		
• paid the consumer's payment back to the consumer as instructed by the Air Travel Trust;		
• am holding the consumer's payment awaiting the Air Travel Trust's instructions.		N/A

10. LOW-DEPOSIT AGREEMENTS

Total deposit due and paid under the failed ATOL holder's booking conditions: £ .....

Amount paid by the consumer to the agent: £ .....

Amount paid by the agent to the failed ATOL holder on the consumers' behalf
(pursuant to a low deposit agreement): £ .....

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

I hereby 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: .....

Print name: .....

on behalf of (if applicable): .....

11. DOCUMENTATION

Please send us all the booking documents including the ATOL Certificate supplied at the time of your booking request, and at any time prior to your UK departure.

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

12. DECLARATION IN RESPECT OF CASH PAYMENTS

This section should be filled in if any of the payments you listed in section 6 were made in cash and either:

a) the cash payment was made directly to the failed ATOL holder, an agent of the ATOL holder or another travel service supplier and was for £1,000 or more;

b) the cash payment was made whilst overseas at the time of the ATOL holder's failure and was for £500 or more; and/or

c) the receipt provided does not confirm that cash was the payment method.

This section 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:

either:

Name of failed ATOL holder or agent of the failed ATOL holder who accepted the cash and issued a receipt:

.....

Address: .....

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

The cash payment was part or full payment for a trip, including flights booked with *(name of failed ATOL holder)*

.....

Date of departure: .....

If more than one cash payment was made, please use a continuation sheet.

or:

Name of travel service supplier who accepted the cash and issued a receipt:

.....

Date of payment: .....

The cash payment was made by me as a consequence of the failure of *(name of failed ATOL holder)*

.....

If more than one cash payment was made, please use a continuation sheet.

I confirm that the information provided on this Declaration of Cash Payments for ATOL Certificate number is, to the best of my knowledge, truthful, accurate and complete. I am aware that the ATT will not usually make payment under the ATOL scheme where it, or the CAA as agent of the ATT, believes that I, or anyone else seeking to benefit from a payment under the ATOL scheme, has made a dishonest or misleading statement or omission.

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

Signature of person who paid: .....

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

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

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

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

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

Official stamp