



Barbara Perata Smith
Regulatory Policy Group
Civil Aviation Authority
CAA House
45-59 Kingsway
London, WC2B 6TE

28th April 2011

Dear Barbara,

Re: Prioritisation Principles Consultation

I am replying to this consultation on behalf of the Thomas Cook Group plc, which is subject to regulation by the CAA both in its capacity as a UK registered airline, with 42 aircraft on the UK register, and as a large tour operating group, holding several ATOL licences, with a total licensed capacity of more than 5.25 million seats.

As such, the Thomas Cook Group is both directly impacted by the regulatory policy of the CAA, and has a broader interest in ensuring that all companies operating in the sectors in which it operates are subject to a common, clear and consistent standard of regulation.

In general, we agree that the principles provide sufficient clarity regarding the framework which the CAA will use to prioritise the cases it takes forward. We would however highlight one area in particular, namely airlines or travel businesses selling to UK consumers who are not headquartered in the UK, or who do not hold a UK AOC. Whilst the principles refer to working with other authorities to ensure that consumers are protected, we believe that it is important that the CAA should act in the interests of protecting UK consumers where appropriate by taking enforcement action.

We also agree that the principles cover the main issues which the CAA should consider.

We would however point out that it is important that despite any change in focus towards supporting the interests of the end consumer, the CAA continues to recognise that in relationships with airports, ground handling and other suppliers, airlines are effectively themselves consumers of services. This relationship should be recognised in any decisions on prioritisation.

Furthermore, we believe that it is important that the CAA does not become an over-zealous enforcer, but continues its current strategy of working with the aviation industry to encourage changes in behaviour. Enforcement should only be the last resort measure, when attempts at behaviour change have failed, and there has been persistent and wilful disregard of the legislative framework by the regulated business.

As such, we are broadly happy to support the prioritisation principles contained in the consultation. We are further happy to provide any support or assistance which the CAA may require in implementing the principles.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'A. Cooper', written in a cursive style.

ANDREW V COOPER
DIRECTOR OF GOVERNMENT AND EXTERNAL AFFAIRS