

# Decision Document: Amendment to ATOL Standard Term 1.3 to clarify the requirements for advertising ATOL products

CAP3208

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## Executive Summary

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1. Earlier this year the CAA issued a consultation seeking the views of stakeholders on its proposal to amend ATOL Standard Term (AST) 1.3, which concerns the provision of information on ATOL protection in advertisements.
2. Respondents to the consultation requested further clarity as to when the requirement to provide information on ATOL protection was engaged. Further, respondents considered we had been overly prescriptive in the type of information required to be provided, and that this was unworkable given the constraints (especially format and space) of advertising on digital platforms and social media channels. In addition, respondents raised concerns over how the proposal would apply to influencers, especially where there was limited control over this type of content.
3. Having reviewed the feedback from stakeholders, we have decided to amend our approach to make it clearer, simpler to apply, and more proportionate. We are now proposing that, if the advertisement makes reference to ATOL protected products, for example it references the price of a flight-inclusive package or otherwise makes specific reference to an ATOL protected product, then the new AST1.3 will be engaged and information on ATOL protection must be provided. Rather than prescribing the type of ATOL protection information in the AST itself, we are requiring instead that the form and format of this information be commensurate with how the advertisement presents information on the product and on the company's brand and be proportionate in the context for the format and space of the advertisement. This is set out in guidance that will be published at the same time as the new AST1.3. This guidance, which is provided in Appendix A, also sets out a decision-tree to support ATOL holders in their decision making of when and how to include information on ATOL protection.
4. The new AST wording is as follows:

### **AST1.3**

ATOL holders that advertise ATOL protected services to UK consumers must, unless the CAA agrees an alternative approach that achieves equivalent consumer clarity, ensure that the advert contains reference to ATOL protection.

We will shortly publish the new AST in Official record Series 3, which will come into effect from 1 April 2026.

## Chapter 1

## Amendment to ATOL Standard Term 1.3

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### The original proposal

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5. AST1.3 currently applies to advertising ATOL protected services in broadcast media. ATOL holders are increasingly advertising using a variety of non-broadcast media, including digital platforms and social media channels. ATOL holders are also now advertising their brands more generally, rather than advertising specific ATOL protected products. This has therefore highlighted some gaps in the protection of consumers.
6. As set out in the original consultation, our proposal was to amend the requirement to focus on the content of the advertisement itself, rather than the advertising method used, as is the case currently with AST1.3. We considered that this would future proof the requirement as the nature of non-broadcast channels for advertising evolved. To this end we proposed that all methods of advertising and promotion would come into scope. Our view was that this would benefit consumers as they would be provided with information on ATOL protection regardless of the platform on which they viewed the advertisement, ensuring consistency across all media.
7. Second, we proposed to clarify that the new requirement applied to any advertisement or promotion that, by the nature of its content or the method of advertising, was aimed at UK consumers.
8. Third, to address the issue of advertisements and promotional content that presented the general enjoyment of international travel rather than specific travel products, we proposed that the new requirement applied only where an ATOL protected service was being advertised or where this was “significantly implied”.
9. We considered that this approach would further the underlying policy objective of promoting ATOL brand awareness amongst consumers. Being mindful that some ATOL holders sell both ATOL and non-ATOL protected products, we considered the approach would also minimise the potential to mislead consumers over whether the product advertised was ATOL protected or not.

## Feedback from stakeholders to the consultation

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10. In total we received 26 responses to the formal consultation. ATOL holders were in support of the direction of this policy and agreed with our aims to strengthen consumer awareness and confidence. They also generally agreed with the aim to modernise the regulation and create a clear and consistent approach across all advertising.
11. However, there were significant concerns about the practicalities of applying the requirements in the originally proposed AST1.3.
12. Stakeholders described the proposed requirement to display the ATOL protected logo, the ATOL number and the written or spoken words “ATOL Protected” as disproportionate and challenging to comply with, especially considering space limitations using digital media. Respondents also raised concerns about digital media advertisements being too short in duration, or only seen on small screens, to contain the full requirements of the proposed AST1.3. There would be increased costs for creating longer advertisements to address space constraints.
13. Another concern raised by respondents was the difficulty in applying this policy to advertising that “significantly implied” that an ATOL protected product was being advertised. Stakeholders were uncertain over how they would apply this in practice, and were concerned about the compliance risk that this would create.
14. There were also concerns with this policy applying to influencers. With limited control over this type of content, ATOL holders raised challenges over how they could ensure compliance with the requirements.
15. Finally, there were concerns with how the requirements of the originally proposed AST1.3 would apply to AI. ATOL holders reported limited control when AI is used as a search tool.

## Final decision

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16. We welcome the feedback from stakeholders that despite concerns over the practicalities of applying the originally proposed AST, they were generally supportive of our aims. We also conducted a series of follow-up conversations with randomly selected responders to gather further feedback.
17. In terms of when AST1.3 will apply, the key features of this revised policy are as follows:
- AST1.3 will apply to ATOL holders when they are advertising to UK consumers and when the advertisement makes reference to flight-inclusive packages, for example it references the price of a flight-inclusive package or otherwise makes specific reference to flight-inclusive packages.
  - ATOL holders that only sell ATOL protected products may choose to provide the information on ATOL protection required by AST1.3 even if the advertisement makes no specific reference to ATOL protected trips.
  - ATOL holders that sell both separate travel services as well as ATOL protected products must consider whether the advertisement makes reference to ATOL protected products, for example it references the price of a flight-inclusive package or otherwise makes specific reference to an ATOL protected product. This will need to be assessed on a case-by-case basis. If AST 1.3 applies, then ATOL holders should refer to ATOL protection in that advertisement. If the advertisement does not make reference to ATOL protected products, for example if the advertisement is promoting general brand awareness, the general nature of holidays, or a particular location, or is advertising a product that can be purchased by the consumer as a standalone travel service (e.g. a hotel only), then this would not come into scope of AST1.3.
  - If the product or service being advertised is less clear, for example, where consumers could infer that what is being advertised is a flight inclusive package (but without the advertisement making specific reference to flight-inclusive packages or displaying prices), ATOL holders may wish to incorporate wording such as “All flight-inclusive packages are ATOL protected.” ATOL holders may also seek further CAA advice.
18. In cases where AST1.3 applies and ATOL holders are required to provide information on ATOL protection, the key features of this revised policy on the form and format of this information are:
- ATOL holders must make reference to ATOL protection within the advertisement in a manner that is proportionate given the format and space of the advertisement. In terms of the precise form and format of this information, ATOL holders should be guided by how the advertisement

presents information on the product itself and on the company's brand. For example, if the advertisement includes the company's logo, then it should be possible to include the ATOL logo in the advertisement at the same time. If the advertisement includes a written statement e.g. describing the product, or referring to terms and conditions, then it should be possible to include a written statement referring to the product being ATOL protected. Similarly, if the advertisement includes a voiced statement, then it should be possible to include a voiced statement referring to ATOL protection.

- For digital platforms, and especially social media platforms where space is constrained such that the visibility of logos and text is limited, it may be more appropriate for ATOL holders to make reference to ATOL protection by using tags (for example #ATOLProtected) and / or pinned comments, which direct the consumer to further information on ATOL protection.

19. The new AST1.3 will also apply to paid-endorsed client personality or influencers advertising or promoting ATOL protected products, but only where there is a contractual relationship in place, and where the ATOL holder has editorial control. The revised policy does not apply for paid search advertising, including where AI is used to return search results.
20. Through this policy we aim to allow sufficient flexibility for ATOL holders in their marketing campaigns, particularly in respect of the style of advert and the company's use of its own branding, whilst ensuring that information is provided on ATOL protection.
21. In the guidance provided in Appendix A, we have also provided a number of case studies to guide ATOL holders. These examples are not exhaustive, and ATOL holders may seek further advice from the CAA.
22. The new AST1.3 wording is as follows, and this variation will come into force on 1 April 2026:

### **AST1.3**

ATOL holders that advertise ATOL protected services to UK consumers must, unless the CAA agrees an alternative approach that achieves equivalent consumer clarity, ensure that the advert contains reference to ATOL protection.

# Appendix A: Guidance in Support of ATOL Standard Term 1.3

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## Guidance in Support of ATOL Standard Term 1.3: ATOL Advertising Requirements

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## Introduction

1. This document was developed pursuant to ATOL Standard Term 1.3, that came into force on 1<sup>st</sup> April 2026, which states:

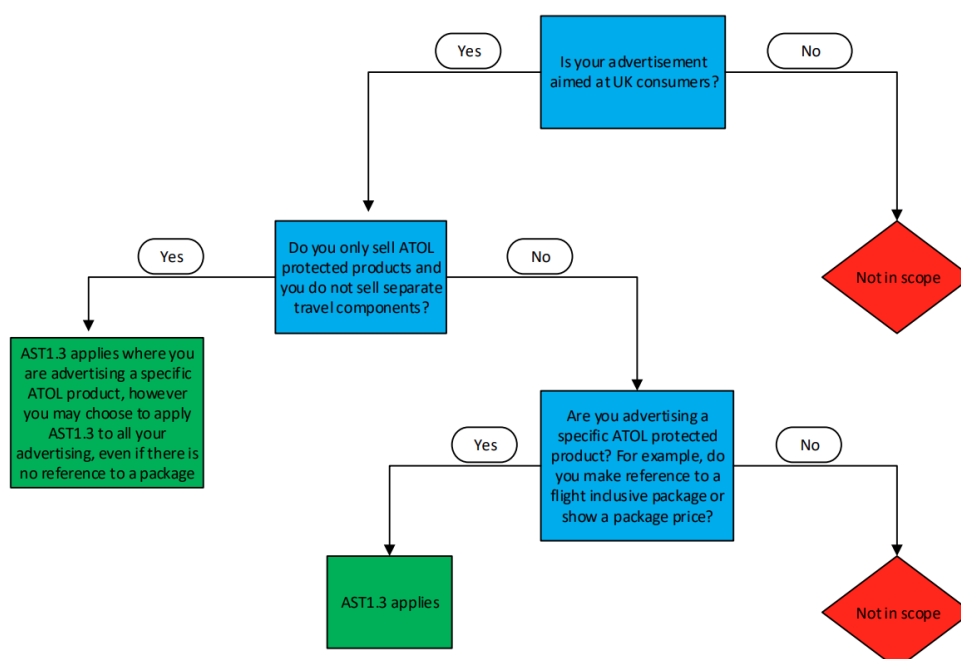
### AST1.3

ATOL holders that advertise ATOL protected services to UK consumers must, unless the CAA agrees an alternative approach that achieves equivalent consumer clarity, ensure that the advert contains reference to ATOL protection.

2. This guidance is designed to assist ATOL holders in complying with ATOL Standard Term 1.3 and enable them to provide information on ATOL protection, in an appropriate form and format, to their customers.
3. ATOL holders are advised to consider this guidance early in the planning of their advertising and marketing campaigns to ensure that they reflect the requirements of AST1.3 taking account of this guidance. If you need further advice or information about these requirements, please contact the CAA's ATOL Compliance Team at [ATOLCompliance@caa.co.uk](mailto:ATOLCompliance@caa.co.uk).

## How the policy applies

4. Not all advertising of holidays and flights is caught by AST 1.3. We have developed a decision-tree to enable you to make the appropriate decision as whether to include reference to ATOL protection in your advertisement:



## The policy in more detail

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5. This requirement applies to any type of advertisement (including promotional marketing) of an ATOL protected service that is aimed at UK consumers.
6. If you are an ATOL holder that only sells ATOL protected services, you may choose to refer to ATOL protection, even if your advertisement makes no specific reference to an ATOL protected trip.
7. If you sell both ATOL protected products and separate travel services, you must consider whether you are advertising an ATOL protected product. This will need to be assessed on a case-by-case basis but will be the case if your advertisement makes reference to ATOL protected products, for example it references the price of a flight-inclusive package or otherwise makes specific reference to an ATOL protected product. If AST 1.3 applies, you should refer to ATOL protection in that advertisement. If you are not advertising an ATOL protected product, for example if the advertisement is promoting general brand awareness or the general nature of holidays, or is advertising a hotel or location, this would not come in scope of AST 1.3.
8. If you feel that the product or service being advertised is less clear, for example where consumers could infer that what is being advertised is a flight inclusive package (but without the advertisement making specific reference to flight-inclusive packages or displaying prices), you may wish to incorporate wording such as "All flight-inclusive packages are ATOL protected." You may also seek further CAA advice.
9. In terms of the form and format of the information provided on ATOL protection in any relevant advertisement, you should be guided by how the advertisement presents information on the product itself and on your brand. For example, if the advertisement includes your logo, then it should be possible for you to include the ATOL logo in the advertisement at the same time. If the advertisement includes a written statement e.g. describing the product, then it should be possible for you to include a written statement referring to the product being ATOL protected. Similarly, if the advertisement includes a voiced statement, then it should be possible to include a voiced statement referring to ATOL protection.
10. For digital platforms, and especially social media platforms where space is constrained such that the visibility of logos and text is limited, it may be more appropriate for you to make reference to ATOL protection by using tags (for example #ATOLProtected) and / or pinned comments, which direct the consumer to further information on ATOL protection.
11. Through this policy we aim to allow creative freedom and sufficient flexibility for you in your marketing campaigns, particularly in respect of the style of advert

and your own use of branding, whilst ensuring that the information is provided on ATOL protection.

12. This policy also applies to paid-endorsed client personality or influencers, but only where there is a contractual relationship in place, and you have editorial control. Again, this policy would only apply if they were advertising or promoting a specific ATOL protected product.
13. This policy does not apply for paid search advertising, including where AI is used to return search results.

## Case Studies

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14. These case studies are intended to provide examples of how you could meet the requirements of AST1.3. The examples focus on the form and format of the information provided on ATOL protection in any relevant advertisement. They are not exhaustive and provide guidance only:

### Case Study 1:

An advertisement that contains text only, for example a social media post:

If the text contains reference to an ATOL protected product, we consider that such an advertisement would fall within the scope of AST 1.3. In this case the advert should contain the written words “ATOL protected”.

### Case Study 2:

An advertisement that contains an image and text, for example a social media post:

If the text or image contains reference to an ATOL protected product, we consider that such an advertisement would fall within the scope of AST 1.3. In this case, given how the advertisement presents information on the product and your brand, it should be possible to include the written words “ATOL protected” and / or display the ATOL protected logo. The post text could also include the written words “ATOL protected”. Social media tags (for example #ATOLProtected) and / or pinned comments could also be used,

### Case Study 3:

An advertisement is in the form of a longer-form video, for example as used in broadcast media (TV, cinema).

If the video contains specific reference to an ATOL protected product, we consider that such an advertisement would fall within the scope of AST 1.3. If the

advertisement is a video with a voiced statement, it should be possible to include the written words “ATOL protected” and / or display the ATOL logo, and to include the audible words “ATOL protected”. If the advertisement is a video without a voiced statement, it might not be appropriate to include the audible words “ATOL protected”, but it should be possible to include the written words “ATOL protected” and / or display the ATOL protected logo.

#### **Case Study 4:**

An advertisement is in the form of a short video, for example on a digital video platform.

If the video contains specific reference to an ATOL protected product, we consider that such an advertisement would fall within the scope of AST 1.3. If the advertisement is a video without a voiced statement, and in the context of how the advertisement presents information on the product and your brand, it should be possible to include the written words “ATOL protected” and / or display the ATOL protected logo. If the advertisement is a video with a voiced statement, but is a particularly short video (e.g. only a few seconds), it might not be appropriate to include the audible words “ATOL protected”. In such cases it is acceptable to include only the written words “ATOL protected” and / or display the ATOL logo.

#### **Case Study 5:**

An advertisement that contains audio only, for example a radio advert.

If the audio contains specific reference to an ATOL protected product, we consider that such an advertisement would fall within the scope of AST 1.3. In this case the advert should contain the audible words “ATOL protected”.

#### **Case Study 6:**

You are working with a paid/commission-based influencer, and you have editorial control over their content. They are making reference to ATOL protected products in their content, which therefore falls within the scope of AST 1.3. Through the editorial control you have over their content it should be possible to specify that they make an appropriate reference to ATOL protection. This will depend on the nature of the content and you should be guided by the case studies provided above.

The CAA acknowledges the challenges faced by you in ensuring that influencers consistently comply with the editorial requirements you set out. The CAA will take this into account in reviewing compliance with AST 1.3.

## The Equality Act 2010 and accessible digital content

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15. As explained earlier in this document, it is more common now for ATOL holders to advertise their services through a variety of non-broadcast media, including digital platforms and social media channels. As digital communication continues to grow, and people rely more on technology for connection to the outside world, accessibility is becoming a more critical part of digital communication.
16. The CAA has a legal duty<sup>1</sup> under the Equality Act 2010, called the Public Sector Equality Duty (PSED), which requires it to have due regard to certain objectives relating to equality whenever it exercises any of its functions. Although it is not a specific function of the CAA to ensure that the organisations that it regulates take steps to make their digital content accessible, as part of developing the proposal set out in this document, we have had due regard to the requirements of the PSED.
17. In this context we would like to encourage ATOL holders to consider the needs of a wide range of people when developing their advertising content, including people with accessibility needs. The Government Communication Service (GCS), which is a professional body for public service communicators working in government departments, agencies and arm's length bodies, publishes guidance and other material on how to make digital content accessible<sup>2</sup>. Although this material is intended for government communications, much of it is general in nature and provides a useful resource for ATOL holders to help them engage with the issue of accessibility in their advertising content.

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<sup>1</sup> <https://www.equalityhumanrights.com/guidance/public-sector-equality-duty-psed>

<sup>2</sup> <https://gcs.civilservice.gov.uk/guidance/accessible-communications/making-your-digital-content-accessible/>