STATUTORY INSTRUMENTS

1986 No. 155

CIVIL AVIATION

The Air Travel Reserve Fund (Winding up of Fund and Dissolution of Agency) Order 1986

Made - - - -	*3rd February* 1986
Laid before Parliament	*6th February* 1986
Coming into Operation	*27th February* 1986

The Secretary of State for Transport, in exercise of the powers conferred on him by section 6 of the Air Travel Reserve Fund Act 1975(**a**) ("the Act"), and of all other powers enabling him in that behalf, and after consultation with the Civil Aviation Authority, the Air Travel Reserve Fund Agency and persons appearing to him to be representative of the interests of persons engaged in the United Kingdom in the provision of air travel facilities to members of the public, hereby makes the following Order:

1. This Order may be cited as the Air Travel Reserve Fund (Winding up of Fund and Dissolution of Agency) Order 1986 and shall come into operation on 27th February 1986.

2. The Air Travel Reserve Fund (hereinafter referred to as "the Fund") is hereby wound up.

3. Any assets standing to the credit of the Fund on the date of the winding up of the Fund are hereby transferred to and vested in the trustees for the time being ("the trustees") of the Trust constituted by the Deed made on 28th January 1986 and known as the Air Travel Trust.

4. The Air Travel Reserve Fund Agency (hereinafter referred to as "the Agency") shall be dissolved on 30th June 1986.

5.—(1) During the transitional period, the expenses incurred by the Agency in peforming their duty under paragraph 9 of the Schedule to the Act (Accounts, Audit and Annual Report) to prepare a statement of accounts in respect of the period of account ending with 31st March 1986 and to make a report to the Secretary of State on the performance of their functions during that period, and any remuneration or allowances paid to the members of the Agency, shall be paid by the trustees out of the assets transferred to and vested in them by virtue of article 3 above.

(2) In this article "transitional period" means the period beginning with the winding up of the Fund and ending with the dissolution of the Agency.

Nicholas Ridley,
Secretary of State for Transport.

3rd February 1986.

(**a**) 1975 c.36; section 6 was amended by the Civil Aviation Act 1982 (c.16), Schedule 15, paragraph 16.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

The Air Travel Reserve Fund Agency ("the Agency") was constituted by the Air Travel Reserve Fund Act 1975 with the function of holding managing and applying the Air Travel Reserve Fund ("the Fund") from which payments could be made in certain cases in respect of losses or liabilities incurred by customers of air travel organisers to meet their financial commitments in respect of certain travel contracts.

This Order provides for the winding up of the Fund on 27th February 1986 and for the transfer of assets standing to the credit of the Fund on the date of its winding up to the trustees for the time being of the Air Travel Trust (articles 2 and 3). By a deed made on 28th January 1986 the trustees hold the fund and the income thereof upon trust to pay or apply it in their absolute discretion

1) in providing carriage by air or other means of transport for passengers in substitution for carriage which a defaulting air travel organiser has, in the opinion of the trustees, failed to provide in accordance with his obligations under any air travel contract, and

2) to or for the benefit of customers of a defaulting air travel organiser in respect of losses or liabilities incurred by them or on their behalf in connection with any air travel contract.

This Order also provides for the dissolution of the Agency on 30th June 1986 (article 4). During the period of four months between the winding up of the Fund and the dissolution of the Agency, the expenses incurred by the Agency in preparing a statement of accounts and making a report to the Secretary of State on the performance of the functions of the Agency in respect of the period of account ending with 31st March 1986, and any remuneration and allowances paid to its members, are to be met by the trustees of the Air Travel Trust out of the assets transferred to and vested in them (article 5).

The Air Travel Trust Deed may be inspected on weekdays at the library of the Civil Aviation Authority, CAA House, 45–59 Kingsway, London WC2B 6TE during the hours when the library is open.

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