

Name of Travel Agent/Tour Operator against which your claim is being made **Derval Keenan T/A DK Travel**

PLEASE READ THE FOLLOWING NOTES BEFORE COMPLETING THIS FORM**ONLY COMPLETE THIS FORM IF YOU HAVE NOT STARTED YOUR HOLIDAY****Proof of Loss**

Claims against the bond must comply with section 13 of the Transport (Tour Operators and Travel Agents) Act, 1982. Customers may only make a valid claim if they have incurred loss or liability because the inability or failure of the travel agent or tour operator to meet their financial or contractual obligations to the customer under an overseas travel contract. Pursuant to the Transport (Tour Operators and Travel Agents) Act, 1982 (Claims by Customers) Regulations, S.I. No. 104 of 1983, customers are required to make a claim in writing using this form and to provide proof of loss.

Claims can also be made against the Refund Credit Note scheme, where a customer can provide evidence of the refund credit note along with evidence that the trip was cancelled as a direct result of the Covid-19 pandemic.

Proof of loss includes relevant receipts, invoices, bank statements and credit card statements and other relevant documentation to be provided to the Commission to demonstrate actual payments made in relation to the loss claimed. Before submitting bank statements, please blank out any references to your account number (account number & IBAN number).

As set out further below not all transactions between a customer and a travel agent or tour operator are covered by the bond or refund credit note scheme. Customers may also want to take note of the chargeback rules in relation to credit cards. For further information please contact the Competition and Consumer Protection Commission website: <http://www.consumerhelp.ie/chargeback>

Customers are required to make a claim within 60 days of the date from which the tour operator or travel agent failed or was unable to meet their contractual obligations to its customers. Customers are encouraged to make claims promptly with such proof of loss as is available to them at that time. If the Commission requires further proof of loss it will request that from customers.

In accordance with the General Data Protection Regulation (GDPR) which came into effect on 25th May 2018 and the Data Protection Act 1988-2018, all personal and sensitive data provided in connection with this claim will be processed in line with the principles of Data protection. All processing of personal data will be done lawfully, fairly and in a transparent manner which ensures appropriate security and confidentiality of all personal information provided to us. For more information regarding your rights and our obligation under GDPR, please visit our privacy notice [here](#).

Travel Products purchased without a travel element

- Please note that only bookings that include travel departing from the Republic of Ireland are covered under this bond or refund credit note scheme.
- Products such as accommodation and/or accommodation and transfers only will not be covered.

Overseas travel that commences outside the Republic

- Travel that does not commence from the Republic of Ireland is not covered by the bond or refund credit note scheme (e.g. departures from Northern Ireland are not covered).
- If you are claiming for a trip that originated in another country, please do NOT complete this form. Please refer to our website www.aviationreg.ie for the correct form.
- If you have paid by credit card/debit card for such services, you may be able to seek redress with your card provider.

Vouchers

- Vouchers are not eligible for reimbursement from the Bond or Refund Credit Note scheme except in instances where the voucher has been exchanged for full or part payment for overseas travel departing from the Republic of Ireland. In such instances, evidence of the booking must be supplied together with evidence of loss incurred.
- Vouchers are not eligible for reimbursement from the Bond or Refund Credit Note scheme where they have been obtained from a Third Party (e.g. retailer) by way of a loyalty/rewards scheme/prize.

If there is insufficient space to answer any question please use separate sheet, attach to this claim form and specify Section referred to. Tel: 01-6611700 | traveltrade@aviationreg.ie | www.aviationreg.ie for updates.

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Cancellations

- Please note if you cancel your holiday the normal terms and conditions of your original booking contract still stand unless you have been issued with a refund credit note.

Section 1. Passenger Details

Lead name and address of person claiming followed by each person associated with the original booking

Indicate with (m) where passenger is a minor (under 18)

Name	Address
1.	
2.	
3.	
4.	
5.	

Contact No:

Email:

Section 2. Booking Details

Derval Keenan T/A DK Travel Booking Ref	
Date of Booking	
Date of Departure	
Departure City	
Destination	

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Section 3. *Payment Details (Help Note 2)

Please list all payments in respect of this booking

Paid in by	Date	Method of Payment (Cash, cheque or credit card etc)	Amount (€)	Evidence attached (see below)– tick box
<i>e.g.</i> <i>Mr A.N. Other</i>	<i>03/12/08</i>	<i>Debit Card</i>	<i>300.00</i>	<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

Total Payments made €

Less Insurance ⁽¹⁾ See notes section at back of claim form €

Less Other Deductions ⁽³⁾ €

Total Claim ⁽⁴⁾ €

For all cash payments	The original cash receipt received from Derval Keenan T/A DK Travel (ATM withdrawal slip not acceptable). Bank statements showing cash withdrawals for all cash payments, if applicable. Please blank out any references to your account number.	<input type="checkbox"/>
For payments made directly into Derval Keenan T/A DK Travel account	In the case of a lodgment to Derval Keenan T/A DK Travel account please provide the lodgment stub. In the case of a bank transfer the payee should provide a bank statement detailing the account details and amount transferred. Please blank out any references to your account number.	<input type="checkbox"/>
For all cheque payments	Please ask your bank for a clear copy front & back of the cleared cheque <u>or</u> A letter from bank confirming the account holder's name, amount paid, payee and date of clearance	<input type="checkbox"/>
For all credit or debit card payments and on-line electronic payments (e.g. PayPal)	A copy of your Credit Card or Debit Card account statements showing the transaction. This must confirm the payment the and the name of the account holder. Please blank out any references to your account number.	<input type="checkbox"/>

Please note that the Commission, once satisfied with your payment details, must then check with the suppliers to confirm if payments/part payments have been forwarded.

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Section 4. Refund Details

Paid to one person only <input type="checkbox"/>	Name		
	Address		
Divided among the claimants <input type="checkbox"/>	Name		Amount €
	Address		
			€
	Name		
	Address		
			€
	Name		
	Address		
			€
	Name		
	Address		
			€
			€
			Total €
		(This should equal amount of Claim)	
Paid to a third party/ies (e.g. Travel Agent, Tour Operator) (Help Note 5) <input type="checkbox"/>	Name	Address	Amount €
	1.		
	2.		
			Total €
			(This should equal amount of Claim)

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Section 5. Passenger Declaration

Important Note: This Section must be signed by all persons over 18 in the booking party and all those who have made payment(s) towards the booking. If not, it will be returned as an invalid claim.

Before payment can be made, each claimant must assign to the Commission any claims for refund or reimbursement arising from the booking. Accordingly, each person in the booking party, as well as the person who made the original payment, must sign this section.

The claimant's attention is drawn to the heavy penalty provisions relating to the *false or misleading submissions* for the purpose of obtaining payment from the bond, which are set out in the Transport (Tour Operators and Travel Agents) Act, 1982 as amended.

I/We certify that I/we agree to the payment of the refund as detailed in Section 4 of this claim.

In consideration of any payments made to me or on my behalf, I hereby assign to the Commission for Aviation Regulation any claim I may have against Derval Keenan T/A DK Travel.

I/We hereby declare that the information I/we have provided in connection with this claim is the truth and that neither I nor anyone else included in the claim has received any refund from either a bank or any insurance company of the sums claimed above. I/We agree to indemnify the Commission for Aviation Regulation in event of over/dual payment.

I/We understand that I/we am/are able to seek refunds from other sources if such sums fall outside the scope of the scheme and I/we undertake to inform the Commission to update my claim if I do receive a refund from any other source.

I/We confirm that neither I nor anyone else included on the claim has insurance cover against travel agent/ tour operator failure. I/We hereby acknowledge that I/we understand that dishonestly entering information and/or making a claim which is, or might be, untrue or misleading, and intend by doing so to make a gain for myself or another person, or to cause loss or the risk of loss to the provider of the Bond/insurance/Travellers' Protection Fund/Refund Credit Note scheme, I/we may commit the offence of making a gain by deception contrary to section 6 of the Criminal Justice (Theft and Fraud Offences) Act, 2001.

Signature:	Date:
Signature:	Date
Signature:	Date
Signature:	Date
Signature:	Date:
Signature:	Date
Signature:	Date
Signature:	Date

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Section 6. Check List

Prior to submission, please ensure that you are providing relevant backup documentation.

1. I/we have read through Sections 1-5
2. All adults in the party, (over the age of 18), have signed Section 5, along with those who have made payment(s) to the booking

I have enclosed:

1. Original claim form
2. A detailed list of payments for my claim
3. Original itinerary from the travel agent/tour operator
4. Bank statements showing debit transactions
5. Credit card statement showing debit transactions
6. Cash payment evidence (bank statement showing cash withdrawals or an explanation)
7. I have kept copies of all relevant documentation as submitted with my claim
8. Original/copy refund credit note, issued by travel agent/tour operator

Form must be completed in full, signed, dated and ensure all original receipts/bank statements are included when returning to:

**Commission for Aviation Regulation
6 Earlsfort Terrace,
Dublin 2, D02 W773**

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Section 7. Notes

1. Insurance

If you purchased travel insurance through Derval Keenan T/A DK Travel you are not eligible for a refund (for the cost of travel insurance) under the Bond. Insurance is not a travel service.

2. Payment Details

The Commission, once satisfied with your payment details, must then check with the suppliers, hotels, air carriers etc to confirm if payments/part payments have been forwarded from Derval Keenan T/A DK Travel.

3. Other deductions

- **Cancellation of payment**

If you have cancelled a cheque/direct debit/standing order payment made Derval Keenan T/A DK Travel this has been confirmed by your bank this amount will not be paid from the Bond/Refund Credit Note scheme.

Example. You paid €1,000 for an overseas holiday. You cancelled your last payment (by cheque or credit card), for the amount of €500.00, when you heard the company went out of business. The total amount to be claimed would be €500 minus any other charges that are not eligible to claim (e.g. credit card charge, insurance etc..)

- **Credit card charge**

These charges (e.g. 2.5% as charged by retailer) will not be refunded from the Bond.

4. Total Claim

This is the amount you are eligible to claim from the bond/refund credit note scheme after all deductions have been taken into account.

5. Third Party Payments

An example of a third party is where you have rebooked a holiday with another Travel Agent/Tour Operator and you wish them to receive the refund due to you under your claim. If you assign payment of your claim to a Travel Agent/Tour Operator please check they are licensed and bonded with the Commission for Aviation Regulation (www.aviationreg.ie) before assigning them. The Commission cannot make payments to Travel Agents/Tour Operators that do not have the appropriate licence.

6. Works Visa/Work Permit

If you purchased work visa's/permits through Derval Keenan T/A DK Travel you are not eligible for a refund of these costs under the Bond. These are not travel services.