

2015/2016 Financial Guideline-05

School Tours – Booking & Collection of Payments

1. Introduction

This guideline is to provide information to school management and school personnel involved in the organisation of school tours outside of the Republic of Ireland.

Below is an extract from communication received from the Aviation Regulator regarding schools tours:

‘This letter is being issued to assist schools in ensuring that pupils and staff who are travelling on foreign school trips are aware that the protection under the legislation in repatriating passengers and providing refunds to those prevented from travelling abroad only comes into operation where bookings are made directly with licensed travel agents and/or tour operators.

The legislation provides that it is a requirement that any person or legal entity that sells travel out of Ireland must hold an appropriate license to do so. Under the provisions of the Transport (Tour Operators and Travel Agents) Act 1982 a travel agent is defined as:

“a person other than a carrier who as agent sells or offers to sell to, or purchases or offers to purchase on behalf of, any person, accommodation on air, sea or land transport commencing in the State to destinations outside the State or Northern Ireland or who holds himself out by advertising or otherwise as one who may make available such accommodation, either solely or in association with other accommodation facilities or services”

Under the Act a tour operator is defined as:

“a person other than a carrier who arranges for the purpose of selling or offering for sale to any person, accommodation for travel by air, sea or land transport commencing in the State to destinations outside the State or Northern Ireland or who holds himself out by advertising or otherwise as one who may make available such accommodation, either solely or in association with other accommodation facilities or other services”

Any school wishing to organise a school tour abroad must do so using a licensed tour operator or travel agent to arrange the travel package including accommodation and other services. All monies must be paid directly to the tour operator or travel agent, not to school staff or event coordinator.

Compliance ensures that the event is covered by the relevant bond held by the tour operator or travel agent with the Commission for Aviation Regulation as part of the annual licensing requirement, if for any reason the license holder ceases to trade.

It is imperative that the tour operator or travel agent chosen to arrange the overseas trip holds a current license. The full list of all current license holders is available on www.aviationreg.ie'

2. Procedure

In order to ensure that schools are compliant with this legislation, we advise the following:

1. All school tours travelling outside of the Republic of Ireland must be booked through a bonded licensed travel agent or tour operator from the approved list on www.aviationreg.ie **and** Payments from students should be made **directly** to the travel agent or tour operator and not collected through the school. Where it is not possible for payments to be made directly to the travel agent the Aviation Regulator has confirmed that a school is in compliance with relevant legislation where cheques made out to the bonded travel operator are collected by the school. These cheques can be forwarded to the bonded tour operator by the school. It is important to note that these cheques **must** be made payable to the bonded tour operator, **not** to the school.
2. Many tour operators and travel agents can accept payments electronically or by cheque and cash. We advise schools to work closely with the tour operators in establishing procedures to ensure the school retains full control of the tour.
3. **We do not recommended use of any particular tour company. Schools are free to select any of the bonded tour operators from the approved list on www.aviationreg.ie**
4. [FSSU Guideline 04-2007/2008](#) 'Educational Tours by School Groups' and [Circular M20/04](#) give further guidance on the operation of school tours.

Further information or clarification on any of the issues raised in this Guideline can be obtained from the FSSU.

Louise McNamara
Director, FSSU
17th September, 2015

