

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

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Enquiries regarding the content of this publication should be addressed to: [atol.consultation@caa.co.uk](mailto:atol.consultation@caa.co.uk)

# Revision history

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Edition	Date	Summary
First edition	March 2025	First edition

# Forward

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## Overview

The Civil Aviation (Air Travel Organisers' Licensing) Regulations 2012 (ATOL Regulations) require the Civil Aviation Authority (CAA) to publish a schedule of Standard Terms for an ATOL, with which ATOL holders must comply. These ATOL Standard Terms are published in the CAA's Official Record Series 3 (ORS3).

ATOL Standard Term 1.3 sets out that ATOL holders advertising ATOL protected services in broadcast media (television/radio/cinema etc.) must, unless the CAA agrees an alternative that achieves equivalent consumer clarity, ensure that the advert contains audible words "ATOL protected" and that the ATOL protected logo and ATOL number are shown during the broadcast.

We are proposing to amend ATOL Standard Term 1.3 to provide clarity over when the ATOL protected statement, and logo must be used in advertising in both broadcast and non-broadcast media.

## This consultation

The purpose of this consultation is to seek views on proposals to amend the requirements of ATOL Standard Term 1.3 such that all advertising which (a) is aimed at a UK audience and (b) is clearly advertising an ATOL protected service, must display the ATOL protected logo and ATOL number, and contain the audible or written words "ATOL protected".

## Why your views matter

We are keen to ensure that the proposal contained in this document is effective and appropriate. It is important that everyone has an opportunity to voice their opinion on matters that could affect them. Your feedback will help us better understand the potential issues and policy improvements required before finalizing our approach. For these reasons, we are asking for comments on these proposed changes.

## How to respond

We will review all the responses received.

Please submit your comments using the online survey link below only.

At the end of the response period, we will review each comment and publish a summary of responses document.

Your feedback will be used to refine the policy, implementation, timelines and proposed changes.

Any enquiries regarding the consultation content or clarification requests should be sent to us by email to [atol.consultation@caa.co.uk](mailto:atol.consultation@caa.co.uk) or in writing to:

ATOL Policy Team

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# Chapter 1

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## Why is the CAA issuing this consultation?

ATOL Standard Term 1.3 sets out that:

ATOL holders that advertise ATOL protected services in broadcast media (television/radio/cinema etc.) must, unless the CAA agrees an alternative that achieves equivalent consumer clarity, ensure that the advert contains audible words “ATOL protected” and that the ATOL protected logo and ATOL number are shown during the broadcast.

A number of issues have arisen in respect of this requirement:

- ATOL holders are advertising their services through a variety of non-broadcast media, including digital platforms and social media channels. A number of ATOL holders have approached us for clarification on the requirement and we are conscious that the nature of non-broadcast channels for advertising is likely to continue to evolve and therefore there is a broader issue of ensuring that the requirement is fit for the future.
- ATOL holders are not always advertising specific ATOL services, but instead use advertising to promote their brand more generally, for example through promoting the general nature and enjoyment of international travel. ATOL holders have approach us for clarification on the requirement in these scenarios.

We have considered how ATOL Standard Term 1.3 could be amended to take account of these issues and have developed a proposal to amend the requirement.

## The relevant policy issues

When considering our options for developing this requirement in response to the issues identified, we have ensured the consumer is at the heart of our decision-making. The ATOL scheme protects consumers in certain circumstances if their package organiser ceases trading. For consumers who are yet to travel, it provides financial reimbursement for the cost of their licensable booking. For consumers who are abroad at the time of failure, we will ensure that where possible the holiday can continue, and if required will arrange for passengers to return to the UK at no additional cost.

The ATOL scheme is an important financial protection for consumers and is likely to give them the confidence to book their holiday. We therefore believe it is vital that consumers are made aware of ATOL protection so they can factor this into their decision making.

AST1.3 sits alongside other similar requirements on disclosing information on ATOL protection, for example AST 1.1, 1.2, 1.4 and 1.5. In addition, general consumer protection legislation<sup>1</sup> places requirements on businesses, including ATOL holders, in relation to providing consumers with all the information they need to make an informed decision about the holiday or flight they are purchasing. We believe these obligations are particularly relevant for helping consumers make an informed choice as they require information on ATOL protection to be presented during consumer booking journey.

In this context we consider that the purpose of AST1.3 is more to further ATOL brand awareness amongst consumers than to give consumers specific information on ATOL protection that they are likely to act upon in the moment. Our consumer research on ATOL reform carried out previously suggests that consumers are generally aware of ATOL protection and its value, with feedback that it gives security and peace of mind. We are of the view that the requirements of AST1.3 assist with strengthening this general awareness of ATOL protection.

Given this, we consider that it is appropriate to retain AST1.3, but to modernise it to ensure that it is fit for the current and future environment of advertising and promoting ATOL protected trips. As set out in our proposal below, we have tried to strike the balance between continuing to promote ATOL protection in advertising, whilst minimising the risk of misleading consumers or imposing undue burden on ATOL holders.

## The CAA's proposal

Our proposal is first to amend the requirement to focus on the content of the advertisement itself, rather than the advertising method used as is currently the case with AST1.3. We consider that this should future proof the requirement as the nature of non-broadcast channels for advertising evolve. To this end we are proposing that all methods of advertising and promotion will now come into scope. This will benefit consumers as they will be informed of whether the trip is ATOL protected regardless of the platform on which they view the advertisement, ensuring consistency across all advertising and promotion.

Second, we propose to clarify that the new requirement applies to any advertisement or promotion that, by the nature of its content or the method of advertising, is aimed at UK consumers.

Third, to address the issue of advertisements and promotional content that present the general enjoyment of international travel rather than specific travel products, we propose that the new requirement applies only where an ATOL protected service is being advertised or promoted.

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<sup>1</sup> See, for example, the [Consumer Protection from Unfair Travel Regulations 2008](#)

We consider that this approach should 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 consider that this approach should also minimise the potential to mislead consumers over whether the product advertised is ATOL protected.

Further information on what we mean by advertising an ATOL protected service will be set out in guidance. (Please see Appendix A)

## Chapter 2

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### The proposal to amend ATOL Standard Term 1.3

ATOL Standard Term 1.3 sets out that ATOL holders that advertise ATOL protected services in broadcast media (television/radio/cinema etc.) must, unless the CAA agrees an alternative that achieves equivalent consumer clarity, ensure that the advert contains audible words “ATOL protected” and that the ATOL protected logo and ATOL number are shown during the broadcast.

The CAA proposes to amend this term requiring all advertising that is aimed at a UK audience, and where an ATOL protected trip is being advertised or promoted, must display the ATOL logo and contain the audible/written words “ATOL protected”. All other requirements within ATOL Standard Term 1 continue to apply.

#### Proposed wording

ATOL Standard Term 1 - Providing information to consumers before and after sale  
*AST1.3*

ATOL holders that advertise ATOL protected services to UK consumers must, unless the CAA agrees an alternative that achieves equivalent consumer clarity, ensure that the advert contains audible or written words “ATOL protected” and that the ATOL protected logo and ATOL number are visible.

## Chapter 3

### Questions for stakeholders

1. Name, email and type of stakeholder (ATOL holder, Franchise, Consultant, Trade Body, Other please specify)
2. Do you agree with the proposed amendments set out in ATOL Standard Term 1.3? Yes/No. Please explain why.
3. Appendix A provides guidance to support this requirement. Do you have any suggestions on how the CAA can improve this document?
4. Do you think our positioning of the requirement is sufficiently future-proof to support ATOL holders?
5. Would this proposal add any cost to your business? Yes/No. Please explain your selection.



# Appendix A

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## Proposed CAA Publication

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

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## Introduction

This document was developed pursuant to 1.3 of ATOL Standard Term 1:

### *AST1.3*

ATOL holders that advertise ATOL protected services to UK consumers must, unless the CAA agrees an alternative that achieves equivalent consumer clarity, ensure that the advert contains audible or written words “ATOL protected” and that the ATOL protected logo and ATOL number are visible.

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 to their customers. 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).

## What advertising methods come in scope?

This requirement applies to any advertisement (including promotional marketing) of an ATOL protected service that, by the nature of its content or the method of advertising, is aimed at UK consumers. This can include advertising through channels or media aimed at UK consumers, as well as through the content of the advertisement itself (for example if the advertisement displays a price in GBP).

If you are an ATOL holder that only sells ATOL protected services, you may choose to use the ATOL protected logo and statement, even if your advertisement makes no specific reference to an ATOL protected trip.

If you are an ATOL holder that sells both ATOL and non-ATOL protected products, you must consider whether the content of the advertisement significantly implies that the product advertised is an ATOL protected service. Further guidance on this is set out below.

Where you work with third parties, for example agents or influencers, it remains the obligation of the ATOL holder to ensure compliance with the requirements of AST 1.3.

## What do we mean by reference to an ATOL protected service?

If your advertisement contains specific reference to an ATOL protected service, then the requirements in AST 1.3 will apply.

In order to avoid the potential to mislead consumers over the issue of ATOL protection, for advertisements that do not contain specific reference to an ATOL protected service, ATOL holders will need to consider whether the content of the advertisement significantly implies that an ATOL protected service is being advertised or promoted.

ATOL holders will need to consider this on a case-by-case basis, but as a minimum should have regard to the following considerations in determining whether an ATOL protected service is being advertised or promoted:

- Does the advertisement make reference to flight-inclusive package holidays that are required to be ATOL protected?
- Does the advertisement make reference to a flight from a UK airport, plus a substantial other component such as a hotel, implying that an ATOL protected service is being advertised?
- Does the advertisement make reference to a holiday destination which, in terms of the travel services your company offers to consumers, would require the consumer to book an ATOL protected flight-inclusive package?

ATOL holders are advised to consider these issues early in the planning of their advertising and marketing campaigns. The CAA's ATOL Compliance Team are available to provide specific advice and guidance on a case-by-case basis. It is our expectation, however, that any such requests will be made in a timely manner by ATOL holders, allowing the CAA to properly consider the issues and provide its views.

## Case Studies

These case studies are provided as examples to support the requirements in AST 1.3.

### **Case Study 1:**

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

If the text contains specific reference to an ATOL protected service, we consider that such an advertisement would fall within the scope of AST 1.3. In this case, the text should therefore include the written words "ATOL protected" and the ATOL number.

### **Case Study 2:**

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

if the text or image contains specific reference to an ATOL protected service, we consider that such an advertisement would fall within the scope of AST 1.3. In this case, the image should contain the words "ATOL protected", and the ATOL protected logo and the ATOL number should be displayed. The text could also include the written words "ATOL protected".

### **Case Study 3:**

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

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

If the advertisement is a video with audio, in this case it should contain the written and audible words “ATOL protected”, and display the ATOL protected logo and the ATOL number.

If the advertisement is a video without audio, it should contain the written words “ATOL protected”, and display the ATOL protected logo and the ATOL number.

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

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

If the audio contains specific reference to an ATOL protected service, 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”.

## **The Equality Act 2010 and accessible digital content**

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 publishing digital communication.

The CAA has a legal duty<sup>2</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.

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>3</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>2</sup> <https://www.equalityhumanrights.com/guidance/public-sector-equality-duty-psed>

<sup>3</sup> <https://gcs.civilservice.gov.uk/guidance/accessible-communications/making-your-digital-content-accessible/>