



## Travellers' Protection Fund and Bond Accounts for the year ended 31st December 2007

*Issue date : 24th December 2008*

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**TRAVELLERS' PROTECTION FUND  
AND  
TRAVEL AGENTS' AND TOUR OPERATORS' BOND ACCOUNTS**

**Report of the Comptroller and Auditor General for presentation to the  
Houses of the Oireachtas**

I have audited the financial statements of the Travellers' Protection Fund and Travel Agents' and Tour Operators' Bond Accounts for the year ended 31 December 2007 under the Transport (Tour Operators and Travel Agents) Act, 1982.

The financial statements, which have been prepared under the accounting policies set out therein, comprise the Statement of Accounting Policies, the Income and Expenditure Account, the Balance Sheet, the Bond Accounts and the related notes.

**Respective Responsibilities of the Member of the Commission and the Comptroller and Auditor General**

The Member of the Commission is responsible for preparing the financial statements in accordance with the Transport (Tour Operators and Travel Agents) Act, 1982 and for ensuring the regularity of transactions. The Commission prepares the financial statements in accordance with Generally Accepted Accounting Practice in Ireland. The accounting responsibilities of the Member of the Commission are set out in the Statement of Commission's Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

I report my opinion as to whether the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland. I also report whether in my opinion proper books of account have been kept. In addition, I state whether the financial statements are in agreement with the books of account.

I report any material instance where moneys have not been applied for the purposes intended or where the transactions do not conform to the authorities governing them.

I also report if I have not obtained all the information and explanations necessary for the purposes of my audit.

**Basis of Audit Opinion**

In the exercise of my function as Comptroller and Auditor General, I conducted my audit of the financial statements in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board and by reference to the special

considerations which attach to State bodies in relation to the management of funds under their control. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures and regularity of the financial transactions included in the financial statements. It also includes an assessment of the significant estimates and judgments made in the preparation of the financial statements, and of whether the accounting policies are appropriate, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations that I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements.

### **Opinion**

In my opinion, the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland, of the transactions on the Fund and the Bonds for the year ending 31 December 2007 and the state of affairs at that date.

In my opinion, proper books of account have been kept by the Commission. The financial statements are in agreement with the books of account.



**Gerard Smyth**  
for and on behalf of the  
**Comptroller and Auditor General**

19 January 2009

## **Travellers' Protection Fund, Travel Agents' and Tour Operators' Bond Accounts**

### **Statement of Commission's Responsibilities**

Section 13(5) and 17(3) of the Transport (Tour Operators and Travel Agents) Act, 1982 requires the Commission to prepare financial statements and to submit them for audit to the Comptroller and Auditor General. In preparing these financial statements, the Commission is required to:

- select suitable accounting policies and apply them consistently
- make judgements and estimates that are reasonable and prudent
- prepare the financial statements on the going concern basis, unless that basis is inappropriate
- disclose and explain any material departures from applicable accounting standards

The Commission is responsible for keeping proper books of account, which disclose with reasonable accuracy at any time the financial position of the Fund and Bond Accounts and which enable it to ensure that the financial statements comply with the provisions of the Act. The Commission is also responsible for safeguarding its assets and for taking reasonable steps for the prevention and detection of fraud and other irregularities

  
**Cathal Guimard**  
**Commissioner for Aviation Regulation**

**Date** 24/12/2008

## **Statement of Accounting Policies**

### **1. General**

The Transport (Tour Operators and Travel Agents) Act, 1982 made provision for the protection of persons who enter into overseas travel contracts with tour operators or travel agents by providing for:

(a) The licensing of tour operators and travel agents;

(b) The requirement that each such firm prior to the granting of a licence has furnished evidence to the Commission for Aviation Regulation that it has entered into an acceptable arrangement for the protection of its customers engaged in overseas travel (this arrangement is known as the "Bond") and;

(c) The establishment of a Travellers' Protection Fund to meet any shortfall where the Bond is inadequate.

Prior to 27 February 2001, the activities relating to the operation of the Fund and bond accounts were undertaken by the Minister for Public Enterprise, whose expenses were reimbursed from the Fund or from bonds provided. Under the provisions of the Aviation Regulation Act 2001, the administration of the Fund transferred to the Commission for Aviation Regulation, with effect from that date.

### **2. Bond Accounts**

Each bond provides that in the event of default by the tour operator or travel agent in respect of overseas travel contracts, a sum of money will become available to the Commission for Aviation Regulation to be applied for the benefit of any of its customers who have incurred loss or liability because of such default. The bonding requirements can be satisfied by an insurance bond or by depositing a cash sum with the Commission for Aviation Regulation or by depositing funds in a financial institution in the sole name of the Commission for Aviation Regulation. Sums so deposited are accounted for by the Commission.

A separate account is maintained by the Commission of all moneys received by it on foot of each bond and of all disbursements made by it from such monies. These accounts are shown on pages 7 to 9.

Administration costs are charged to the bond accounts as incurred. Claims are charged in the year in which the event giving rise to the claim occurred.

Funds received from each bond are taken to income in the year in which the expenditure met from the bond is incurred.

### **3. Travellers' Protection Fund**

The Travellers' Protection Fund, financed by contributions from tour operators, is used to make good losses or liabilities sustained by customers of licensed tour operators or travel agents to the extent that the bonds are inadequate to meet such losses or liabilities. Contributions from tour operators on foot of regulations made under the Act were suspended with effect from April 1987, due to adequate cash reserves being available.

### **4. Liquidation of failed firms**

Where there is a failure of a travel agent or tour operator and such firm is put into liquidation, a claim is lodged with the liquidator in respect of outstanding contributions due to the Travellers' Protection Fund and for the recovery of any amounts which fall due to be met from the Travellers' Protection Fund. Receipts on foot of such claims are brought to account as they arise.

# Travellers' Protection Fund Income and Expenditure Account

## INCOME AND EXPENDITURE ACCOUNT FOR YEAR ENDED 31 DECEMBER 2007

|                                   |        | 2007  | 2007             | 2006     | 2006             |
|-----------------------------------|--------|-------|------------------|----------|------------------|
|                                   |        | €     | €                | €        | €                |
| <b>INCOME</b>                     |        |       |                  |          |                  |
| Interest                          | Note 1 |       | 299,750          |          | 214,414          |
| <b>EXPENDITURE</b>                |        |       |                  |          |                  |
| Collapse claims                   | Note 2 | -     |                  | (15,248) |                  |
| Collapse administration costs     | Note 3 | -     |                  | (12,562) |                  |
| General administrative costs      |        | 3,019 |                  | 8,155    |                  |
| Accountancy & Professional Fees   |        | 820   |                  | 11,439   |                  |
| Audit fee                         |        | 7,220 |                  | 4,860    |                  |
|                                   |        |       | 11,059           |          | (3,356)          |
| <b>SURPLUS/(DEFICIT) FOR YEAR</b> |        |       | 288,691          |          | 217,770          |
| <b>BALANCE AT 1 JANUARY</b>       |        |       | 7,526,840        |          | 7,309,070        |
| <b>BALANCE AT 31 DECEMBER</b>     |        |       | <u>7,815,531</u> |          | <u>7,526,840</u> |

The Statement of Accounting Policies and Notes 1 to 10 form part of these accounts

Date 24/12/2008

  
Cathal Guiomard  
Commissioner for Aviation Regulation

# Travellers' Protection Fund

## BALANCE SHEET AS AT 31 DECEMBER 2007

|                                                     |        | 2007            | 2007                    | 2006             | 2006                    |
|-----------------------------------------------------|--------|-----------------|-------------------------|------------------|-------------------------|
|                                                     |        | €               | €                       | €                | €                       |
| Investment account                                  | Note 1 |                 | 7,776,087               |                  | 7,540,553               |
| <b>CURRENT ASSETS</b>                               |        |                 |                         |                  |                         |
| Due from Bond accounts                              | Note 4 | -               |                         | 877              |                         |
| Interest accrued                                    |        | 78,138          |                         | 64,946           |                         |
| Bank                                                |        | 4,169           |                         | 228,836          |                         |
|                                                     |        | <u>82,307</u>   |                         | <u>294,659</u>   |                         |
| <b>CURRENT LIABILITIES</b>                          |        |                 |                         |                  |                         |
| Provision for Amounts due to Bond Guarantors        | Note 5 | (32,823)        |                         | (225,037)        |                         |
| Specific provision for claims outstanding           | Note 6 | (625)           |                         | (43,220)         |                         |
| Accruals                                            | Note 7 | (9,415)         |                         | (40,115)         |                         |
|                                                     |        | <u>(42,863)</u> |                         | <u>(308,372)</u> |                         |
| Net current assets/(liabilities)                    |        |                 | 39,444                  |                  | (13,713)                |
| <b>NET ASSETS</b>                                   |        |                 | <u><u>7,815,531</u></u> |                  | <u><u>7,526,840</u></u> |
| <b>REPRESENTED BY</b>                               |        |                 |                         |                  |                         |
| Income and Expenditure Account balance at 1 January |        |                 | 7,526,840               |                  | 7,309,070               |
| Surplus/(Deficit) for year                          |        |                 | <u>288,691</u>          |                  | <u>217,770</u>          |
|                                                     |        |                 | <u><u>7,815,531</u></u> |                  | <u><u>7,526,840</u></u> |

The Statement of Accounting Policies and Notes 1 to 10 form part of these accounts

Date 24/12/2008

  
Cathal Guiomard  
Commissioner for Aviation Regulation

## Notes to the Travellers' Protection Fund

Any money not required to meet current expenditure is transferred to an investment account which is managed and controlled by the Finance. Interest generated by the Fund is credited to income.

|                                                    | €            | Charged to<br>the Bond<br>€ | Charged to<br>the Fund<br>€ |
|----------------------------------------------------|--------------|-----------------------------|-----------------------------|
| <b>2 Collapse Claims have been met as follows:</b> |              |                             |                             |
| Martina Forde                                      | 1,095        | 1,095                       | -                           |
|                                                    | <b>1,095</b> | <b>1,095</b>                | -                           |

|                                                                            | €          | Charged to<br>the Bond<br>€ | Charged to<br>the Fund<br>€ |
|----------------------------------------------------------------------------|------------|-----------------------------|-----------------------------|
| <b>3 Collapse administration and staff costs have been met as follows:</b> |            |                             |                             |
| Martina Forde                                                              | 207        | 207                         | -                           |
|                                                                            | <b>207</b> | <b>207</b>                  | -                           |

|                                                                        |          |
|------------------------------------------------------------------------|----------|
| <b>4 Amounts due from Bond Guarantor's/Traveller's Protection Fund</b> | €        |
| Nil                                                                    | -        |
|                                                                        | <b>-</b> |

|                                          |               |
|------------------------------------------|---------------|
| <b>5 Amounts due to Bond Guarantor's</b> | €             |
| T.T.E. Ltd                               | 130           |
| Martina Forde Ltd                        | 198           |
| Tony Roche Travel Ltd                    | 32,495        |
|                                          | <b>32,823</b> |

|                             |            |
|-----------------------------|------------|
| <b>6 Claims Outstanding</b> | €          |
| Tony Roche Travel Ltd       | 625        |
|                             | <b>625</b> |

|                                 |              |
|---------------------------------|--------------|
| <b>7 TPF Accruals</b>           | €            |
| Administration Costs            | 2,095        |
| Accountancy & Professional Fees | 820          |
| Audit Fee                       | 6,500        |
|                                 | <b>9,415</b> |

## 8 Bonds

Apart from the normal method of bonding through insurance companies under the Bonding Regulations (S.I. 102 of 1983), the required bond may be satisfied by a number of other methods among which are:

- (a) A cash sum deposited with the Commission for Aviation Regulation;
- (b) A sum of money deposited in a bank or financial institution in the sole name of the Commission for Aviation Regulation.

At 31 December, 2007, in addition to the monies accounted for in the preceding accounts, monies deposited with the Commission for Regulation in accordance with (a) and (b) above amounted to €15,207,794.98.

## 9 Claims Settled

As at 31/12/2007, all claims have been settled and any amounts outstanding have been returned to the bond holders in respect of the following collapses:

Balbriggan Travel Ltd  
 Ballsbridge Travel (Ireland) Ltd  
 Beacon Travel Ltd  
 Finlandia Travel Agency Ltd T/A  
 Finlandia Travel Agency Ltd T/O  
 Italiatour Ltd  
 JetGreen Airways Ltd  
 Paul Buckley Travel Ltd  
 Co-operative Travel Ltd

## 10 Comparative Figures

Certain comparative figures have been restated on the bond accounts in order to exclude Traveller Protection Fund Income.

**T.T.E Ltd****Travel Agent Bond****€56,400****Income and Expenditure Account for year ended 31 December 2007**

|                          | Note | 2007<br>€ | 2006<br>€ |
|--------------------------|------|-----------|-----------|
| <b>Income</b>            |      |           |           |
| Income from Bond         |      | -         | (4,096)   |
| <b>Expenditure</b>       |      |           |           |
| Claims                   |      | -         | (4,219)   |
| Administrative costs     | 3    | -         | 123       |
| <b>SURPLUS/(DEFICIT)</b> |      | <u>-</u>  | <u>-</u>  |

**Balance Sheet at 31 December, 2007****Current Assets**

|                     |   |     |       |
|---------------------|---|-----|-------|
| Cash in Bank        |   | 130 | (249) |
| Due from Bondholder | 4 | -   | 372   |

**Current Liabilities**

|                                             |   |     |     |
|---------------------------------------------|---|-----|-----|
| Outstanding Claims                          | 6 | -   | -   |
| Accruals - Outstanding Administrative Costs | 3 | -   | 123 |
| Due to Bondholder                           |   | 130 | -   |

**NET ASSETS/(LIABILITIES)**

|          |          |
|----------|----------|
| <u>-</u> | <u>-</u> |
|----------|----------|

**Represented by**

The Statement of Accounting Policies and Notes 1 to 10 form part of these accounts

**Note**

The total value of the bond is €56,400 of which €600 has been called. There are sufficient funds within the bond to meet all liabilities without recourse to the Travellers' Protection Fund.

Date

24/12/2008

  
Cathal Guiomard  
Commissioner for Aviation Regulation

**Tony Roche Travel Ltd****Travel Agent Bond €228,000****Income and Expenditure Account for year ended 31 December 2007**

|                          | Note | 2007<br>€  | 2006<br>€    |
|--------------------------|------|------------|--------------|
| <b>Income</b>            |      |            |              |
| Income from Bond         |      | (32,495)   | 228,000      |
| <b>Expenditure</b>       |      |            |              |
| Claims                   | 2    | (33,000)   | 209,972      |
| Administrative costs     | 3    | -          | 18,532       |
| <b>SURPLUS/(DEFICIT)</b> |      | <b>505</b> | <b>(505)</b> |

**Balance Sheet at 31 December, 2007****Current Assets**

|              |        |        |
|--------------|--------|--------|
| Cash in Bank | 33,120 | 46,130 |
|              | -      |        |

**Current Liabilities**

|                                             |   |        |        |
|---------------------------------------------|---|--------|--------|
| Outstanding Claims                          | 6 | 625    | 34,094 |
| Accruals - Outstanding Administrative costs | 3 | -      | 12,540 |
| Due to Bondholder                           |   | 32,495 | -      |

**NET ASSETS/(LIABILITIES)**

|   |       |
|---|-------|
| - | (505) |
|---|-------|

**Represented By:****Income and Expenditure Account**

|   |       |
|---|-------|
| - | (505) |
| - | (505) |

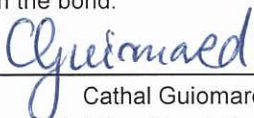
The Statement of Accounting Policies and Notes 1 to 10 form part of these accounts

**Note**

The total value of the bond is €228,000 of which €228,000 has been called. There are sufficient funds within the bond to meet all liabilities without recourse to the Travellers' Protection Fund. The estimated cost of claims to be met by the bond were revised downward by €33,000 during the year and a related adjustment has been made to the amount of income due from the bond.

Date

24/12/2008

  
Cathal Guimard  
Commissioner for Aviation Regulation

**Martina Forde Ltd**

Travel Agent Bond €189,000

**Income and Expenditure Account for year ended 31 December 2007**

|                          | Note | 2007<br>€ |
|--------------------------|------|-----------|
| <b>Income</b>            |      |           |
| Income from Bond         |      | 1,302     |
| <b>Expenditure</b>       |      |           |
| Claims                   | 2    | 1,095     |
| Administrative costs     | 3    | 207       |
| <b>SURPLUS/(DEFICIT)</b> |      | <u>-</u>  |

**Balance Sheet at 31 December, 2007****Current Assets**

Cash in Bank 405

**Current Liabilities**

Outstanding Claims 6 -  
Accruals - Outstanding Administrative costs 3 207  
Due to Bondholder 198

**NET ASSETS/(LIABILITIES)**

-

The Statement of Accounting Policies and Notes 1 to 10 form part of these accounts

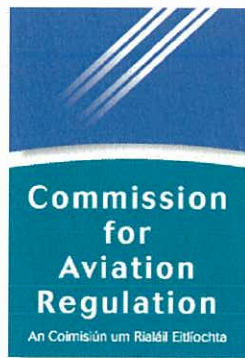
**Note**

The total value of the bond is €189,000 of which €1,500 has been called. There are sufficient funds within the bond to meet all liabilities without recourse to the Travellers' Protection Fund.

Date

24/12/2008

  
Cathal Guiomard  
Commissioner for Aviation Regulation



## Ciste agus Banna Cosanta Taistealaithe Cuntais don bhliain dar críoch 31 Nollaig 2007

*Dáta eisiúna: 24 Nollaig 2008*

**AN CISTE COSANTA TAISTEALAITHE**  
**AGUS**  
**CUNTAIS BANNAÍ TIONSCNÓIRÍ TURAS AGUS GNÍOMHAIRÍ TAISTIL**

**Tuarascáil an Ard-Reachtaire Cuntas agus Ciste le cur i láthair**  
**Thithe an Oireachtais**

Tá ráitis airgeadais an Chiste Cosanta Taistealaithe agus Cuntais Bannaí Tionscnóirí Turas agus Gníomhairí Taistil don bhliain dar críoch 31 Nollaig 2007 iniúchta agam faoin Acht Iompair (Tionscnóirí Turas agus Gníomhairí Taistil), 1982.

Tá na ráitis airgeadais, a ullmhaíodh faoi na beartais chuntasaíochta arna leagan amach sna ráitis, comhdhéanta den Ráiteas ar Bheartais Chuntasaíochta, an Cuntas Ioncaim agus Caiteachais, an Clár Comhardaithe, na Cuntais Bannaí agus na nótaí gaolmhara.

**Freagrachtaí Chomhalta an Choimisiúin agus an Ard-Reachtaire Cuntas agus Ciste faoi seach**

Tá Comhalta an Choimisiúin freagrach as na ráitis airgeadais a ullmhú de réir an Achta Iompair (Tionscnóirí Turas agus Gníomhairí Taistil), 1982, agus as rialtacht na n-idirbheart a chinntiú. Ullmhaíonn an Coimisiún na ráitis airgeadais de réir Cleachtais Chuntasaíochta a nGlactar Leis go Coitianta in Éirinn. Tá freagrachtaí cuntasaíochta Chomhalta an Choimisiúin leagtha amach sa Ráiteas um Fhreagrachtaí an Choimisiúin.

Is é m'fhreagrachta ná na ráitis airgeadais a iniúchadh de réir cheanglas ábhartha dlí agus rialúcháin agus Caighdeán Idirnáisiúnta maidir le hIniúcháireacht (Ríocht Aontaithe agus Éire).

Tuairiscím mo thuairim maidir le cibé an dtugann na ráitis airgeadais léargas fíorcheart, de réir Cleachtais Chuntasaíochta a nGlactar Leis go Coitianta in Éirinn. Tuairiscím freisin cibé, dar liom, an raibh leabhair chuntais chuí coinnithe. Lena chois sin, deirim cibé an dtagann na ráitis airgeadais leis na leabhair chuntais.

Tuairiscím ar aon chás ábhartha nár feidhmíodh suimeanna airgid chun na gcríoch a bhí beartaithe nó sa chás nach leanann na hidirbhearta do na húdaráis a rialaíonn iad.

Tuairiscím freisin mura bhfuil an fhaisnéis agus na mínithe ar fad faighte agam agus atá riachtanach chun críocha m'iniúchta.

## **An Bunús atá le mo Thuairim ar na Ráitis**

I mbun m'fheidhme mar Ard-Reachtair Cuntas agus Ciste, rinne mé m'iniúchadh ar na ráitis airgeadais de réir Caighdeán Idirnáisiúnta maidir le hIniúcháireacht (Ríocht Aontaithe agus Éire) arna n-eisiúint ag an mBord um Chleachtais Iniúcháireachta agus trí thagairt a dhéanamh do na nithe ar leith is gá a chur san áireamh agus a ghabhann le comhlachtaí Stáit maidir le rialú cistí faoina gcúram. Déantar scrúdú mar chuid den iniúchadh, ar bhonn tástála, ar fhianaise a bhaineann le suimeanna agus rialtacht na n-idirbheart airgeadais a chuirtear san áireamh sna ráitis airgeadais, agus leis na hidirbhearta a fhoilsítear iontu. Chomh maith leis sin, cuimsíonn an t-iniúchadh measúnacht ar na meastacháin agus ar na breitheanna suntasacha a rinneadh agus na ráitis airgeadais á n-ullmhú, agus measúnacht le féachaint an n-oireann na beartais chuntasaíochta, ar feidhmíodh na beartais sin ar bhealach leanúnach agus ar foilsíodh iad ar bhealach sásúil.

Phleanáil mé agus rinne mé m'iniúchadh sa chaoi is go bhfaighinn an fhaisnéis agus na mínithe ar fad a mheas mé a bheith riachtanach ionas go mbeadh leordhóthain fianaise agam a d'fhágfadh cinnteacht réasúnach ann go bhfuil na ráitis airgeadais saor ó mhíráiteas ábhartha, cibé acu calaois nó neamhrialtacht eile nó earráid is cúis leis sin. I dteacht ar mo thuairim, rinne mé meastóireacht ar a shásúla is a cuireadh faisnéis i láthair sna ráitis airgeadais san iomlán freisin.

## **Tuairim**

Is é mo thuairim go dtugann na ráitis airgeadais léargas fíorcheart, de réir Cleachtais Chuntasaíochta a nGlactar Leis go Coitianta in Éirinn, ar idirbheartanna an Chiste agus na Bannaí don bhliain dar críoch 31 Nollaig 2007 agus ar staid chúrsaí ar an dáta sin.

Is é mo thuairim go raibh leabhair chuntais chuí coinnithe ag an gCoimisiún. Tá na ráitis airgeadais ag teacht leis na leabhair chuntais.

**Gerard Smyth**

**le haghaidh agus thar ceann an**

**Ard-Reachtair Cuntas agus Ciste**

**19 Eanáir 2009**

## **Clár ábhair**

### **An Ciste Cosanta Taistealaithe**

### **Leathanach**

Ráiteas maidir le Freagrachtaí an Choimisiúin  
Ráiteas na bPolasaithe Cuntasaíochta  
Cuntas Ioncaim & Caiteachais  
Clár Comhardaithe  
Nótaí leis an gCiste Cosanta Taistealaithe

2  
3  
4  
5  
6

T.T.E Teoranta  
Tony Roche Travel Teo.  
Martina Forde Teo.

7  
8  
9

## **An Ciste Cosanta Taistealaithe, Cuntais Bhannaí na dTionscnóirí Turas agus na nGníomhairí Taistil**

### **Ráiteas maidir le Freagrachtaí an Choimisiúin**

Mar chuid d'Alt 13(5) agus 17(3) den Acht Iompair (Tionscnóirí Turas agus Gníomhairí Taistil), 1982 tá ar an gCoimisiún ráitis airgeadais a ullmhú agus a chur isteach chuig an Ard-Reachtair Cuntas agus Ciste chun iniúchadh a dhéanamh orthu. Tá ar an gCoimisiún na rudaí seo a leanas a dhéanamh agus é ag ullmhú na ráiteas airgeadais:

- polasaithe cuntasaióchta oiriúnacha a roghnú agus a chur i bhfeidhm go seasta
- breithiúnais agus meastacháin a dhéanamh atá réasúnach agus stuama
- na ráitis airgeadais a ullmhú ar an mbonn gnóthais leantaigh, mura bhfuil sé míchuí
- aon imeachtaí ábhartha ó chaighdeáin chuntasaíochta infheidhmithe a nochtadh agus a mhíniú

Tá an Coimisiún freagrach as leabhair chuntais chuí a choinneáil, a nochtáil staid airgeadais na gCuntas Bannaí agus an Chiste le cruinneas réasúnach ag aon am agus a chuirfidh ar a chumas a chinntiú go gcloifidh na ráitis airgeadais le coinníollacha an Achta. Tá an Coimisiún freagrach as a chuid sócmhainní a chosaint agus as céimeanna réasúnacha a ghlacadh chun calaois agus neamhrialtachtaí eile a chosc agus a aimsiú

**Cathal Guiomard**  
**An Coimisinéir um Rialáil Eitlíochta**

**Dáta**

## **Ráiteas na bPolasaithe Cuntasaíochta**

### **1. Ginearálta**

Rinne an tAcht Iompair (Tionscnóirí Turas agus Gníomhairí Taistil), 1982 foráil chun na daoine a dhéanann conarthaí taistil thar lear le tionscnóirí turas nó gníomhairí taistil a chosaint trí fhoráil a dhéanamh chun:

(a) Tionscnóirí turas agus gníomhairí taistil a cheadúnú;

(b) An riachtanas go gcuirfidh gach gnólacht dá leithéid fianaise ar fáil don Choimisiún um Rialáil Eitlíochta go ndearna sé socrú inghlactha chun na custaiméirí a dtaistealaíonn thar lear a chosaint sula mbronntar an ceadúnas orthu (tugtar an "Banna" ar an socrú seo) agus;

(c) Ciste Cosanta Taistealaithe a bhunú chun aon easnamh a chomhlíonadh áit nach leor an Banna.

Roimh 27 Feabhra 2001, ghlac an tAire Fiontar Poiblí na gníomhaíochtaí a bhaineann le hoibríocht an Chiste agus na gcuntasanna mar chúram air féin agus cúitíodh a chuid speansas as an gCiste nó as na bannaí a cuireadh ar fáil. Aistríodh riarachán an Chiste go dtí an Coimisiún um Rialáil Eitlíochta, faoi fhorálacha an Achta um Rialáil Eitlíochta 2001, agus tháinig sé i bhfeidhm ón dáta sin.

### **2. Cuntais Bhannaí**

Tá foráil i ngach banna i gcás mainneachtana tionscnóra turas nó gníomhaire taistil maidir le conarthaí taistil thar lear, go gcuirfear suim airgid ar fáil don Choimisiún um Rialáil Eitlíochta le cur i bhfeidhm ar mhaithe lena chuid custaiméirí a bhfuil caillteanas nó dliteanas tabhaithe acu de bharr a leithéid de mhainneachtain. Is féidir riachtanais an bhanna a chomhlíonadh le banna árachais nó le suim airgid a chur i dtaisce leis an gCoimisiún um Rialáil Eitlíochta nó trí chistí a chur i dtaisce in institiúid airgeadais in ainm an Choimisiúin um Rialáil Eitlíochta go heisiatach. Tugann an Coimisiún cuntas maidir leis na suimeanna a chuirtear i dtaisce ar an mbealach sin.

Coinníonn an Coimisiún cuntas ar leithligh maidir le gach airgead a fhaigheann sé ar scór gach banna agus maidir le gach focaíocht a dhéanann sé as an airgead sin. Taispeántar na cuntais seo ar leathanach 7 go dtí 9.

Gearrtar costais riaracháin ar na cuntais bhannaí de réir mar a thabhaítear iad. Gearrtar éilimh sa bhliain ina dtarlaíonn an teagmhas lena mbaineann an t-éileamh.

Cuirtear cistí a ghlactar ó gach banna i leith ioncaim sa bhliain ina dtabhaítear an caiteachas a riartar ón mbanna.

### **3. An Ciste Cosanta Taistealaithe**

Úsáidtear an Ciste Cosanta Taistealaithe, atá maoinithe ag ranníocaíochtaí ó thionscnóirí turas, chun caillteanais nó dliteanais a bhíonn ar chustaiméirí na dtionscnóirí turas nó na ngníomhairí taistil ceadúnaithe a shlánú, sa mhéid is nach leor iad na bannaí chun caillteanais agus dliteanais den sórt sin a chomhlíonadh. Cuireadh ranníocaíochtaí ó thionscnóirí turas ar scór na rialachán a rinneadh faoin Acht ar fionraí le héifeacht ó Aibreán 1987, de bharr go raibh cúlchistí airgid leordhóthanacha ar fáil.

### **4. Leachtú gnólachtaí teipthe**

Áit a dteipeann ar thionscnóir turas nó ar ghníomhaire taistil agus go gcuirtear an gnólacht sin isteach i leachtú, cuirtear isteach éileamh leis an leachtaitheoir maidir le ranníocaíochtaí gan íoc atá dlite don Chiste Cosanta Taistealaithe agus maidir le haon suimeanna a bheidh dlite as an gCiste Cosanta Taistealaithe a aisghabháil. Cuirtear fáiltais ar scór na n-éileamh sin i gcuntas de réir mar a thagann siad suas.

# Cuntas Ioncaim agus Caiteachais an Chiste Cosanta Taistealaithe

## CUNTAS IONCAIM AGUS CAITEACHAIS DON BHLIAIN DAR CRÍOCH 31 NOLLAIG 2007

|                                        |               | <u>2007</u>  | <u>2007</u>             | <u>2006</u>  | <u>2006</u>             |
|----------------------------------------|---------------|--------------|-------------------------|--------------|-------------------------|
|                                        |               | €            | €                       | €            | €                       |
| <b><u>IONCAM</u></b>                   |               |              |                         |              |                         |
| Ús                                     | <i>Nóta 1</i> |              | 299,750                 |              | 214,414                 |
| <b><u>CAITEACHAS</u></b>               |               |              |                         |              |                         |
| Éilimh maidir le clistí                | <i>Nóta 2</i> | -            |                         | (15,248)     |                         |
| Costais riaracháin clistí              | <i>Nóta 3</i> | -            |                         | (12,562)     |                         |
| Costais riaracháin ghinearálta         |               | 3,019        |                         | 8,155        |                         |
| Táillí Cuntasaíochta & Proifisiúnta    |               | 820          |                         | 11,439       |                         |
| Táille iniúchta                        |               | <u>7,220</u> |                         | <u>4,860</u> |                         |
|                                        |               |              | 11,059                  |              | (3,356)                 |
| <b>BARRACHAS/(EASNAMH) DON BHLIAIN</b> |               |              | 288,691                 |              | 217,770                 |
| <b>IARMHÉID AG 1 Eanáir</b>            |               |              | 7,526,840               |              | 7,309,070               |
| <b>IARMHÉID AG 31 Nollaig</b>          |               |              | <u><b>7,815,531</b></u> |              | <u><b>7,526,840</b></u> |

Is cuid de na cuntais seo é Ráiteas na bPolasaithe Cuntasaíochta agus Nótaí 1 go dtí 10

Dáta

\_\_\_\_\_  
Cathal Guiomard  
An Coimisinéir um Rialáil Eitlíochta

## An Ciste Cosanta Taistealaithe

### CLÁR COMHARDAITHE AMHAIL AN 31 NOLLAIG 2007

|                                                           |        | 2007            | 2007                    | 2006             | 2006                    |
|-----------------------------------------------------------|--------|-----------------|-------------------------|------------------|-------------------------|
|                                                           |        | €               | €                       | €                | €                       |
| Cuntas infheistíochta                                     | Nóta 1 |                 | 7,776,087               |                  | 7,540,553               |
| <b>SÓCMHAINNÍ REATHA</b>                                  |        |                 |                         |                  |                         |
| Dlíte as Cuntais Bhannaí                                  | Nóta 4 | -               |                         | 877              |                         |
| Ús fabhraithe                                             |        | 78,138          |                         | 64,946           |                         |
| Banc                                                      |        | 4,169           |                         | 228,836          |                         |
|                                                           |        | <u>82,307</u>   |                         | <u>294,659</u>   |                         |
| <b>DLITEANAIS REATHA</b>                                  |        |                 |                         |                  |                         |
| Foráil do Shuimeanna dlíte do Ráthóirí Bannaí             | Nóta 5 | (32,823)        |                         | (225,037)        |                         |
| Foráil shonrach d'éilimh gan íoc                          | Nóta 6 | (625)           |                         | (43,220)         |                         |
| Fabhruithe                                                | Nóta 7 | (9,415)         |                         | (40,115)         |                         |
|                                                           |        | <u>(42,863)</u> |                         | <u>(308,372)</u> |                         |
| Glansócmhainní reatha/(dliteanais)                        |        |                 | 39,444                  |                  | (13,713)                |
| <b>GLANSÓCMHAINNÍ</b>                                     |        |                 | <u><u>7,815,531</u></u> |                  | <u><u>7,526,840</u></u> |
| <b>LÉIRITHE AG</b>                                        |        |                 |                         |                  |                         |
| Iarmhéid an Chuntais Ioncaim agus Caiteachais ag 1 Eanáir |        |                 | 7,526,840               |                  | 7,309,070               |
| Barrachas/( Easnamh) don Bhliain                          |        |                 | 288,691                 |                  | 217,770                 |
|                                                           |        |                 | <u><u>7,815,531</u></u> |                  | <u><u>7,526,840</u></u> |

Is cuid de na cuntais seo é Ráiteas na bPolasaithe Cuntasaíochta agus Nótaí 1 go dtí 10

Dáta

Cathal Guimard  
An Coimisinéir um Rialáil Eitlíochta

## Nótaí leis an gCiste Cosanta Taistealaithe

Aistrítear aon airgead nach dteastaíonn chun an caiteachas reatha a chomhlíonadh go dtí cuntas infheistíochta atá faoi bhainistiú agus rialú an Aire Airgeadais. Cuirtear chun sochair ioncaim aon ús a ghineann an Ciste.

|                                                      |              | Chun dochair<br>an Bhanna | Chun dochair<br>an Chiste |
|------------------------------------------------------|--------------|---------------------------|---------------------------|
| 2 Seo a leanas mar a sásaíodh na hÉilimh ar Chlistí: | €            | €                         | €                         |
| Martina Forde                                        | 1,095        | 1,095                     | -                         |
|                                                      | <b>1,095</b> | <b>1,095</b>              | <b>-</b>                  |

|                                                                              |            | Chun dochair<br>an Bhanna | Chun dochair<br>an Chiste |
|------------------------------------------------------------------------------|------------|---------------------------|---------------------------|
| 3 Seo a leanas mar a baineadh amach costais riaracháin agus costais foirne c | €          | €                         | €                         |
| Martina Forde                                                                | 207        | 207                       | -                         |
|                                                                              | <b>207</b> | <b>207</b>                | <b>-</b>                  |

| 4 Suimeanna atá dlite ó Ráthóir an Bhanna/ón gCiste Cosanta Taistealaithe | €        |
|---------------------------------------------------------------------------|----------|
| Nialas                                                                    | -        |
|                                                                           | <b>-</b> |

| 5 Suimeanna atá dlite do Ráthóir an Bhanna | €             |
|--------------------------------------------|---------------|
| T.T.E. Teo                                 | 130           |
| Martina Forde Teo.                         | 198           |
| Tony Roche Travel Teo.                     | 32,495        |
|                                            | <b>32,823</b> |

| 6 Éilimh gan íoc       | €          |
|------------------------|------------|
| Tony Roche Travel Teo. | 625        |
|                        | <b>625</b> |

| 7 Fabhrúithe TPF                    | €            |
|-------------------------------------|--------------|
| Costais Riaracháin                  | 2,095        |
| Táillí Cuntasaíochta & Proifisiúnta | 820          |
| Táille Inlúchta                     | 6,500        |
|                                     | <b>9,415</b> |

## 8 Bannaí

Seachas an gnáthmhodh bannaithe trí chuideachtaí árachais faoi na Rialacháin Bannaithe (I.R. 102 de 1983), is féidir an riachtanas le haghaidh banna a shásamh le roinnt modhanna eile lena n-áirítear iad seo a leanas:

- (a) Suim airgid a chur i dtaisce leis an gCoimisiún um Rialáil Eitlíochta;
- (b) Suim airgid a chur i dtaisce i mbanc nó in institiúid airgeadais in ainm an Choimisiúin um Rialáil Eitlíochta go heisiatach

Amhail an 31 Nollaig 2007, sa bhreis ar an t-airgead a raibh cuntais dóibh sna cuntais roimhe seo, ba é €18,921,296.36 an t-airgead a cuireadh i dtaisce leis an gCoimisiún um Rialáil Eitlíochta de réir (a) agus (b) thuas.

## 9 Éilimh a Glanadh

Amhail an 31/12/2007, glanadh gach éileamh agus cuireadh aon suimeanna gan íoc ar ais chuig na sealbhóirí bannaí maidir leis na clistí a leanas:

Balbriggan Travel Teo.  
 Ballsbridge Travel (Ireland) Teo.  
 Beacon Travel Teo.  
 Finlandia Travel Agency Teo. T/A  
 Finlandia Travel Agency Teo. T/O  
 Italiatour Teo.  
 JetGreen Airways Teo.  
 Paul Buckley Travel Teo.  
 Co-operative Travel Teo.

## 10 Figiúirí Comparáideacha

Athshonraíodh figiúirí comparáideacha áirithe ar na cuntais bhannaí d'fhonn loncam ón gCiste Cosanta Taistealaithe a eisiáimh.

**T.T.E Teo.****Banna Gníomhaire Taistil****€56,400****CUNTAS IONCAIM AGUS CAITEACHAIS DON BHLIAIN DAR CRÍOCH 31 NOLLAIG 2007**

|                            | Nóta | 2007<br>€ | 2006<br>€ |
|----------------------------|------|-----------|-----------|
| <b>Ioncam</b>              |      |           |           |
| Ioncam as Banna            |      | -         | (4,096)   |
| <b>Caiteachas</b>          |      |           |           |
| Éilimh                     |      | -         | (4,219)   |
| Costais riaracháin         | 3    | -         | 123       |
| <b>BARRACHAS/(EASNAMH)</b> |      | <u>-</u>  | <u>-</u>  |

**Clár Comhardaithe amhail an 31 Nollaig, 2007****Sócmhainní Reatha**

|                           |   |     |       |
|---------------------------|---|-----|-------|
| Airgead sa Bhanc          |   | 130 | (249) |
| Dlíte ón Sealbhóir Bannaí | 4 | -   | 372   |

**Dlíteanais Reatha**

|                                         |   |     |     |
|-----------------------------------------|---|-----|-----|
| Éilimh gan íoc                          | 6 | -   | -   |
| Fabhruithe - Costais Riaracháin gan íoc | 3 | -   | 123 |
| Dlíte don Sealbhóir Bannaí              |   | 130 | -   |

**GLANSÓCMHAINNÍ/(DLITEANAIS)**

|          |          |
|----------|----------|
| <u>-</u> | <u>-</u> |
|----------|----------|

**Léirithe ag**

Is cuid de na cuntais seo é Ráiteas na bPolasaithe Cuntasaíochta agus Nótaí 1 go dtí 10

**Nóta**

Ba é €56,400 luach iomlán an bhanna agus glaoth ar €600 de sin. Tá cistí dóthanacha laistigh den bhanna chun na dlíteanais ar fad a shásamh gan leas a bhaint as an gCiste Cosanta Taistealaithe.

Dáta

Cathal Guiomard  
An Coimisinéir um Rialáil Eitlíochta

**Tony Roche Travel Teo**

Banna Gníomhaire Taistil

€228,000

**CUNTAS IONCAIM AGUS CAITEACHAIS DON BHLIAIN DAR CRÍOCH 31 NOLLAIG 2007**

|                            | Nóta | 2007<br>€  | 2006<br>€    |
|----------------------------|------|------------|--------------|
| <b>Ioncam</b>              |      |            |              |
| Ioncam as Banna            |      | (32,495)   | 228,000      |
| <b>Caiteachas</b>          |      |            |              |
| Éilimh                     | 2    | (33,000)   | 209,972      |
| Costais riaracháin         | 3    | -          | 18,532       |
| <b>BARRACHAS/(EASNAMH)</b> |      | <b>505</b> | <b>(505)</b> |

Clár Comhardaithe amhail an 31 Nollaig, 2007

**Sócmhainní Reatha**

|                  |  |        |        |
|------------------|--|--------|--------|
| Airgead sa Bhanc |  | 33,120 | 46,130 |
|                  |  | -      |        |

**Dlíteanaís Reatha**

|                                         |   |        |        |
|-----------------------------------------|---|--------|--------|
| Éilimh gan íoc                          | 6 | 625    | 34,094 |
| Fabhrúithe - Costais Riaracháin gan íoc | 3 | -      | 12,540 |
| Dlíte don Sealbhóir Bannaí              |   | 32,495 | -      |

**GLANSÓCMHAINNÍ/(DLÍTEANAIS)****- (505)****Léirithe ag:**

|                              |  |   |       |
|------------------------------|--|---|-------|
| Cuntas Ioncaim & Caiteachais |  | - | (505) |
|                              |  | - | (505) |

Is cuid de na cuntais seo é Ráiteas na bPolasaithe Cuntasaíochta agus Nótaí 1 go dtí 10

**Nóta**

Is é luach iomlán an bhanna ná €228,000 agus glaoth ar €228,000 de sin. Tá cistí dóthanacha laistigh den bhanna chun na dlíteanaís ar fad a shásamh gan leas a bhaint as an gCiste Cosanta Taistealaithe. Rinneadh costas measta na n-éileamh le sásamh ag an mbanna a athbhreithniú síos faoi €33,000 le linn na bliar agus rinneadh ceartú gaolmhar ar mhéid an ioncaim atá dlíte ón mbanna.

Dáta

Cathal Guiomard  
An Coimisinéir um Rialáil Eitlíochta

**Martina Forde Teo.**

**Banna Gníomhaire Taistil**

**€189,000**

**CUNTAS IONCAIM AGUS CAITEACHAIS DON BHLIAIN DAR CRÍOCH 31 NOLLAIG 2007**

|                            | <b>Nóta</b> | <b>2007</b> |
|----------------------------|-------------|-------------|
| <b>Ioncam</b>              |             | <b>€</b>    |
| Ioncam as Banna            |             | 1,302       |
| <b>Caiteachas</b>          |             |             |
| Éilimh                     | 2           | 1,095       |
| Costais riaracháin         | 3           | 207         |
| <b>BARRACHAS/(EASNAMH)</b> |             | <b>-</b>    |

**Clár Comhardaithe amhail an 31 Nollaig, 2007**

**Sócmhainní Reatha**

Airgead sa Bhanc 405

**Dlíteanais Reatha**

|                                         |   |     |
|-----------------------------------------|---|-----|
| Éilimh gan Íoc                          | 6 | -   |
| Fabhruithe - Costais Riaracháin gan Íoc | 3 | 207 |
| Dlíte don Sealbhóir Bannaí              |   | 198 |

**GLANSÓCMHAINNÍ/(DLITEANAIS)**

**-**

Is cuid de na cuntais seo é Ráiteas na bPolasaithe Cuntasaíochta agus Nótaí 1 go dtí 10

**Nóta**

Is é luach iomlán an bhanna ná €189,000 agus glaoth ar €1,500 de sin. Tá cistí dóthanacha laistigh den bhanna chun na dlíteanais ar fad a shásamh gan leas a bhaint as an gCiste Cosanta Taistealaithe.

Dáta

\_\_\_\_\_  
Cathal Guimard  
An Coimisinéir um Rialáil Eitlíochta