

**I purchased my travel services using points or air miles. Are they eligible for reimbursement from the Compensation Fund?**

No. Any travel services that were not paid for with cash or by cheque, credit card or other similar payment method are not eligible for reimbursement from the Compensation Fund.

**I was provided with a credit voucher by a travel agency, tour operator, an airline or cruise line prior to it ceasing operations, for use at a later date. Can I file a claim for the credit amount?**

No. As a general rule, credits are provided to consumers for a variety of reasons ranging from cancellation of travel services to dissatisfaction of travel services received or due to some other customer service issue. Credit vouchers have no cash value and are not eligible for reimbursement. The current legislation states that a customer is not entitled to be reimbursed for consequential or indirect damages incurred as a result of the failure to provide the travel services.

**I purchased my tickets online directly with the airline and the airline is now bankrupt. Can I file a claim?**

No. Any travel services purchased directly with an airline are not eligible for reimbursement from the Compensation Fund. To receive protection from the Travel Compensation Fund, the travel services must have been purchased from a registered Ontario travel agency.

**My travel agent purchased my travel services through a travel company not registered in Ontario. Will the Compensation Fund reimburse me in the event that the unregistered (out-of-province) travel company ceases operations and I do not get my travel services?**

No. The Compensation Fund only covers the non-provision of travel services as a result of the bankruptcy or insolvency of an Ontario registered travel retailer, travel wholesaler or an airline or cruise line. It does not cover claims due to the failure of an unregistered travel company or end supplier (i.e. car rental company, hotel) other than an airline or cruise line.

**I was dissatisfied with the services I received in destination. Do I have an eligible claim against the Compensation Fund?**

No. Claims that are based on the cost, value or quality of the travel services or alternate travel services that were provided are not eligible for reimbursement from the Compensation Fund.

Can I claim against the Compensation Fund for the non-provision of travel services due to weather, a strike, mechanical problems or force majeure?

There is no provision under Ontario Regulation 26/05 to allow a claim against the Compensation Fund when the travel services are not provided due to weather, a strike, mechanical problems or force majeure. The Compensation Fund can only reimburse consumers who have purchased their travel services from an Ontario registered travel agency and who have not received the travel services due to the bankruptcy or insolvency of an Ontario registered travel retailer, travel wholesaler or due to the cessation of an airline or cruise line.

**I live outside of the province of Ontario. Can I still obtain the protection of the Compensation Fund when I purchase my travel services from an Ontario registered travel agency?**

Yes. There is no residency requirement to have an eligible claim against the Compensation Fund. No matter where a person resides, if they purchase their travel services from an Ontario registered travel retailer, they will benefit from the consumer protection provisions found under the Act and Regulation.

**Who should complete the claim form?**

The individual who made payment to the Ontario registered travel agency for the travel services that were not provided, should complete the claim form. In some instances, it is necessary for more than one person to complete a claim form as one person may have paid the deposit and another person may have paid the balance owing for the trip.

**Are there any costs involved in filing a claim against the Compensation Fund?**

There is no fee to file a claim against the Compensation Fund; however, TICO's claim form includes an affidavit that requires an oath to be sworn or an affirmation to be made before a Commissioner of Oaths, Notary Public or a Lawyer. Depending on who you get to complete your affidavit, you may be required to pay a fee for this service. Should you not have access to someone who can provide this service for you, you may consider contacting your local City Hall to enquire whether they have a Commissioner of Oaths that may be available to complete your affidavit.

### **What other provinces in Canada have similar Compensation Funds?**

Both Quebec and British Columbia have their own Travel Compensation Funds. The criteria to claim will vary based on the legislation in those provinces.