



DERES REF

VÅR REF
EKKO-1047

ANSVARLIG PARTNER
Aki J. Viitala

HOW TO BECOME A MEMBER OF THE NORWEGIAN TRAVEL GUARANTEE FUND

Travel packages may only be advertised and sold when the necessary travel guarantees have been issued and the annual fee to the Norwegian Travel Guarantee Fund has been paid, cf. the Package Travel Act section 42 and the Package Travel Regulations section 1. Consequently, membership in the Fund is one of the first things a package travel organiser must get in order.

To start the process, the Fund asks that organiser first send an e-mail to firmapost@rgf.no which state the company's name, the business registration number, and the e-mail of the designated contact person. Confirmation is then given that the organiser is registered in our systems.

1. Application for membership

After registration, the organiser must submit a self-declaration form.

In the self-declaration form the organiser must enclose the following:

- Budgeted turnover – including turnover during high season(s)
- Actual and estimated advance payments (deposit and last payment) as of the 1st of each month
- Information about payment procedures:
 - a. Payment of deposit (deposit per traveller and average number of days between the payment of deposit and departure)
 - b. Average number of days between the last payment and departure
 - c. Number of travellers
- Travel program or description of the travel services
- Confirmation from company top management (chairman of the board/general manager)

The application must also include:

- Certificate of registration, and
- A short statement about the company's financial conditions, equity and short- and long-term financing

We note that all our members are obliged to voluntarily give us the necessary information which may influence the size of the guarantee, whether it is increased turnover or economic circumstances in the company which may increase the risk of bankruptcy.

Any breach of duty to disclose information which results in an insufficient travel guarantee size, the trader's representatives with the general manager or the board of directors may be held personally responsible for any losses the Norwegian Travel Guarantee Fund may suffer due to the breach.

2. Travel Guarantee

The main principle of the travel guarantee is to cover the Fund's exposure, which mainly constitutes the travellers' advance payments at all times. The Fund's most important task is to make sure that organisers of package travels and linked travel arrangements provide the travel guarantee, and that the travellers get refunded their advance payments or an alternative repatriation when the organiser goes bankrupt.

Pursuant to the Package Travel Regulations section 2, the travel guarantee is calculated from one month's budgeted or actual guaranteed turnover. Guaranteed turnover is set to the average of budgeted guaranteed turnover for three consecutive calendar months for the coming year, where the second month is the one with the year's highest budgeted guaranteed turnover.

If the guarantee-liable turnover is determined according to section 2 (2) and (3), the size of the guarantee is set at:

- 100 per cent of guarantee-liable turnover under NOK 2,000,000 and thereafter:
- 75 per cent of guarantee-liable turnover between NOK 2,000,000 and NOK 5,000,000
- 50 per cent of guarantee-liable turnover between 5,000,000 and 10,000,000

If the guarantee-liable turnover is NOK 10,000,000 or more in one month, the guarantee's size is calculated as $X \cdot (N/30) + (M-N)/30 \cdot A \cdot D + X \cdot 0.25$, where

- X = guarantee-liable turnover pursuant to section 2 (4)*
- N = average no. of days between last payment and departure*
- M = average no. of days between payment of the deposit and departure*
- A = budgeted no. of travellers participating in guarantee-liable travel arrangement in the calendar month with the highest guarantee-liable turnover*
- D = deposit paid by each traveller at booking*

After receiving the completed application, the Norwegian Travel Guarantee Fund will calculate the size of the travel guarantee based on the information the Fund has received from the organiser, in addition to information our research has revealed. The decision on the amount of the travel guarantee will be sent in a separate letter to the applicant.

A travel guarantee may be provided in three ways (also in combination):

1. As a letter of guarantee by a bank,
2. As a letter of guarantee by an insurance company or
3. As a pledged deposit on a closed account.

Templates for the travel guarantee documents are available on the Fund's website: reisesegarantifondet.no/arrangorer. The Guarantor must act in accordance with the conditions set out by the Fund.

The guarantee document must be submitted in its **original document** to our office in Oslo: *Reisesegarantifondet, Postboks 1316 Vikå, 0112 OSLO*, and be sent as a copy (PDF) to firmapost@rgf.no.

Membership is established only after approved travel guarantee is provided and the annual fee to the Norwegian Travel Guarantee Fund is paid.

3. Annual fee to the Norwegian Travel Guarantee Fund

Before membership can be established, the organiser must pay an annual fee to the Norwegian Travel Guarantee Fund – payment is a general condition for membership, see Package Travel Regulation section 8.

The fee depends on the size of the travel guarantee, see Package Travel Regulation section 8:

- a. NOK 4,000 if they issue travel guarantees of less than NOK 250,000
- b. NOK 7,000 if they issue travel guarantees of between NOK 250,000 and NOK 1,000,000
- c. NOK 20,000 if they issue travel guarantees of between NOK 1,000,001 and NOK 10,000,000
- d. NOK 40,000 if they issue travel guarantees of between NOK 10,00,001 and NOK 100,000,000
- e. NOK 100,000 if they issue travel guarantees of more than NOK 100,000,000.

In the first year the annual fee shall be paid at the same time as the guarantee is issued and shall be paid by the **1st of December in each subsequent year.**

We ask that receipt of paid amount is transmitted to us of one's own accord. When membership is established, the organiser will receive an invoice on said amount marking the paid fee.

4. Establishing membership and annual fee to the Package Travel Complaints Board

After the travel guarantee has been provided and the annual fee to the Norwegian Travel Guarantee Fund has been registered, the organiser will receive a written confirmation of membership from the Norwegian Travel Guarantee Fund.

After receiving the confirmation of membership, the organiser is then allowed to advertise package travel tours.

The organiser will then receive an additional invoice which must be paid – this is the annual fee to the Package Travel Complaints Board, see Package Travel Regulation section 9:

- a. NOK 1,088 if they issue travel guarantees of NOK 250,000 or less
- b. NOK 2,610 if the issue travel guarantees of between 250,001 and NOK 10,000,000
- c. NOK 13,050 if they issue travel guarantees of between NOK 10,000,001 and NOK 40,000,000
- d. NOK 43,500 if they issue travel guarantees of more than NOK 40,000,000

In the first year the annual fee to the Package Travel Complaints Board must be paid at the same time as the guarantee is issued and must be paid by the **1st of April in each subsequent year.**

Med vennlig hilsen / Best regards

Reisegarantifondet



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