

An ITM
Industry Affairs Update
November 2009

BA/Virgin Fuel Surcharge Reclaim Process Adjustments

Since becoming aware of concerns by members in October 2009, ITM has worked with the UK & US teams of lawyers (Hausfeld & Co LLP in the UK and Hausfeld LLP in the U.S.) and administrators (Feinberg Rozen LLP), appointed by the courts to process claimants of the BA/Virgin Fuel Surcharge Reclaim Fund.

The parties have worked hard with ITM to review processes for corporate claims.

Communication

The claims administrator has provided ITM with an explanation of the processes and procedures available for filing claims on behalf of corporations as well as the processes for communication with corporate representatives and the general public. The Claims Administrator will respond to all corporate claimants' questions or concerns personally. Corporates should contact the Claims Administrator directly via email or through the toll free telephone number posted on the website at www.airpassengerrefund.co.uk. This is the most efficient method for addressing issues relating to the claims process. (The recording includes a specific option for corporate callers.)

For inquiries made through ITM, the administrator has confirmed that they are dealing with all such inquiries, and has instructed ITM to direct claimants' inquiries directly to the Claims Administrator.

The Claims Administrator has certified compliance with the Safe Harbor Agreement negotiated between the U.S. and the E.U. regarding data protection. The data will be used for the sole purpose of providing class members with refunds in this case. Therefore, the Claims Administrator will only communicate directly with authorised representatives of an individual corporate claimant about their specific issues. Whilst ITM cannot represent claimants' individual interests, the association is maintaining a log of those companies whom have registered issues and will be maintaining liaison with the administrators if advised by members that claim responses are unsatisfactory.

Payment

Cheques are addressed to the name on the claimant form where there is one. The Claims Administrator will contact the company directly for clarification if no contact name appears on the claim submission.

Reconciliation data will continue to be provided to corporate claimants via email on Excel sheets upon the completion of the payment process. This information will be provided within 24 hours of the completion of the payment process. The reconciliation will include: passenger name, ticket number, date(s) of travel, fuel surcharge reimbursement amount and denial reason if applicable. Additional questions should be directed to the claims administrator.

This guidance was produced by ITM Industry Affairs. For further information please contact

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About ITM

The Institute of Travel & Meetings UK & Ireland (ITM), previously the Institute of Travel Management, was established over 50 years ago to promote knowledge, networks and opportunities within the business travel sector. The association presently represents over 1,000 professional buyers and suppliers with a travel & meetings spend in excess of £34 billion per annum and over 50% of the FTSE 100.

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