

CAA Charge Waivers & Refunds Policy

United Kingdom
Civil Aviation Authority



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Fundamental principles

1. The CAA is funded by charges levied on the organisations and individuals it regulates. The charges applied are those set out in the Schemes of Charges (“the Schemes”): List of Official Record Series 5 - Scheme of Charges. Where a Scheme of Charges covers an activity, it is the sole basis on which the CAA may charge for that activity.
2. The CAA must ensure that it generates sufficient income to meet the costs of performing its regulatory functions. If the CAA does not recover in full the charges payable under the Schemes its income will be reduced. Any under recovery of charges will have an adverse affect on those charge payers paying in full because the CAA will be unable to cover the costs of its regulatory work and may need to increase its charges to make good the shortfall. Additionally, those who pay charges in full and on time unfairly subsidise those who pay late or who do not pay at all.
3. Accordingly, the CAA will grant a waiver of charges or a refund of charges only in exceptional cases. Each such case must be approved by ExCo, or by both the Director of Finance & Corporate Services and the Secretary & General Counsel, or by senior management in the relevant CAA Group.

Scope of application

4. In this Policy:
 - (a) an “applicant” means a person or organisation who makes or has made an application to the CAA;
 - (b) an “application” means a request made by a person or organisation for the performance by the CAA of any form of regulatory activity;
 - (c) “refund” means any return to an applicant of money previously paid by that applicant to the CAA in respect of activity covered by a Scheme of Charges;
 - (d) “waiver” means any intentional surrender by the CAA of a right to recover charges from an applicant.
5. This Policy does not apply to any contracts between the CAA and any party. No contract should be entered into in relation to an activity that is covered by a Scheme of Charges.

Guidance on “exceptional cases”

6. In deciding whether a case is exceptional the CAA will assess the case on its merits. In doing so, the CAA will consider the following factors in assessing whether a refund or waiver is appropriate and, if so, in what amount. The CAA may also consider any other factors that appear to the CAA to be relevant to the case in question.

- a) the circumstances in which the request is made, including:
 - i. whether the application to which the charge relates was made in error by the applicant;
 - ii. whether the CAA levied the charge in error;
 - iii. whether the conduct of the CAA in relation to an application has fallen below an acceptable standard.
 - b) the financial background against which the request is made, including:
 - i. whether an application has been fully processed and the requested approval, licence, or certificate has been issued or the regulatory activity performed;
 - ii. if an application has not been fully processed, the time and costs incurred by the CAA in respect of the application;
 - iii. whether the charge in question is a fixed charge, or a charge that is made up of a fee on application and a variable element that depends on time incurred;
 - iv. whether any external costs (such as travel costs) that have been incurred by the CAA in respect of an application or oversight activity can be recovered.
 - c) the financial impact of a waiver or refund and whether that impact will make performance of the regulatory activity uneconomic, taking into account the potential application of the waiver or refund in similar cases.
 - d) whether the request for the refund or waiver is connected to:
 - i. the revocation by the CAA of a licence, approval or certificate held by the person or organisation making the request, or
 - ii. the voluntary surrender by the holder of a licence, approval, certificate etc. in circumstances where, but for the voluntary surrender, the CAA would have suspended or proposed to revoke the licence, approval or certificate.
 - e) the length of time that has passed since the charges were incurred.
7. In line with UK money laundering legislation any charge paid to the CAA will only be refunded by the CAA (whether in full or in part) to the person who paid the original fee.
8. No cash refunds will be paid.

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