

**CERTIFICATION OF THE PUBLIC CHARTER OPERATOR,
DIRECT AIR CARRIER, AND ESCROW BANK**

_____, _____, and _____ certify that we will comply with all the
(Public Charter Operator) (Direct Air Carrier) (Escrow Bank)

regulatory requirements in 14 CFR Part 380. In particular, we certify that the following statements are true and accurate. If your Public Charter program is secured by an escrow account pursuant to 14 CFR 380.34(b), you should begin at item number 1. Go directly to item number 4 if your Public Charter program is covered by a security agreement pursuant to 14 CFR 380.34(a)).

- 1) The Public Charter Operator and Direct Air Carrier certify that the contract between the charter operator and the direct air carrier covers the full price of the air transportation, including the cost of aircraft, crew, maintenance, insurance, fuel, ground handling, landing fees, passenger fees and taxes, and all other costs associated with the direct air transportation.

Yes ___ (Go directly to item number 3) No ___ (You must complete item number 2)

N/A ___ (e.g., for Direct Sales Programs conducted under 14 CFR 212.7)

- 2) The Public Charter Operator certifies that all passenger funds in the charter program will be deposited in the Public Charter Operator's escrow bank (less travel agent and credit card fees under 14 CFR 380.34 (b)) and that it will provide sufficient instructions to the escrow bank in order for the bank to comply with the requirements of 14 CFR 380.34(b); the Escrow Bank certifies that it will maintain a full and accurate accounting of disbursements to all vendors, fuel or ground handling providers, and other expense categories, e.g., taxes, in accordance with 14 CFR 380.34(b).

Yes ___ (Go directly to item number 3) No ___ (Stop – this filing will not be accepted)

- 3) The Public Charter Operator certifies that no debit cards will be accepted from passengers for air transportation payments unless the Public Charter Operator receives an assurance from the merchant bank(s) that the credit card/debit card processors will provide the same chargeback protections to those passengers using debit cards that are provided to credit card users.

Yes ___ (Go directly to item number 5) No ___ (Stop – this filing will not be accepted)

- 4) The Public Charter Operator certifies that the security instrument maintained for the charter program pursuant to 14 CFR 380.34(a) is unlimited or at least equal to the full cost of the air transportation.¹ The full cost of the air transportation includes the cost of aircraft, crew, maintenance, insurance, fuel, ground handling, landing fees, passenger fees and taxes, and all other costs associated with the air transportation.

Yes ___ (Go directly to item number 5) No ___ (Stop – this filing will not be accepted)

¹ For programs being conducted pursuant to a waiver from the full bonding requirement, check "yes" and include waiver number.

5) The Public Charter Operator certifies that it will maintain access to the reservation records as required by existing rules and share this information with the direct air carrier in case of a disruption in the charter program in order to assist the direct air carrier in complying with its regulatory obligations under 14 CFR 212.3(f). The Direct Air Carrier certifies that it will request from the Public Charter Operator all the information necessary to return passengers that it transported on the outbound flight and has a regulatory responsibility to return to their point or origin in the event of a disruption of the Public Charter program.

Yes _____ (Go directly to item number 6)

No _____ (Please Explain below² then go directly to item number 6)

6) The Public Charter Operator certifies that it does not sell vouchers to passengers for travel at unspecified dates in the future. Purely gratuitous or complimentary vouchers distributed for passenger goodwill are not covered by this certification.

Yes _____

No _____ (Stop – this filing will not be accepted)

[CHARTERER]

[CARRIER]

By: _____
[name and title—if applicable]

By: _____
[name title—if applicable]

Date: _____

Date: _____

[BANK]

By: _____
[name and title—if applicable]

Date: _____

² This obligation does not apply to direct air carriers that are not subject to section 212.3(f).