

REPORT OF THE TRAVEL AGENCY COMMISSIONERS
(without attachments on PAPGJC private page on TAC website)

Submitted by the Office of the Travel Agency Commissioner

Introduction

This is the third report from the Office of the Travel Agency Commissioner to the PAPGJC which, per Resolution 860a, exercises certain responsibilities with regard to the commissioner programme.

2. The second report was made eight months ago to the December 2007 meeting of the Committee. There is a proposal on the Agenda of PAConf/31 (Agenda Item R.44) addressing the powers, duties and conduct of a Travel Agency Commissioner. This report is thus submitted to provide first hand recent background information to help committee members in their deliberations.

3. At this time there is but one Travel Agency Commissioner in office. Two years ago, the then Area One Commissioner resigned and the post was assigned *ad interim* to the Area Two Commissioner who continues to handle all Area One matters. In March 2008, the Area Three Commissioner declined the offer of an extension of his appointment and resigned. In the absence of an officially appointed Area Three successor, the Area Two Commissioner has also taken responsibility for handling all new matters arising there since mid-2008.

4. The global Travel Agency Commissioner programme is thus, out of practical necessity, presently run from Geneva. The arrangement works satisfactorily, particularly since the introduction last year of teleconference hearings and the refinement of review proceedings handled solely on documentary evidence.

Work handled

5. Attachments 'A' through 'D' to this report summarize cases dealt with by the Commissioner since last December's report, whether they gave rise to a review proceeding or petered out ahead of a formal review process.

6. The policy of the 'zero tolerance' with respect to payment irregularities continues to affect Agents in Central and South America in particular. It is understood that work is in hand to develop direct debiting as a means of settling BSP Billings in that region. When that is achieved, there should be a corresponding reduction of instances of remitting irregularities caused by Agent clerical error.

7. Usually, where there is disagreement on facts, a hearing is not only desirable but essential, in the interests of fairness. However, teleconferencing and arriving at decisions based on the documentary evidence offer considerable advantages in terms of time and cost. Where the parties agree to it, that approach is taken.

8. In practice, where a hearing is necessary, it is best to hold it near the Agent's place of business where most of the people concerned are located. Furthermore, as

cases are increasingly between Agents and IATA itself, it might be perceived as unfitting to require that hearings be held in Geneva, Miami or Singapore, respectively, to suit IATA's convenience.

9. In addition to the matters summarized in the attachments, the Office of the Travel Agency Commissioner receives a steady stream of inquiries, mainly from Agents but also from Members and from IATA personnel. They are for the most part handled informally by telephone or e-mail. As previously advised, cases mature into review proceedings only after careful filtering, with perhaps, only one in a dozen 'inquiries' actually maturing into a review proceeding.

Recommendations for PAPGJC Consideration

10. Rather than reiterate observations made to the December PAPGJC meeting, it is confirmed that nothing that has occurred in the intervening eight months causes the Office of Travel Agency Commissioner to change them. For ready reference, their summation is reproduced at Attachment 'E'.