

## **Decision 2015-06-25 Travel Agency Commissioner - Area 2**

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### **Applicant: IATA**

Torre Europa  
Paseo de la Castellana, número 95,  
28046 MADRID, Spain

Represented by: Mr. Ignacio Mula, Manager Accreditation Europe

### **Respondent: QUAESTOR** (IATA Numeric Code 3121060).

Váci út 178  
H-1138, Budapest, Hungary

Represented by: Mr. Szántai Sándor, Managing Director  
Assisted by: Ms. Farkas Edina, Director of Finance

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## **I. The Case**

The Respondent was suspended due to suspected Prejudice Collection of Funds ("PCoF"). The Applicant ("IATA") had reasons to believe that Airlines funds were at risk. The Respondent's mother company had been declared bankrupt and this "news" was covered by major Hungarian newspapers. Consequently a majority of IATA Member Airlines had withdrawn ticketing Authorities even before IATA had suspended the Respondent. The Respondent claims that there is a "mix up" with another legal entity and that they have fulfilled all their obligations, including remitting in full.

## **II. The core of The Applicant's arguments in summary**

IATA has received information that The Respondent's mother company Quastor Financial Hurrira ("Quastor Group") was financially insolvent and thus could not trust that the accredited daughter company Quaestour shortly **also** would be affected.

Considering the above IATA has followed actions as mandated by Resolutions.

### III. **The core of The Respondent's arguments in summary**

The accredited company's name is **Quaestour** and should not be confused with **Quaestor** as the Applicant does. **Quaestour**'s sales are fully covered by financial security ("FS"). The two companies are two separate legal entities with different tax and operating numbers. **Quaestour's** funds, as substantiated by the bank, cannot be touched by the estate of (defaulted) **Quaestor**.

### IV. **Oral Hearing**

Both Parties have agreed to waive their right to an oral hearing for and to allow this Office to reach a Decision based on the written information and evidence submitted by and communicated to both Parties. (Reso 820e §2.3)

### V. **Considerations leading to Decision**

Suspension is a very serious infringement and a grave restriction to Agents capability to conduct business. This "right" allowed to IATA, when PCoF is invoked, has to be used with great caution to minimize the often irreparable consequences should the alleged reasons behind the suspension not "hold water". It is up to IATA to substantiate the allegations put forward.

In this case IATA had good reasons to invoke PCoF.

The review was mainly focused on if the ownership ties with Quaestor Group are putting **Quaestour** in jeopardy or not. The Respondent could not substantiate that there is a "water proof" barrier between the companies.

### VI. **Decision**

Having carefully considered the Resolutions and the evidence presented by The Parties it is hereby decided as follows:

- IATA has followed proper procedures.
- There were grounds to suspend The Respondent.
- IATA's decision is hereby upheld.

Decided in Stockholm on 07 September 2015

Andreas Körösi  
Travel Agency Commissioner Area 2

**Right to ask for interpretation or correction**

In accordance with Res 820e, § 2.10, any Party may ask for an interpretation or correction of any error which The Party may find relevant to this decision. The timeframe for these types of requests will be 15 days after receipt of the electronic version of this decision.

**Right to seek review by arbitration**

If considered aggrieved by this decision any Party has the right to seek review by arbitration in accordance with the provisions of Res 820e, Section 4 and Res 824, Section 14.

**Note:** The original signed version of this decision will be sent to the Parties by regular mail, once the above mentioned time frame has elapsed.