

Decision 5/2016 Travel Agency Commissioner - Area 2

Andreas Körösi
P.O. Box 5245
S-102 45 Stockholm, Sweden

Applicant: *Dream Travel*
IATA Code # 79-2 1081 0
Sudan

Respondent: International Air Transport Association (IATA)
King Abdullah II Street, Al Shaab Roundabout
Business Park, Building GH8
P.O. Box 940587
Amman 11194 Jordan

NOTE:

This summarized decision is being posted as the Parties have received it. Occasional requests for clarification are not posted. However, should any Stakeholder requests it, a copy of such clarification will be sent to her/him.

Decision:

Background

On 27 January, 2016 *Dream Travel* was requested to increase its Financial Security ("BG") to 1,222,222.00 SDN - Deadline 27 February 2016.

On 22 February, *Dream Travel* was suspended due to non-payment of annual fee and as part of the reinstatement requirements a new BG for a total of 1,536,000,00 SDN was requested, without prolonging the earlier deadline of 28 February.

According to this Office's experience, fully understanding the consequences of a 2nd Notice of Irregularity ("NoI"), a "late" payment of an agency annual fee is an IATA administrative issue and a result of lack of communication, in this case.

NO AGENT would risk its business due to a non-payment of annual fee and this should be considered a "*minor error*", and, thus, not leading to suspension from the BSP system.

At no time has there be any risk for Member Airlines' funds and the "original request" for BG was submitted on time, *id est*, before 28 February. After payment of the annual fee, *Dream Travel* was temporarily reinstated in to the BSP system based on a TAC interim decision.

Final Decision:

- *Dream Travel* has until 25 March, 2016 to submit the full BG (difference SDG 314,000.00);
- Should this be done on time and after IATA-AMM has received the original BG, the Applicant's temporary reinstatement shall be made permanent.

This Decision is effective as of today.

Decided in Stockholm, the 20th of March 2016

Andreas Körösi
Travel Agency Commissioner - IATA Area 2

Right to ask for interpretation or clarification

In accordance with Res 820e § 2.10, any Party may ask for an interpretation or correction of any error in computation, any clerical or typographical error, or any error or omission of a similar nature which the Party may find relevant to this decision. The time frame for these types of requests will be maximum 15 calendar days after receipt of this decision. Meaning as soon as possible and not later than **April 4th, 2016**.

Please also be advised that, unless I receive written notice from either one of you **before** the above mentioned date this decision will be published in the Travel Agency Commissioner's secure web site, provided no requests for clarification, interpretation or corrections have been granted by this Commissioner, in which case the final decision will be posted right after that.

Right to seek review by arbitration

If after having asked for and obtained clarification or correction, any Party still considers aggrieved by this decision, the Party has the right to seek review by arbitration, in accordance with the provisions of Resolution 820e § 4 and Resolution 824 § 14.