

Decision 42/2016 Travel Agency Commissioner - Area 2

Andreas Körösi
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S-102 45 Stockholm, Sweden

Applicant: *AL NAKHEEL TRAVELS*
IATA Code # 65-2 1147 3
Qatar

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:

Summary of events:

After the mandated *Qatar's financial review* **AL NAKHEEL TRAVELS** was requested to increase its financial security to cover sales at risk to QAR 818,000.oo. The original time frame was extended, due to public holiday, until 22 September 2016.

Upon failing to submit on time, IATA, as mandated by Resolutions, suspended **AL NAKHEEL TRAVELS** from ticketing authority.

AL NAKHEEL TRAVELS claims that the <<*sales estimated and considered*>> by IATA to calculate the Financial Security are of extraordinary nature and not the standard sales which needs to be considered as *sales at risk*.

Presenting credible statements **AL NAKHEEL TRAVELS** pleaded to this Office to lift the suspension. After having secured that no IATA Member Airlines' funds were at imminent risk, this Office allowed a temporary reinstatement of ticketing authorities during the time it would take to conduct a full review.

Conclusions:

Having considered all statements and the evidence provided by the Parties, I have come to the following conclusion:

1. IATA has acted according to Resolutions and "*sales at risk*" were calculated correctly;
2. The requested, recalculated Financial Security, of **QAR 763,160** is hereby confirmed to be valid;
3. A soft copy, plus proof of dispatch by courier airway bill, of the additional **QAR 114,160** (QAR 763,160 minus existing QAR 649,000) is to be sent to IATA **not later** than end business day 27 October;
4. The temporary relief shall stay in place until the additional security is presented but **not after the 27th of October 2016**;
5. IATA shall closely monitor **AL NAKHEEL TRAVELS'** sales, and should during this period the sales reach above QAR 600,000 **AL NAKHEEL TRAVELS** shall be suspended from ticketing due to risk for prejudiced collection of funds.

This Decision is effective as of today.

Decided in Stockholm, on October 15th, 2016

Andreas Körösi
Travel Agency Commissioner
IATA-Area 2

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 October 29th, 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.

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

Please let me know if any of the Parties requires a signed hard copy of this decision and I will send one once the time for "interpretation or correction" has elapsed.