

## Decision 9/2017 Travel Agency Commissioner - Area 2

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

---

**Applicant: *Satguru Travel***  
IATA Code # 41-2 0060 0  
Kenya

**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:**

At a first glance I believe IATA has done more than requested to accommodate the Applicant's needs. I assume mainly attributed to the Applicant's history.

IATA has followed proper Resolution's procedures and I have difficulties to find mitigating circumstances when reading the Applicant's statement: <<*I was given 6 months to conclude on this BG and deadline was 01 March 2017*>>.

Having stated the above:

- Even though I have difficulties to accept the statement indicating, I quote: <<*delay due to unforeseeable events*>> as ECO Bank states, the main issue, at the end of the day, is that there is a promise from ECO Bank for the increased BG and ***Satguru Travel*** does have a sizable (US\$ 1,042,000.00) in place to put up on its own;
- Therefore, unless IATA would have reasons to believe that there is imminent risk for prejudiced collection of funds, this **final extension to resend the BG is hereby allowed.**  
**Deadline is end business day of 17<sup>th</sup> of March 2017.**

**This Decision is effective as of today.**

Decided in Stockholm, on March 4<sup>th</sup>, 2017.

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 March 20<sup>th</sup>, 2017.**

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.

**CLARIFICATION**  
RENDERED ON MARCH 9<sup>TH</sup>, 2017

Just for clarification, mainly because of the Applicant's statement, I quote:  
<<... *Further to my call today is only when I was told that local finance team will rule their decision and it is not compulsory that they follow Commissioner's word...>>.*

**A formal TAC Decision has immediate effect for both Parties**, as per Resolution 820e § 2.9 <<... *the Commissioner's decision shall be final and binding on the Parties, including Members of IATA...>>.*

This does not limit the right allowed to both Parties to ask for clarifications and possible correction of a TAC decision within 15 days after the Decision.

I hope this clarifies.

Andreas Körösi  
Travel Agency Commissioner  
IATA-Area 2