

Decision 18/2017
Travel Agency Commissioner - Area 2

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

Applicant: *WAKANOW.com Ltd.*
IATA Code # 59-2 1180
Nigeria

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

The background of the case, as it has been presented by the Parties, is the following:

Due to a human error, the mandated annual IATA fee of US\$ 214.00 was not timely paid. The Applicant's finance department people had missed information from IATA regarding the annual fee for 2017, which should had been paid through a bank transfer and not as in previous years through a BSP billing.

Wakanow.com was defaulted due to this "non payment" situation, and when made aware of the mistake immediately settled, claiming "a phone call or an email to management" would have avoided the 7-days stand still.

Wakanow.com has implemented steps to avoid "incidents" like this in the future.

Conclusion:

This Office attributes the late payment to an *excusable human error* and, since at no time BSP Participating Airlines' funds were at risk. This Office considers suspension being a "highly disproportionate" measure to the error committed,

easily avoidable if proper communication with Management would have been secured.

It is hereby decided that **Wakano.com** shall be reinstated in full without the need to meet the reinstatement requirements set out in "normal" default situations.

This Decision is effective as of yesterday's reinstatement order.

Decided in Stockholm, on April 20th, 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 May 5th, 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.