

DECISION 2011-11-01

Travel Agency Commissioner Area 3
Jo Foged
685 Remuera Road
Remuera, Auckland
New Zealand

Applicant:

Navigator Travel
Victoria, Australia
Represented by Mr. D. Alexander

Respondent:

Agency Administrator, Geneva
International Air Transport Association, IATA,
83 York St, Sydney, NSW,
Australia.
Represented by Mr. Matteo Zanarini, Passenger Services Manager, Australia and SWPI

The Case and Decision:

Dear Mr. Alexander and Mr. Zanarini,

I have now examined the situation with respect to the circumstances faced by Navigator Travel Management in not being able to provide financial statements for its Annual Financial Review to IATA by the deadline date of 31 October 2011.

Mr. Alexander requests that the deadline date for the submission of financial statements be extended to 14 November 2011. The reasons given for being unable to meet the 31 October 2011 deadline include lack of staff and the QANTAS fleet grounding announcement which required total staff commitment to re-ticketing clients' travel plans during this last weekend. Had this emergency not occurred Mr. Alexander was going devote his time to preparing the reports required by the Auditor in order to compile the AFR document. It is obvious that had he completed these reports the 31 October 2011 deadline will still not have been met.

IATA notified Agents in June 2011 that financial statements for the AFR were to be submitted by a specific deadline date. This time frame should be sufficient for such documentation to be prepared and submitted in time and only very few Agents fail to do so. IATA management must work to these disciplines and have no discretion beyond that allowed under the Passenger Sales Agency Rules.

I could decline Mr. Alexander's request but I have some sympathy for the pressures faced by an Agent running a business in a very competitive industry in the current economic climate. Therefore on this occasion, and this time only, I am prepared to accede to Mr. Alexander's request and hereby authorise the extension of the deadline date for the submission of the Agent's

AFR to no later than Wednesday 14 November 2011. This extension is subject to the Agent providing IATA with the level of financial guarantee as determined by IATA.

In order to provide sufficient time for the Agent to comply with this condition I am allowing interlocutory relief, as enshrined in Resolution 820e, until Wednesday 7 November 2011.

A signed copy of this Decision will be mailed to the parties.

Yours faithfully,

Jo Foged

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(Asia/Pacific)
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Remuera
Auckland 1050
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