

**DECISION 2012 – 06 - 28**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

Jo Foged  
685 Remuera Road,  
Remuera, Auckland 1050,  
New Zealand

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**Applicant:**

International Express Pty Ltd,  
Level 1, 66 Clarence St,  
Sydney, NSW 2000,  
Australia  
Represented by Mr Alex Zhang, Company Accountant.

**Respondent:**

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

**The Case and Decision:**

In brief, the Agent requested a Review involving interlocutory relief on 28 June 2012 in order to comply with IATA's requirements for a financial guarantee of AUD652,000 to be in place by 30 June 2012. Such a Review was granted in light of the limited time available to resolve the matter.

IATA's letter was dated 5 June 2012 however the Agent claims that it was not received until 12 June 2012 ( an extraordinary 7 day time lag to have a letter sent and delivered between two adjacent streets in downtown Sydney) at which time it contacted its preferred financial guarantee provider CBL Insurance Ltd of Auckland. The Default Protection Insurer, CBL, responded on 27 June 2012 advising that for it to provide the requested level of guarantee it would need to receive cash in the amount of AUD150,000 as security.

The Agent in its request for Review has sought a one week extension to allow it to confer with its Head Office and to arrange for the depositing of the cash amount with the insurer.

Under these circumstances it is decided as follows:-

1. Interlocutory relief as provided for in Resolution 820e is hereby granted until midnight Friday 6 July 2012 Sydney time.
2. No extension beyond this time deadline will be entertained.

Decided in Auckland this 28<sup>th</sup> day of June 2012.

**Jorgen Foged**  
**Travel Agency Commissioner Area 3**

**Notes:**

1. As per Resolution 820e, Section 4, any Party has the right, if it considers itself aggrieved by this Decision, to seek review by Arbitration in accordance with the provisions of Resolution 824, Section 14.
2. The Parties are advised that effective from 1 June 2012, according to Subparagraph 2.10 of Resolution 820e, any of them may request an interpretation of this Decision, or for a correction of any error in computation, any clerical or typographical error, or any omission in this Decision. Such request must be made within 15 days of receipt of the electronic version of this Decision.