

DECISION 2012 – 07 -12
TRAVEL AGENCY COMMISSIONER – AREA 3

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

Applicant:

YTA Travel (Australia) Pty Ltd,
Suite 601, Level 6, 97-99 Bathurst St
Sydney, NSW 2000,
Australia
Represented by Mr Toru Tanaka, Director.

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, IATA sent the Agent a letter dated 12 June 2012 requiring a financial guarantee of AUD17,000 to be in place by 12 July 2012. In the absence of such guarantee by 12 July IATA phoned the Agent on the day seeking clarification of the Agent's intentions and discovered that the Agent had changed its P O Box number and hence the subject letter had not been received.

It was incumbent upon the Agent to advise IATA of the change of P O Box address and hence the sanction for failing to meet the 12 July 2012 deadline for the provision of a financial guarantee, of the issuance of 2 Instances of Irregularity and suspension from the BSP, would be applied. The Agent learning of this situation sought interlocutory relief from the writer in order that additional time could be allowed for arrangements to be made to satisfy the IATA requirement.

I trust that the Agent has taken note of the need for IATA to be advised of any changes to the information previously filed with IATA and under the circumstances and based on the information provided it is decided as follows:-

1. Interlocutory relief as provided for in Resolution 820e is hereby granted until Friday 20 July 2012 .
2. No request for extension of that deadline will be entertained.

Decided in Auckland this 12th day of July 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.