

**DECISION 2012 – 12 – 21A**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

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

---

**Applicant:**

Stodarts Travel Pty Ltd,  
347 Hannan St,  
Kalgoorlie WA 6430,  
Australia  
Represented by Ms Sue Fessey, Managing 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:**

The Agent's financial guarantee in the form of Default Protection Insurance with CBL expires today 21 December 2012. While advice to take action was distributed by the IATA SYD office on 5 December 2012 it was not until 19 December 2012 that the Agent lodged its application with the insurance Provider. This delay was caused by the Agency Manager being on vacation.

CBL has advised that it will take 5 to 7 working days for the application to be processed. As the Agent is devoid of any financial guarantee from tomorrow onward IATA SYD is not prepared to extend interlocutory relief beyond 3 January 2013.

Both Parties have agreed to waive their right to an oral hearing and to allow the writer to reach a decision based on the written information submitted as provided for in sub paragraph 2.3 of Resolution 820e.

Having examined the factors involved in this case it is hereby decided as follows:-

1. The Agent is granted interlocutory relief until Thursday 3 January 2013.

Decided this 21st day of December 2012 in Auckland.

**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.