

DECISION 2013 – 03 - 06
TRAVEL AGENCY COMMISSIONER – AREA 3

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

Applicant:

Gamax Pty Ltd t.a. SETRAVEL,
19 Lansdowne Street,
East Melbourne VIC 3002,
Australia.
Represented by Mr Dragan Jevtic, Manager.

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:

As a result of the Annual Financial Review the Agent was required to have a financial guarantee in place by today. Being a newly accredited Agent there was confusion regarding whether the Default Protection Insurance being sought from CBL covered IATA as well as the TCF.

The delay associated with this misconception resulted in the required guarantee not being in place by 6 March 2013 and hence the Agent sought interlocutory relief for a period of 3 to 5 working days in order to achieve same.

Both parties have agreed to waive their right to an oral hearing and have allowed the writer to reach a decision based on the written information submitted. IATA SYD advises that it currently holds a financial security which however does not meet the new requirement following the annual review.

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

1. The Agent is granted interlocutory relief until Wednesday 13 March 2013.

Decided this 6th day of March 2013 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.