

**DECISION 2013 – 03 - 22**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

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

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**Applicant:**

Hunter Travel Group Pty Ltd,  
144 Hannell St, Wickham,  
Newcastle NSW 2293,  
Australia.  
Represented by Ms. Jenni Newphry,  
Finance 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:**

The Agent was required by IATA SYD to provide a financial guarantee of AUD100,000 by Friday 22 March 2013. The Agent had elected to acquire Default Protection Insurance (DPI) from CBL in AKL and had received approval for same on Thursday 21 March 2013 with the request that the Deed of Guarantee be signed by the two Directors of the company.

The Directors concerned however were currently absent from the office and would not return until Monday 25 March 2013 so the Agent sought interlocutory relief for a further week.

As required by sub paragraph 2.3 of Resolution 820e both parties have waived their right to an oral hearing and both have allowed the writer to reach a decision based on the written information submitted.

IATA SYD advised that the agent has not fulfilled its financial security requirements and financial security has lapsed.

However that is the issue that this decision is intended to address, consequently, having considered the factors involved in this case it is hereby decided as follows:-

1. The Agent is granted interlocutory relief until Wednesday 27 March 2013.

Decided this 22nd 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.

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