

DECISION 2013 – 04 – 30
TRAVEL AGENCY COMMISSIONER – AREA 3

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

Applicant:

Egencia Australia Pty Ltd and Traveforce Pty Ltd,
8/345 George St,
Sydney NSW 2000,
Australia.

Represented by Mr Arthur Zouras, Finance Controller Asia Pacific.

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, representing both entities covered by this Decision, contacted the writer on the day on which its financial statements were due to be submitted to IATA SYD for the Annual Financial Review. The reason given for this situation was that the valuation of the write down of Traveforce and the taxation impact of that write down required more time to be identified. The Agents' Auditors had indicated that they would be in a position to provide the signed audited accounts by early next week. That time frame, together with time for the documentation to be supplied to IATA SYD would make Friday 10 May 2013 at the latest, the deadline date.

As provided for in sub paragraph 2.3 of Resolution 820e both Parties have agreed to waive their rights to an oral hearing and have allowed the writer to reach a decision based on the written information submitted. IATA SYD advises that it is currently holding a Global Parent Company guarantee.

While last minute requests for relief should be avoided, having considered the circumstances involved, it is hereby decided as follows:-

1. The two Agent entities named herein are granted interlocutory relief until Friday 10 May 2013.

Decided this 30th day of April 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.