

DECISION 2014 – 03 - 06
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Caliber Travel Pvt Ltd.
A3 Vijay Enclave
29/14 Krishna St, T. Nagar
Chennai 6000017
Tamil Nadu
India.

Represented by Yarlagadda Venkateswararao, Director

Respondent:

Agency Administrator, Geneva
International Air Transport Association, IATA
Represented by Mr. Rodney D’Cruz, Manager Agency Management Asia/Pacific,
IATA, Singapore.

The Case and Decision:

In brief, in the absence of the Agency's Directors overseas the staff member responsible for administration, who subsequently left without notice, overlooked renewing the Agency's bank guarantee by the due date. On returning the Agent contacted the writer on 27 February 2014 requesting an extension to comply with IATA's requirement. This was needed in order to transfer funds from elsewhere and execute the guarantee and a submission date of no later than 15 March 2014 was requested.

Both Parties have waived their rights to an oral hearing and have allowed the writer to reach a decision based on the written information submitted as provided for in sub paragraph 2.3 of Resolution 820e. The Agent has also complied with the within 30 days time frame to seek a review as detailed in sub paragraph 1.2.2.1 of the same Resolution. IATA has indicated acceptance of a short period of interlocutory relief.

A credible case for review has been established and the circumstances warrant an opportunity to be granted to the Agent to rectify the omission of others.

Hence it is hereby decided as follows:-

1. The Agent is granted a period of interlocutory relief until Saturday 15 March 2014.

Decided this 6th day of March 2014 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.