

DECISION 2014 – 03 - 11
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Carnival Cruises
15 Mount Street
North Sydney NSW 2060
Australia.
Represented by Ms. Emily Chan, Senior Financial Accountant

Respondent:

Agency Administrator, Geneva
International Air Transport Association, IATA
Represented by Mr. Nawaz Shaikh, Manager Agency Risk Management,
IATA, Singapore.

The Case and Decision:

In brief, the Agent was required to submit its financial statements for the Annual Financial Review. However as the Australian business is part of a global enterprise no individual accounts are created for the local entity. A set of statements for Carnival Corporation were uploaded to the IATA portal on 6 March 2014 but were found to be for the global enterprise only and hence they would be rejected by the Global Assessor were they to be presented.

On being made aware of that situation the Agent advised that the audited accounts for Carnival plc were to be released in the USA on 7 March 2014 and these would include the Australian business and a period of interlocutory relief was sought until 14 March 2014 for these to be lodged with IATA.

Under the circumstances, and in the firm belief that no objection would be encountered, the writer has assumed that both Parties waive their rights to an oral hearing and have allowed the writer to reach a decision based on the written information submitted as enshrined in sub paragraph 2.3 of Resolution 820e. The request for a review has also been made within the 30 day time frame detailed in sub paragraph 1.2.2.1 of the same Resolution. IATA has not objected to the period of interlocutory relief requested.

Based on the foregoing therefore it is hereby decided as follows:-

1. The Agent is granted a period of interlocutory relief until Friday 14 March 2014.

Decided this 11th 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.