

DECISION 2014 – 04 - 09
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Nayyar Air Travels
SCO 186-188, First Floor
Sector 17-C, Chandigarh
India.

Represented by Mr. Jagtaran Singh Nayyar, Proprietor

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:

The Agent was required to provide financial security of INR 630,000. The Agent was under the mistaken impression that it could join the default protection insurance scheme offered by TOKIO IFFCO however this scheme had already been closed by the insurer at the time that the Agent sought inclusion.

The alternative was then to acquire a bank guarantee for the amount required and the Agent has now undertaken to do so but requires 10 days for completion.

Under the circumstances it would be illogical for either one of the Parties to seek an oral hearing hence it is assumed by the writer that both entities agree to waive their right to same and will allow the writer to reach a decision based on the written information submitted as provided for in sub paragraph 2.3 of Resolution 820e.

In considering this matter the writer accepts that the Agent may have been unclear on the availability of the aforementioned insurance scheme, hence, it is hereby decided as follows:

1. The Agent is granted until Monday 21 April 2014 to submit a bank guarantee of INR 630,000 to IATA.

Decided this 9th day of April 2014 in Los Angeles

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.