

DECISION 2014 – 07 - 24
TRAVEL AGENCY COMMISSIONER – AREA 3

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

Applicant:

Alia Travel and Tours Sdn Bhd
6F, Level Blok 1, Worldwide Business Centre
Jalan Tinju 13/50, 40100 Shah Alam
Selangor Darul Ehsan
Malaysia
Represented by Mr. Osman Bin H Salleh, Manager

Respondent:

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

The Case and Decision

The Agent was required to submit its audited financial statements to IATA by 24 July 2014. On 23 July 2014 the Agent sought interlocutory relief until 30 August 2014 in order to comply.

In its explanation the Agent admitted that it was its fault that it engaged the wrong person to process its accounts and thus was not able to complete the work on time. It took sometime to acquire a qualified replacement. Nevertheless a replacement has been found and has completed the accounting process and the reports are already with the Agent's Auditor. However due to work overload on the part of its Auditor it is not anticipated that the auditing process can be completed before the deadline and consequently an extension to 30 August 2014 is sought. The Agent claims that this is the first occasion on which they have missed the deadline.

IATA has not objected to interlocutory relief being granted for the period requested.

As required by sub paragraph 2.3 of Resolution 820e, both Parties have been placed on notice that in the writer's judgement an oral hearing is not justified and that a decision will be based on the written information submitted.

Based on the circumstances described by the Agent and bearing in mind its previous compliance with deadline dates it is hereby decided as follows:-

1. The Agent is granted interlocutory relief until 30 August 2014.

Decided this 24th day of July 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.