

DECISION 2014 - 07 - 28
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Globetrotter Corporate Travel
35 Stirling Highway
Nedlands WA 6006,
Australia
Represented by Mr. Bob Moors, Director of Finance

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 is due to submit its financial statements to IATA on 30 September 2014. However, in order to more accurately report its financial standing the Agent has requested interlocutory relief until 31 October 2014. The reason for this request is that override revenue is confirmed and paid in early October. The Agent states that such an extension "has been granted every year for the past 10 years for this very reason."

The Agent has attached a letter from its Auditors supporting that state of affairs and confirming that "the company is able to pay its debts and meet its commitments as and when they fall due."

In seeking IATA Singapore's position on the granting of interlocutory relief the response is that they would not object should the writer decide to grant the time period extension "but with the caveat that the audit issue should be fixed."

IATA goes on to say that Agencies in Australia are submitting their financial statements on time every year with some exceptions due to special circumstances for a particular year, not for every year.

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.

In considering this matter the writer agrees with IATA's view that the Agent should not expect that interlocutory relief will be granted every year but should arrange its affairs in such a manner that it can meet the uniformly applied deadline of 30 September.

Based on the foregoing, and on this occasion, it is hereby decided as follows:-

1. The Agent is granted interlocutory relief from 1 October 2014 to 31 October 2014.

Decided this 28th 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 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.