

DECISION 2014 – 09 - 10
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Touchdown Tours Pty Ltd.
488 High Street
Northcote VIC 3070
Australia
Represented by Ms. Jaqui Preketes, Director

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 for the annual financial review by 29 September 2014. On 8 September the Agent contacted the writer with a request for interlocutory relief beyond that date to 31 October 2014.

In its explanation for making that request the Agent stated that its Accountant had gone "on leave" without completing the Agency's end of year financials although they had been prepared and completed for him in July. He would not be back in the office until 8 October 2014 and in order to allow him time to complete the auditing of the statements, the request the subject of this decision, was made.

IATA has not objected to the time extension requested by the Agent but adds that it would not envisage an extension beyond that date being considered. As required by sub paragraph 2.3 of Resolution 820e both Parties were advised that in the judgement of the writer an oral hearing was not necessary and the decision would be based solely on the written information submitted.

In considering this matter it is apparent that the Agent is the victim of its Accountant's casual attitude to his client's needs. It is expected that the Agent will ensure that the predicament that the Accountant has placed the Agent in is conveyed clearly to the Accountant. As the core information for the preparation of the financial statements has been delivered to the Accountant there is a clear expectation that the deadline now

granted will be met and it is not anticipated that a further period of time is required and should it be the case no enthusiasm for yet more time will be evident.

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

1. The Agent is granted interlocutory relief beyond 29 September 2014 to 31 October 2014.

Decided this 10th day of September 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.