

DECISION 2014 – 09 - 28
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Labbaik Travel
498 Murray Road
Preston VIC 3072
Australia
Represented by Mr. Motaz El-Leissy, Manager

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 due to submit its financial statements to IATA for the Annual Financial Review on 29 September 2014. On 25 September the Agent contacted the writer with a request for interlocutory relief beyond that date to 13 October 2014.

In its explanation for seeking the additional time the Agent stated that its staff had been very busy during the last few months organising a group of 500 passengers to Saudi Arabia and consequently the need to have the required documentation prepared had been overlooked. An appointment had been made with its Auditors and it was anticipated that the submission would be made by the second week in October.

IATA has not objected to the granting of the time requested.

As provided for in sub paragraph 2.3 of Resolution 820e, the writer does not consider that an oral hearing is necessary and is basing his decision on the written information submitted.

In considering this matter it is a concern to note that IATA's request was ignored until the Agent was reminded by IATA of the need to act. This shows a lack of managerial oversight and one would not expect a similar situation to occur when this process is underway next year.

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

1. The Agent is granted interlocutory relief beyond 29 September 2014 to Monday 13 October 2014.

Decided this 28th 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.