

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

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Donaldson Investments Pty Ltd t.a. Helloworld Esperance
9 Andrew Street
Esperance WA 6450
Australia
Represented by Ms. Anna Hildebrand, 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 by 29 September 2014. The writer was contacted on 26 September 2014 with a request for a further 3 weeks to have the documentation submitted.

The explanation provided was that the Auditor had uncovered some serious errors made by the bookkeeping service contracted to process all of the company transactions for the year. As a result difficulties were being experienced in reconstructing the accounts to present to the Auditor in time for his sign-off to be lodged on 29 September 2014. The Bookkeeper had to reprocess some of the work and this would take time and was out of the Agent's control. The situation was further complicated as Monday 29 September was a Public Holiday in Western Australia, giving one less working day to complete the work.

In not objecting to the Agent having more time to comply IATA indicated that a deadline date of no later than 15 October 2014 was acceptable.

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 one would expect that the Agent's arrangement with the contracted book keeping service would be reviewed so that a similar situation would not occur when this process is underway next year. The Agent's problems have been caused

by the poor quality of the work contracted out and hence it is reasonable to grant additional time for the Agent to comply.

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

1. The Agent is granted interlocutory relief beyond 29 September 2014 until 15 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.