

DECISION 2014 – 09 - 29C
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Seventh-day Adventist Church t.a. SPD Travel Service
148 Fox Valley Road
Wahroonga NSW 2076
Australia
Represented by Mr. John Turner, 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 by 29 September 2014 for the Annual Financial Review. On that day the Agent contacted the writer with a request for interlocutory relief until 13 October 2014.

The Agent stated that its books were still under audit and unfortunately the deadline date could not be met and consequently the request for more time had been made.

IATA has not objected to the granting of the period sought by the Agent.

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 disappointing to note that despite being given ample advance notice of the submission date the Agent had been unable to organise its affairs to meet that date. The Annual Financial Review is not new and hence a request for an extension at the 11th hour is a surprise. One would not expect a similar situation to occur when this process is conducted next year.

However, as IATA has not indicated any concern about the Agent as a credit risk by accepting the additional time requested, it is hereby decided as follows:-

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

Decided this 29th 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.