

DECISION 2014 – 10 - 01
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Contal Travel Group Pty Ltd.
40 Roma Street
Brisbane QLD 4000
Australia
Represented by Mr. Peter Biedak, 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 was due to submit its financial statements to IATA on 29 September 2014 for the Annual Financial Review. On that day the Agent contacted the writer with a request for interlocutory relief until 31 October 2014.

In its explanation for seeking an extension the Agent stated that it had lost the 2 staff members responsible for accounting. On examining some documents it was discovered that a small number of transactions were not reconciled correctly. These involved the calculation of GST on commissions. There was no impact on the IATA reconciliations which have worked correctly for years. This discovery was made recently however new staff have been engaged and the work is moving forward. It is estimated that the audited financial statements and reports can be submitted by 31 October 2014.

IATA has not objected to that additional period of time being granted.

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 unfortunate that the Agent's staffing events have fallen at this critical time however under the circumstances it is reasonable to allow some relief however it is not expected that the same request will be made when this process is undertaken 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 31 October 2014.

Decided this 1st day of October 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.