

**DECISION 2014 – 12 - 17**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

FIL Air Travel and Tours Pte Ltd.  
304 Orchard Road  
#03-58 Lucky Plaza  
Singapore  
Represented by Ms. Jocelyn Tan Ching, Assistant Manager

**Respondent:**

Agency Administrator, International Air Transport Association, IATA  
Geneva, Switzerland  
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 on 17 December 2014. On 8 December 2014 the Agent contacted the writer with a request for interlocutory relief for an unspecified period and without giving any reason for the delay.

On being prompted by the writer the Agent stated that due to the Festive Season holidays, staff being on leave and the person responsible for preparing the accounts being on a long vacation the original submission date could not be met and an extension to 31 January 2015 was sought. This 6 week delay was considered too long by this Office and the Agent was requested to consider a more realistic time frame and subsequently responded with a request for relief until 15 January 2015.

IATA has not objected to the granting of interlocutory relief.

As required by sub paragraph 2.3 of Resolution 820e both Parties were placed on notice that in the writer's judgment an oral hearing was not necessary and that a decision would be based on the written information submitted.

In considering this matter it is apparent that, in full knowledge of the date by which the financial statements were to be submitted to IATA, the Agent demonstrated poor planning by allowing key staff to be absent during the crucial document preparation stage. One would not expect to receive a similar request for interlocutory relief when the call for financial statements is made next year.

On this occasion, based on the foregoing, it is hereby decided as follows:-

1. The Agent is granted interlocutory relief until Thursday 15 January 2015.

Decided this 17<sup>th</sup> day of December 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.