

**DECISION 2014 – 12 - 24**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

Jesal Brothers Tours and Travel Pte Ltd.  
77 High Street  
#01-01 High St Plaza  
Singapore  
Represented by Ms. Rekha Kaur, Director

**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 provide a financial security to IATA by 29 December 2014. On 18 December 2014 the Agent contacted this office with a request for interlocutory relief until 13 January 2014.

The reason presented for this extension was that a number of dedicated individual airline bank guarantees were expiring at year's end "which will still freeze the credit line by another 3 weeks". The requirement by IATA for a financial security of SGD 132,000 would need further time to acquire through its Bank.

On being questioned as to any issue that might arise should interlocutory relief be granted for the period requested IATA advised that it was required to suspend Agents who do not submit the financial security by the deadline. However in this case, should the Commissioner decide to waive the recording of the Notice of Irregularity and instant reinstatement with no administrative charges upon submission of the financial security IATA could accept such an outcome.

As required by sub paragraph 2.3 of Resolution 820e both Parties have been placed on notice that in the judgement of the writer an oral hearing is not necessary and that a decision will be based on the written information submitted.

In considering this matter it is important to take careful note of the terms detailed in Paragraph 1.2.2.4 of Resolution 820e related to the granting of interlocutory relief. Due

to the credit risk involved the IATA suggested approach is pragmatic and therefore based on the foregoing it is hereby decided as follows:-

1. The Agent is to submit a financial security for SGD 132,000 by 29 December 2014.
2. Should that not eventuate and a Notice of Irregularity is mandated then the recording of same against the Agent is to be expunged.
3. Upon submission of the financial security the Agent is to be reinstated instantly and any administrative charges are to be waived.

Decided this 24<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.