

DECISION 2015-01-21
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

S. T. Travel Services Sdn Bhd.
Block 23, Lot 49, Ground Floor, Jalan Tiga
Sandakan, Sabah
Malaysia 90007
Represented by Ms. Chan, 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 for the annual financial review on 28 January 2015. On 19 January 2015 the Agent contacted the writer with the request that it be granted interlocutory relief until 27 February 2015.

The reason offered for requesting same was that its previous Auditor had passed away and that the newly appointed Auditor required some time to become familiar with the entity and to produce the required documentation for the review.

IATA has not objected to the granting of the period of interlocutory relief requested. 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 the decision would be based on the written information submitted.

In considering this matter it is only fair to provide the Agent relief in a situation where an unexpected event prevents the submission of the required documentation by the deadline date.

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

1. The Agent is granted interlocutory relief until Friday 27 February 2015 for the purpose of submitting its financial statements to IATA.

Decided this 21st day of January 2015 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.