

DECISION 2017- 04 - 27
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Ateeq Travel and Tours
SM-4, Al-Kamran Centre, 7/A, Block-6
Pechs Nursery, Main Shahrah-E-Faisal
Karachi, Pakistan.
Represented by Mr. Safraz Ahmed, Proprietor.

Respondent:

Agency Administrator, International Air Transport Association (IATA)
Geneva, Switzerland.
Represented by Ms. Nadya Widjaja, Manager Agency Management Asia/Pacific,
Singapore.

The Case and Decision

The Agent's accreditation was terminated on 4 April 2017 as a result of it not paying the Annual Agency Fee of USD 239.00. In its defence the Agent stated that its main business was pilgrim travel to Saudi Arabia where a contracted ground operator arranged accommodation, ground transport, the performance of the rituals, etc.

That company required the Agent to provide a financial security of over USD 500,000. Without warning that guarantee was encashed and the Agency's Owner spent considerable time in Saudi Arabia locating the person responsible for that act and dealing with local authorities to finally settle the matter.

Meantime the Agent's office was neglected due to the Owner's absence and the staff did not keep him informed of any developments. The Agent settled the USD 239.00 fee on his return and states that he is willing to pay any other applicable charges connected with reinstatement. The Agent sought a review opining that termination was a harsh punishment for such a small amount.

In considering this matter the writer has some empathy with the issue faced by the Agent in Saudi Arabia; however, a simple instruction to the Agency's staff to keep the Owner abreast of developments within the Agency would have avoided the current situation.

The Agent has complied with the terms of Resolution 820e and the writer placed the Parties on notice of his intention to render a decision based on the written information submitted.

Based on the foregoing, and on the assumption that the Owner will take steps to ensure that there is no re-occurrence of this nature, it is hereby decided as follows:

1. The Agent is to be reinstated without delay
2. The Agent is to pay any fees and charges associated therewith.

Decided this 27th day of April 2017 in Auckland.

Jorgen Foged
Travel Agency Commissioner Area 3

Notes:

1. 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.
2. If after having asked for and obtained clarification or correction, any Party still considers aggrieved by this decision, the Party has the right to seek review by arbitration, in accordance with the provisions of Resolution 820e Section 4 and Resolution 824 Section 14.