

DECISION 2017-05-18
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Gulf Travels and Tours
Dhaka, Bangladesh.
Represented by Mr. Mohammad Shaha Alam, Proprietor.

Respondent:

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

The Case and Decision

The Agent was placed in default by IATA and its ticketing authority was suspended.

In its explanation the Agent stated that it had inadvertently written an incorrect IATA code on the bank deposit slip viz 42 3 07215 instead of 42 3 0725. The deposit was made on 30 April 2017 and IATA had received value on 2 May 2017. On being declared in default the Agent had submitted its bank statement showing that sufficient funds were available. It deeply regretted its mistake and undertook to be more careful in future.

IATA remarked that it had received the cheque as stated by the Agent but it had been posted under another Agent's code hence a non-payment was recorded against *Gulf Travels and Tours*.

The writer is clear that this incident can be classed as an "excusable human error" and that it should be treated as such.

The Parties have complied with the terms of Resolution 820e and they were placed on notice as required by sub paragraph 2.3 of that Resolution that this decision would be based on the written information submitted.

As a consequence it is hereby decided as follows:

1. the Notice of Default issued to the Agent is to be expunged and its ticketing authority is to be reinstated without delay.

2. All Airlines are to be made aware of this action.

Decided this 18th day of May 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.