

DECISION 2017-06-14
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Reimasala Pvt Ltd.
Bangalore, India.
Represented by P. J. Biju, General Manager.

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 terminated for failing to settle 5 IATA invoices for administrative charges during the time windows available to it. The Agent stated that IATA had used a dormant email address and had not made clear the purpose of each charge.

Over a protracted period and as a result of many email message exchanges the Agent was finally satisfied that the charges were accurate and they were paid.

IATA made the point that the Agent should look back on earlier email messages as the address to which they were sent was the same as the Agent was using to pursue this review.

In considering this matter the writer can understand, to a degree, the Agent's objective in determining the reason for the various IATA invoices; however, the time taken to finally elicit payment has -no doubt- had an effect on the Agent's business. It is hoped that a re-occurrence of this kind of issue will not be seen in the future.

The Parties have complied with the terms of Resolution 820e and were placed on notice, as required by sub paragraph 2.3 of the Resolution that in the writer's judgement an oral hearing was not necessary and that the decision would be based on the written information submitted.

IATA has acted in accord with the Passenger Sales Agency Rules and the Agent could have avoided termination had it acted more promptly; however, an Agent should

not be deprived of its accreditation over an issue where Airline moneys are not at risk, hence, it is hereby decided as follows:-

1. The Agent's accreditation is to be reinstated, subject to paying all fees and charges associated therewith.

Decided this 14th day of June 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.