

DECISION 2017- 09 - 01
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Arsalan Tours and Travels
Quetta, Pakistan.
Represented by Mr. Hassan, Proprietor.

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated due to its failure to settle the full amount of the 1st installment of a repayment agreement, which the Agent had not signed despite being granted an extended deadline.

The Agent stated that it had outstandings of PKR 785,882 against which it had deposited PKR 394,000 plus the 1st installment of PKR 132,368 and the 2nd installment of PKR 185,000, which left a balance of PKR 74,514. The Agent undertook to settle this final amount by the time of the final installment date of 25 August 2017.

This undertaking was honoured and on enquiry IATA confirmed that apart from an invoice of USD 129.29 that was the case. IATA went on to advise that should reinstatement be granted, as the Agent's financial security had expired, it would have to provide a new security of PKR 7,000,000 valid until August 2018.

In considering this matter the writer was influenced by the Agent's fulfillment of its undertaking to settle its debt. That being the case the Agent should be rewarded by being reinstated having gained some "learnings" from this experience, which should reduce the possibility of a repetition of these events.

The Agent has met the terms of sub paragraph 1.2.2.1 of Resolution 820e by seeking a review within the 30 days allowed therein and, as required by sub paragraph 2.3 of the same Resolution, both Parties were placed on notice by the writer that the decision would be based on the written information submitted.

Based on the foregoing it is hereby decided as follows:

1. The Agent is to be reinstated subject to complying with the following conditions:

- (a) the invoice for USD 129.29 is to be settled
- (b) a financial security for PKR 7,000,000, valid until August 2018 is to be submitted to IATA
- (c) all fees and charges associated with the reinstatement are to be paid
- (d) the completed Agency Status Form is to be submitted to IATA.

Decided this 1st day of September 2017 in Auckland.

Jorgen Foged
Travel Agency Commissioner Area 3

NOTES:

1. 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. Please also be advised that, unless I receive written notice from either one of you before the above mentioned date, this decision will be published in the Travel Agency Commissioner's secure web site, provided no requests for clarification/interpretation would have been granted by this Commissioner, in which case the final decision will be posted right after that.
3. 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.