

**DECISION 2017- 09 - 25**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant: *Haazique International***

IATA Code 14-3 1666  
India

**Respondent:**

Agency Administrator, International Air Transport Association (“IATA”)  
Singapore.

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**The Case and Decision:**

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In brief, the Applicant (also called hereinafter “the Agent”)'s accreditation was terminated as a consequence of it failing to submit its financial statements for 2015-2016 by the deadline date.

The Agent advised that it had mistakenly uploaded its profit and loss account for 2014-2015 but had subsequently submitted the correct document. It deeply regretted its error and as it had no outstandings requested that it be reinstated.

IATA advised that it had sought overnight rectification of the error but in the absence of compliance had terminated the Agent's accreditation 9 days later.

However, as there were no outstandings and subject to the Agent completing and submitting an Agency Status form and finding it acceptable and the payment of a re-application fee of US\$ 1,680.00, IATA would reinstate the Agent's accreditation.

In considering this matter it is clear that this is a case involving an "excusable human error". The fact that the Agent did not rectify its error within the time allowed by IATA is regrettable and had it done so the issue currently in hand would not have occurred.

However, the Agent, having rectified its administrative mistake should be granted another chance. In examining one of IATA's conditions for reinstatement i.e. the US\$ 1,680.00 "re-application" fee, I find that to be totally inappropriate. That fee should

only be charged for new applications for accreditation. The PAConf approved "reinstatement recovery charge" of US \$ 119.00 should apply.

As required by sub paragraph 2.3 of Resolution 820e the Parties were placed on notice that this decision would be based on the written information submitted.

Therefore, 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) submitting a completed Agency Status Form which IATA finds acceptable;

(b) paying a reinstatement recovery charge of US \$ 119.00.

Decided this 25<sup>th</sup> day of September 2017 in Auckland.

This Decision is effective immediately. The following sub paragraph of Resolution 820e is brought to the attention of the Parties:

"2.10 - within 15 days after the receipt of the decision, a party, with notice to the other parties, may request that the Commissioner gives an interpretation of the decision or correct in the decision any error in computation, any clerical or typographical error, or any error or omission of a similar nature. If the Commissioner considers that the request is justified, he shall make the interpretation or correction within 15 days of receipt of the request. The interpretation or correction shall form part of the decision."

In this particular case the 15 days time frame expires on **10 October 2017**.

If after having pursued this process a Party still considers itself aggrieved by this Decision the Party has the right to seek review by arbitration as detailed in Resolution 824, Section 14.

Finally, I seek your authority for this Decision to be posted on the private pages of the Travel Agency Commissioner website which can only be accessed by the 3 TACs and the 12 members of the Passenger Agency Programme Global Joint Council. In the absence of advice to the contrary by 10 October 2017 I will assume that there is no objection to that action being taken.

Yours faithfully,

**Jorgen Foged**  
**Travel Agency Commissioner Area 3**