

Decision 1/2018 Travel Agency Commissioner - Area 2

Andreas Körösi
P.O. Box 5245
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Applicant: *Al Aseel Travel*
IATA Code # 62-2 1006 1
Oman

Respondent: International Air Transport Association (IATA)
Torre Europa
Paseo de la Castellana, número 95
28046 Madrid, Spain

NOTE:

This summarized decision is being posted as the Parties have received it. Occasional requests for clarification are not posted. However, should any Stakeholder requests it, a copy of such clarification will be sent to her/him.

Decision:

Background

Al Aseel Travel was suspended due to accumulation of Irregularities. IATA stated the following as reason for its suspension:

"On 16th of November, for the period 20171002F, two points of Irregularities were issued against the agent for overdue remittance of the amount of 448.35 OMR.

These Irregularity points were not withdrawn as the Bank letter provided was missing the reason for delay. In fact the bank confirms that the payment was ordered on November 15th, which was precisely remittance date and therefore funds were received late. Funds need to be received latest on remittance date with value date as such."

The attached Bank letter dated 16th of November clearly states:

- a) Payment order was received on the 15th
- b) Enough funds were available on the Applicant's account to execute
- c) ***"The payment was effected by our bank (Bank Muscat) on November 15, 2017 successfully."***

Considerations and Decision

The attached Bank letter, issued by *Bank Muscat*, is enough evidence to exonerate *Al Aseel Travel* from wrongdoings.

Whatever reason why the funds had not reached IATA's account on Due Date is **beyond reasonable control** of *Al Aseel Travel*.

Consequently, ***Al Aseel Travel* must be reinstated in full without delay.**

This Decision is effective as of today.

Decided in Stockholm, on January 4th, 2018

Andreas Körösi
Travel Agency Commissioner
IATA-Area 2

In accordance with Resolution 820e § 2.10 any Party may ask for an interpretation or correction of any error in computation, any clerical or typographical error, or any error or omission of a similar nature which the Party may find relevant to this decision. The time frame for these types of requests will be maximum 15 calendar days after receipt of this decision. Meaning as soon as possible and **not later than January 19th, 2018.**

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 or corrections have been granted by this Commissioner, in which case the final decision will be posted right after that.

Please note that if after having asked for and obtained clarification or correction any Party still considers aggrieved by this decision, as per Resolution 820e §4, the Party has the right to seek review by Arbitration in accordance with the provisions of Resolution 824 §14.

Please let me know if any of the Parties requires a signed hard copy of this decision and I will send one once the time for "interpretation or correction" has elapsed.