

DECISION 2017- 12 - 29
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Agent: *Zia ul Qamar (Pvt) Ltd.*

IATA Code 27-3 2469
Karachi, Pakistan

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated on 5 December 2017 for failing to settle an amount of PKR 12,636 (USD 113.76). In its request for a review the Agent stated that it had been accredited since 2016. It did not have access to *BSPlink* and, hence, did not receive information regarding IATA billings. It had not issued tickets and after a conversation with IATA SIN information regarding IATA invoices would be sent by email.

Subsequent invoices by IATA to the Agent had been sent to 2 email addresses that had been "hacked" and inoperable. On 14 December 2017 the Agent received a call from the IATA KHI office to advise that an amount of PKR 12,700 was outstanding and the Agent paid that amount the following day.

IATA's summary of events recorded interaction with the Agent to remove the "hacked" email addresses and to substitute them with a new address. IATA sent the Agent a final reminder to settle the PKR 12,636 on 29 November 2017 plus submitting an Agency Status Form by 30 November 2017 failing which termination action would be taken. As the Agent did not comply, its accreditation was terminated on 5 December 2017. As described above the outstanding amount was paid on 15 December 2017.

In considering this matter there is clearly a degree of negligence displayed by the Agent in not reacting to IATA's 29 November 2017 reminder. However, the minor amount at issue should not deprive the Agent of accreditation. It is expected that a lesson has been learned by the Agent and any future occurrences of this nature will not be considered as benignly by the writer.

The Parties have complied with the provisions of Resolution 820e and were placed on notice that in the writer's judgment an oral hearing was not necessary and that this decision would be based on the written information submitted.

Based on the foregoing, therefore, it is hereby decided as follows:

1. The Agent's accreditation is to be reinstated subject to it complying with the following conditions:
 - (a) a completed Agency Status Form is to be submitted to IATA;
 - (b) payment of a Reinstatement Fee of USD 119.00 is to be made;
 - (c) payment of a Late Remittance Charge of USD 128.00 is to be settled.

Decided this 29th day of December 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-day time frame expires on 13 January 2018.

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 14 January 2018, I will assume that there is no objection to that action being taken.

Jorgen Foged
Travel Agency Commissioner Area 3