

DECISION 2018 - 01 - 30
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

TCS (Private) Ltd. (“The Agent”)
IATA Code 27-3 0698
Karachi, Pakistan

Respondent:

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

The Case and Decision:

In December 2017, upon request and after consultation with IATA, the Agent was granted interlocutory relief beyond 31 December 2017 to 31 January 2018, for the purpose of submitting its audited financial statements to IATA for the annual financial review. This relief was subject to the payment of a fee of USD 150.00 to IATA.

On 29 January 2018 the Agent sought a further period of interlocutory relief beyond the date already granted to 28 February 2018 on the grounds that its external auditors were unable to complete the task by 31 January 2018 and even meeting the requested date would be a challenge.

Faced with this situation IATA volunteered the suggestion that as this was a recurring event with this Agent a special deadline date of 31 March of each year should be set and sought this Office's endorsement of same.

The writer finds IATA's proposal eminently pragmatic and as a consequence it is hereby decided as follows:

1. The Agent is granted a further period of interlocutory relief beyond 31 January 2018 to 31 March 2018 subject to the payment of a fee of USD 150.00 to IATA.
2. As from calendar year 2019 the deadline date for the submission of the audited financial statements for TCS (Private) Ltd will be 31st of March of that year and each subsequent year.

This Decision is effective as of today.

Decided this 30th day of January 2018 in Auckland.

Jorgen Foged
Travel Agency Commissioner Area 3

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 **14th February 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 7 February 2018 I will assume that there is no objection to that action being taken.