

Decision 6/2018

Travel Agency Commissioner - Area 2

Andreas Körösi
P.O. Box 5245
S-102 45 Stockholm, Sweden

Applicant: *Travcor (Pty) Ltd.* (“the Agent”)
IATA Code # 77-2 0217
South Africa

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:

Having considered that "no template has been received by the Agent", but, more importantly so, that the same bank guarantee (“BG”) wording has been previously accepted by IATA;

Considering also all the evidence on file leading to the situation for default;

Unless IATA sees imminent risk for prejudiced collection of funds, I hereby accept the BG sent to IATA as sufficient to reinstate the Agent today.

This reinstatement will stand during the time it takes for the insurer to reissue a BG as per IATA’s template, which should take no longer than one (1) week as of today.

For clarity sake, this Decision is to be interpreted as an order to reinstate the Applicant awaiting the new BG, which wording will be according to IATA’s request.

Regarding the Respondent’s statement, according to which IATA will “*reinstate once we receive the proper hard copy*”, please note, that unless IATA has cause to believe that there might be a situation of forged documents in play, **a soft copy and tracking number is enough evidence to reinstate.**

This Decision is effective as of today.

Decided in Stockholm, on February 21, 2018

Andreas Körösi
Travel Agency Commissioner
IATA-Area 2

In accordance with Res 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 March 7th, 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.