

DECISION 2018- 04 - 04
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Ajar Travel and Tours (“the Agent”)
IATA Code 27-3 2146
Pakistan

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated due to its failure to submit its audited financial statements by the due date (NoI 1) and failing to settle an amount of PKR 1,581 (USD 13.62) (NoI 2).

In its request for a review the Agent stated that its owner had been absent for a protracted period and the staff had failed to check *BSPlink* and, hence, were ignorant of IATA's messages. The Agent apologised for its oversights and would do everything necessary to be reinstated.

IATA's summary of events revealed a lengthy list of messages being sent to the Agent culminating in IATA making a claim against the Agent's financial security to recover the PKR 1,581 (USD 13.62). IATA listed a number of requirements if the decision was made to give the Agent another chance at accreditation.

In considering this matter the writer is cognisant of the minor amount involved but concerned at the lack of internal organisation within the Agency, which allowed this matter to escalate from the size of a molehill to that of a mountain. In deciding to give the Agent another opportunity at regaining accreditation, it is expected that the Agent will institute procedures, which will remove the chance of another event of this kind occurring. Any future incident of this nature will not be treated as benignly.

The Parties were placed on notice that in the writer's judgement an oral hearing was not necessary and that this decision would be based on the written information submitted.

Therefore, based on the foregoing it is hereby decided as follows:

- The Agent's accreditation is to be reinstated subject to it complying with the following conditions:
 - (a) immediate settlement of PKR 1,581,
 - (b) submitting a new financial security valid for at least one year from the date of issue, the current security expiring on 30 August 2018,
 - (c) submitting a completed Agency Status Form,
 - (d) paying a Reinstatement Recovery Charge of USD 119.00,
 - (e) paying a Late Remittance Recovery Charge of USD 128.00 plus interest as per Resolution.

This Decision is effective as of today.

Decided this 4th day of April 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 19 April 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 20 April 2018 I will assume that there is no objection to that action being taken.