

Decision 17/2018
Travel Agency Commissioner - Area 2

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

Applicant: OMAN ORIENT TRAVEL AND TOURS LLC
IATA Code # 62-2 1017
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:

This Office does accept the payment order to Bank Muscat, **stamped by the bank for same day of the execution** as valid proof exonerating the Applicant from wrongdoings - **WHATEVER** the reason for the delayed payment to IATA's hinge account is, **it is out of the Applicant's control and, thus, considered by this Office as "Bona Fide Bank Error" may it be on the Applicant's or IATA's Bank's side.**

As previously stated, even though this Office is aware of IATA's template in accordance with Resolutions to demand "the bank letter to state the reason for the delay", reality has proven that Banks do not want to state the reason, which potentially could incriminate themselves, or simply because they consider that they have not done anything wrong and the delay must have been from the side of IATA's bank.

Based on the consideration referred to *supra*, it is hereby decided:

- The Applicant must be reinstated in to the BSP system without delay,
- The Notice of Irregularity served to the Applicant has to be expunged from the Applicant's records.

This Decision is effective as of today.

Decided in Stockholm, on April 22, 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 May 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.