

## Decision 19/2018

### Travel Agency Commissioner - Area 2

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

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**Applicant: Logos Travel Support & Solutions Ltd.**  
IATA Code # 59-2 2221 4  
Nigeria

**Respondent: International Air Transport Association (IATA)**  
Torre Europa  
Paseo de la Castellana, número 95  
28046 Madrid, Spain

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#### **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.

#### **Background and Considerations**

Obviously the email address used by IATA ([admin@logosng.com](mailto:admin@logosng.com)) with the Notice of Termination ("NoT") did not "reach" the Applicant. According to it this email has NEVER been used by them.

Even though it is an Agent's obligation to always keep the contact details updated, it is also IATA's obligation to ensure "dispatch to management" when "the information to an Agent and the Agent's inaction" are so detrimental to an Agent.

This can be done by "receipt email notification" which is a feature on the enhanced BSP*link* version.

On 29 June 2017, with reference nr. 08035324, the Applicant told IATA that the new "BG is in progress". **Also informing IATA that the "email address [admin@logosng.com](mailto:admin@logosng.com) does not exist."** By that, the Applicant was asking IATA to update it with a "correct email address".

This request to update was not executed by IATA because the only response from IATA (shown on file in this case) was the NoT dated July 31<sup>st</sup> and sent to [admin@logosng.com](mailto:admin@logosng.com).

UNLESS IATA can provide evidence of the opposite and clarify if there was any other contact explaining to the Applicant that no extension of time to supply the bank guarantee ("BG") will be granted, this Commissioner accepts the statements done by the Applicant.

In my view it is obvious that no Agent would have proceeded with the costly process to retain a BG without at least sending a plea to this Office, would they have been aware of IATA not allowing an extension.

Finally, AFTER uploading the BG on the 16<sup>th</sup> of March 2018 the Applicant was made aware of the termination in October 2017 and contacted this Office days thereafter.

### **Decision**

Considering the above it is hereby decided that, provided

- All other reinstatement requirements are met, and,
- The BG dispatched to IATA is valid at least until the 31<sup>st</sup> December 2018,
- The Applicant has to be reinstated in to the BSP system

**This Decision is effective as of today.**

Decided in Stockholm, on April 24<sup>th</sup>, 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 9<sup>th</sup>, 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.