

Decision 22/2018

Travel Agency Commissioner - Area 2

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

Applicant: *Dahab Travel*
IATA Code # 42-2 1152
Kuwait

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.

Background

Dahab Travel has, upon non-payment default, settled approximately 86% of the debt.

Dahab Travel signed a repayment agreement to repay the remaining "within weeks".

Unfortunately, this assessment was premature and *Dahab Travel* failed to honour the signed agreement.

IATA's position is that "failure to honour the agreement" should lead to termination of the Applicant's Passenger Sales Agency Agreement ("PSAA"), which decision *Dahab Travel* wants this Office to review.

Considerations and Decision

Having considered the circumstances at hand, especially the willingness to settle the "relatively" small remaining part of the original debt by the Applicant, it is hereby decided as follows:

- Start date to charge interest is 19 February 2018.
- 25% of remaining debt is to be paid by the Applicant **not later than May 6, 2018.**

- Should *Dahab Travel* fail to pay the 25% latest on May 6th, then the PSAA should be immediately terminated.
- Upon receipt of that payment, IATA will draft a new repayment agreement **and will charge the corresponding administrative fee.**
- The terms of the agreement will be 3 monthly installments: first payment starting May 31, 2018.

This Decision is effective as of today.

Decided in Stockholm, on April 30th, 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 14th, 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.