

DECISION 2018 - 06 - 06
TRAVEL AGENCY COMMISSIONER - AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Al Orabi Travel and Tourism Pvt Ltd. ("the Agent")
IATA Code 14-3 2376
Manjeri, India

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated as a consequence of its failure to pay INR 5287 (USD 78.70) by the due date. In its request for a review the Agent stated that "due to some technical reasons" it was not able to make the payment in a timely manner.

In a follow up message the Agent advised that due to some confusion over its registered email ID it did not locate the invoice requiring payment until after the settlement date but on its discovery made immediate payment.

While IATA was requested to provide a summary of events on 28 May 2018 it has to date failed to do so. The writer has decided to render a decision without IATA's input as the Agent is required to submit its valid IATA "license" to the Saudi Arabian Government urgently in order to retain its Hajj and Umrah license.

Therefore, in considering this case the writer is of a mind to have the Agency's accreditation reinstated on the understanding that the Agent will introduce processes that will ensure that no future occurrence of this nature will ensue. Additionally, the amount of INR that caused the default was also an influence.

The Parties have complied with the terms of Resolution 820e and 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:

1. The Agent's accreditation is to be reinstated without delay subject to it paying any fees and charges associated therewith.

This Decision is effective as of today.

Decided this 6th day of June 2018 in Auckland.

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 **June 21 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 June 22, 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3