

**DECISION 2018 – 08 – 14A**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

***Glamour Forex Pvt Ltd t.a. Modern Tours and Travels*** (“the Agent”)  
IATA Code 14-3 6354  
Kolkata, India

**Respondent:**

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

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**The Case and Decision:**

The Agent was issued with a Notice of Irregularity (NoI) for failing to settle its BSP billing of INR 137,611 (USD 1971.09) on 16 July 2018. Following a reminder from IATA the following day the Agent made immediate arrangements for payment, which was received by IATA on 18 July 2018.

In its request for a review the Agency's Director stated that due to the death of his Mother the previous week he had confused the date for settlement believing it to be 17 July 2018. The Director had phoned an IATA staff member in SIN apologising for the human error due to the trauma caused by his Mother's passing. It would not occur again and the Agent sought removal of the NoI.

IATA's summary of events corroborated the Agent's description of the case and went on to state that it had guided the Agent on the process of seeking a TAC review. IATA went on to state that it had no objection "to withdraw the issued irregularity in billing period 20180701W if the Commissioner decides."

Based on the circumstances involved and the heartfelt plea from the Agent for removal of the NoI, I am prepared to so decide on this occasion; however, any future events of this nature will not be treated as benignly.

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 the decision would be based on the written information submitted.

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

1. The Notice of Irregularity issued in connection with this incident is to be withdrawn and all Parties alerted to its issuance are to be advised accordingly.

This Decision is effective as of today.

Decided this 14<sup>th</sup> day of August 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 **29 August 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 30 August 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

**Jorgen Foged**  
**Travel Agency Commissioner Area 3**