

DECISION 2018 - 08 - 23
TRAVEL AGENCY COMMISSIONER - AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Worldwide Overseas Travel Pvt. Ltd. ("the Agent")

IATA Code 14-3 4589

Anand, India

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated as a result of its failure to submit documents required by IATA in connection with the Agency's change of ownership by the due date.

In its request for a review the Agent stated that it had received an IATA email regarding the change of ownership and another one with regard to a declined bank guarantee. Since both were received at the same time "we confused them for being for the same purpose."

The Agent states that it fulfilled the requirements for the bank guarantee and received a letter of approval from IATA hence believed that the matter had been resolved. The Agent was apologetic for the misunderstanding and as an Agent of 22 years standing and one of only 2 in its city wished to retain its accreditation.

When asked by the writer what further documents were required by IATA in order for the change of ownership application to be progressed a detailed list was submitted by IATA.

In considering this matter the writer accepts that some confusion occurred which led to the Agent missing the deadline date and under the circumstances should be given another opportunity to continue as an Accredited Agent.

The Parties have met the terms of Resolution 820e and were placed on notice that in the writer's judgment an oral hearing was not necessary and that this decision would be based on the written information submitted.

Based on the foregoing therefor it is hereby decided as follows:

1. The Agent's accreditation is to be reinstated subject to the following conditions:

(a) Submitting all the documents listed in IATA's 23 August 2018 message;

(b) IATA approving the change of ownership;

(c) Paying all fees and charges associated therewith.

This Decision is effective as of today.

Decided this 23rd 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 **7 September 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 8 Sept. 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3