

DECISION 2018 - 10 - 17A
TRAVEL AGENCY COMMISSIONER - AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Ena Travel and Tourism ("the Agent")

IATA Code 27-3 2496

Karachi, Pakistan

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated as a consequence of failing to submit an Agency Status Form within the time frame allowed by IATA. In its request for a review the Agent advised that the owner had been absent in Saudi Arabia performing hajj for a period of time and, hence, had not been aware of IATA's request. The owner undertook to be more careful in future and would comply with all IATA's requirements if its accreditation could be reinstated.

IATA's summary of events revealed a long pause between the issuing of an administrative charges invoice and the date upon which it was settled. That is unsatisfactory. An insurance bond for PKR 10M had expired on 31 August 2018.

In this age of instant electronic messaging accessible from a number of devices there should be no excuse for not being able to monitor an email account remotely. As no Airline funds were at risk and that this was an administrative issue the writer is prepared to grant the Agent another opportunity to be accredited; however, should a future instance of this nature occur then the same lenient attitude will not prevail.

The Parties have been 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 subject to it complying with the following conditions:

(a) IATA finding no issues with the information submitted on the Agency Status Form,

(b) the Agent submitting a financial security to the level determined by IATA, and,

(c) paying all fees and charges associated therewith.

This Decision is effective as of today.

Decided this 17th day of October 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 **November 1st, 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 November 2, 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3