

DECISION 2018 - 10 - 18
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Desert Travels (“the Agent”)
IATA Code 27-3 2434
Peshawar, Pakistan

Respondent:

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

The Case and Decision:

This decision, of necessity, is not in the usual format, hence, the Parties’ submissions already on file form part of this decision.

The Agent’s accreditation was terminated as a result of failing to submit a renewed financial security and settling a reinstatement charge of USD 119.00.

In its request for review the Agent, in short, stated that he was away performing hajj and had not sighted the subject invoice.

The Agent’s position is described in a message dated 5 October 2018.

IATA responded in its message of the same date.

Considering the factors presented, it is the writer’s judgement that the Agent should have its accreditation restored on this occasion; however, any future occurrence of this nature will not be treated as leniently.

The Parties have complied with the terms of Resolution 820e.

Therefore based on the content of the submissions on file, it is hereby decided as follows;

1. The Agent’s accreditation is to be reinstated subject to it complying with the following conditions:

(A) the Agent is to procure a financial security satisfactory to IATA,

(B) settle all fees and charges currently outstanding.

This Decision is effective as of today.

Decided this 18th day of October 2018 in Palmerston North.

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 2 November 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 3 November 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3