

DECISION 2018 - 08 - 14
TRAVEL AGENCY COMMISSIONER - AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Fit Rite International Travel Services (“the Agent”)
IATA Code 14-3 2355 1
Mumbai, India

Respondent:

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

The Case and Decision:

The format of this decision, out of necessity, does not conform to the normal document; hence, the decision incorporates the messages submitted in connection with this case.

The Agent's accreditation was terminated as a result of failing to settle a long overdue IATA invoice for USD 128.02.

In its request for a review the Agent stated that the owner was unaware of its existence as no transactions had been processed and he had been absent for some time.

IATA advised that following several unsuccessful attempts to energise the Agent to settle the termination was taken on 12 October 2018. The invoice was paid 3 days later by credit card. There were no other outstandings and the financial security was still valid.

An Agent's accreditation should not be removed over a minor amount such as this. There was no risk to Airlines' funds and this was a purely administrative issue. The writer can understand IATA's frustration at not having their reminders responded to but a less draconian sanction would be more appropriate in these kinds of circumstances.

The Agent should have no excuse for not monitoring its interaction with IATA, as it is a vital part of its ability to do business. On this occasion the writer will rule in

favour of the Agent but the same attitude will not prevail should another similar event occur in future.

Therefore based on the factors involved with this case it is hereby decided as follows:

1. The Agent's accreditation is to be reinstated subject to it paying any fees and charges associated therewith.

This Decision is effective as of today.

Decided this 19th 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 **3 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 4 November 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3