

**DECISION 2018 – 10 - 23**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

***Al Hafsha Tours and Travels*** (“the Agent”)  
IATA Code 14-3 6863  
Mumbai, India

**Respondent:**

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

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**The Case and Decision:**

The Agent's accreditation was terminated as a result of failing to submit a Notice of Change (NOC) within the time lines set by IATA. In its request for a review the Agent stated that it was basically a Haj and Umrah tour operator, which required IATA accreditation in order to organise tours to Saudi Arabia. As the Agency's Management was busy with their annual Haj group it had not checked the IATA portal for some 2 months and, hence, had not been aware of the 4 messages asking for the completed NOC relating to a change of location. The Agent promised to take the necessary precautions to avoid this kind of issue in future.

IATA advised that there were no outstandings and that the Agent had a currently valid financial security in place, which had not been released.

This is another case of an absentee Agent who does not monitor its emails as a consequence of which a vital tool in its ability to do business is lost. There is no excuse in this day and age for not monitoring electronic media. On this occasion I will rule in the Agent's favour however a future occurrence of this nature will not be treated as generously. IATA's frustration in trying to energise action by Agents is understood.

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 this decision would be based on the written information submitted.

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

1. the Agent's accreditation is to be reinstated subject to it paying all fees and charges associated therewith within 30 days of the date of this decision.

This Decision is effective as of today.

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

Yours faithfully,

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