

DECISION 2018 - 10 - 26
TRAVEL AGENCY COMMISSIONER - AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Three Dees Travel and Tours (Pvt) Ltd. ("the Agent")
IATA Code 27-3 2173
Lahore, Pakistan

Respondent:

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

The Case and Decision:

The Agent defaulted on a BSP settlement and wished to enter into a repayment plan with IATA. IATA sought the Agent's decision on whether they wished to use the 50 percent deposit or the 20 percent deposit options provided for in Attachment "A" to Resolution 818g. Despite a number of prompts, the Agent took some 4 weeks before advising that it could only pay 15 percent by 31 October 2018, another 30 percent by 27 November 2018 and 15 percent in subsequent months.

IATA stated that, subject to the writer's decision, they would accept 20 percent deposit with 6 monthly payments thereafter. This approach was accepted by the Agent, who committed to paying the deposit by 31 October 2018. In light of the time that has elapsed since that conclusion was reached it would be reasonable to extend that deposit payment date to Friday 2 November 2018.

Under the circumstances the Agent should be given the opportunity to settle its debt and having done so have its ticketing authority reinstated.

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 the decision would be based on the written information submitted.

Therefore, based on the foregoing, it is hereby decided as follows:

1. the Agent is to conclude a repayment agreement with IATA which requires a deposit of 20 percent of the outstandings to be paid by no later than Friday 2 November 2018 and 6 monthly installments thereafter.

2. once full settlement has been made and any fees and charges paid then the Agent's ticketing authority is to be reinstated.

This Decision is effective as of today.

Decided this 26th 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. 10, 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. 11, 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3