

DECISION 2018 - 11 - 04
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

J P Travels International (“the Agent”)
IATA Code 14-3 3878
Veraval, India

Respondent:

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

The Case and Decision:

The Agent's accreditation was ultimately terminated as a result of not being able to submit a financial security to IATA. This case records a lengthy series of events where the insurance provider accepted the Agent's cheque, declined to cover it and then held on to the cheque for some time before being pressured into refunding it. The Agent sought alternative insurance arrangements to no avail and was unable to procure a bank guarantee.

With the introduction of Resolution 812 (NewGen) to India, IATA suggested that the GoLite category of accreditation for the Agent would remove the need for the submission of a financial security. The Agent was receptive to that proposal, hence, this decision is the vehicle for that outcome. A change of ownership was detected by IATA in an Agency Status Form and will require addressing.

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.

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

1. the Agent is to be reinstated as a *GoLite* Agent subject to its change of ownership being approved by IATA with all fees and charges related thereto being paid.

This Decision is effective as of today.

Decided this 4th day of November 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 19 Nov. 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 20 Nov. 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3