

DECISION 2018 - 11 - 05
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Daneem Travel and Tours (Pvt) Ltd. (“the Agent”)

IATA Code 27-3 1745

Faisalabad, Pakistan.

Respondent:

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

Singapore.

The Case and Decision:

The Agent's accreditation was terminated as a result of failing to submit a completed Agency Status Form after several reminders from IATA. In its request for a review the Agent stated that it had been absent on *Hajj and Umrah* activities and hence was unaware of IATA's requirement.

IATA advised that there were no BSP outstandings but the Agent's financial security had expired.

This is another case where a monetary fine for these types of situations would be less draconian and would cause less work than that generated by the current process. An Agent should not see its accreditation removed where an administrative issue is involved and there is no risk to Airlines' funds. Having stated that, it is also incumbent on the Agent to remotely monitor communications from IATA, which should not be onerous in this age of electronic information transmission. It would certainly be the case that a repetition of this nature in future would not have the same outcome.

The Parties 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 complying with the following conditions:

- (a) submitting a completed Agency Status Form,
- (b) submitting a renewed financial security to a level satisfactory to IATA,
- (c) paying all fees and charges associated therewith.

All the above conditions are to be met within 30 days of the date of this decision.

This Decision is effective as of today.

Decided this 5th 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 **20 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 Nov. 21, 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3