

DECISION 2018 - 11 - 19
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Parmival Tours and Travels Pvt. Ltd. (“the Agent”)
IATA Code 14-3 5188
Madurai, India

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated for failing to settle a change of ownership fee by the deadline set by IATA. On examination of the information submitted this outcome resulted from a combination of ignorant action of the Agency's staff during the one of the Partner's absence and the Partners being unsure on how to structure the partnership, which would be dependent on the amount of IATA fees the Agency would have to pay. There was also a suggestion that the Partners were contemplating a change of name for the Agency.

Even though a Partner maintained that no change had occurred IATA's sequence of events describes a change of ownership and, hence, a change fee must be paid.

In considering this matter it is clear that this is an administrative issue and at no time were Airline funds at risk. Under the circumstances it would be appropriate that the Agency's accreditation be reinstated and a hope that the Partners have learned something from this experience.

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

1. the Agent's accreditation is to be reinstated subject to it complying with the following conditions:

(a) depending upon the charges, the Agency will either pay the existing invoice and maintain the ownership or change ownership and name if there are no additional charges

(b) once advised on the above by IATA and a decision made by the Agent, the charge is to be settled by Thursday 22 November 2018.

This Decision is effective as of today.

Decided this 19th 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 **Dec. 4, 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 Dec. 5, 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3