

DECISION 2018 - 11 - 27
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Destinations Unlimited (Pvt) Ltd. (“the Agent”)
IATA Code 27-3 1874
Karachi, Pakistan.

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated as a result of it no longer complying with the accreditation criteria in not having a valid DTS license, a document required by law in Pakistan.

In its request for a review the Agent stated that its license had been cancelled due to late submission of the IAA bank guarantee. It had appealed against that decision before the Honorable Secretary Tourism DTS, Government of Sindh who handed the case to the Controller Directorate of Tourist Services, Culture Tourism and Antiquities Court. At a hearing earlier this month it was decided to allow a continuation of the license which now runs until 14 October 2019. The Agent asserted its innocence and alluded to failings within the DTS administration. Evidence of the renewed license was included in the Agent's submission.

In considering this matter the writer has noted that there are no BSP outstandings and has classified this incident as an administrative issue. It is expected that there will be no further incidents of this nature emanating from this Agent. Against that background the writer is prepared to rule in favour of the Agent.

The Parties were placed on notice that in my 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) that IATA is satisfied with the submitted DTS license
- (b) all fees and charges associated with the reinstatement are paid
- (c) a completed Agency Status Form is submitted to IATA.

This Decision is effective as of today.

Decided this 27th 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 12 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 13 Nov. 2018 I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3