

DECISION 2018 - 12 - 05
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Magpie Tours and Travels (“the Agent”)
IATA Code 423 0748
Dhaka, Bangladesh

Respondent:

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

The Case and Decision:

The Agent defaulted on a BSP settlement of BDT 698,198.00 (USD 8,249.39) and its ticketing authority was suspended. It also owed BDT 24,417.00 (USD 288.49) for another IATA invoice related to the late payment. The Agent claimed that it had made full settlement and sought reinstatement.

On enquiry IATA confirmed that a total of BDT 722,615 had been paid by the Agent but for it to be reinstated the Agent would have to submit a new Bank Guarantee of BDT 3,000,000, submit a completed Agency Status Form and pay an invoice for the Annual Fee of USD 240.50.

Under the circumstances it would be appropriate for the Agent's ticketing authority to be reactivated. 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's ticketing authority is to be reinstated subject to it complying with the following conditions:

- (a) submitting a renewed Bank Guarantee of BDT 3,000,000 to IATA
- (b) submitting a completed Agency Status Form to IATA

(c) paying the Annual Fee of USD 240.50.

This Decision is effective as of today.

Decided this 5th day of December 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 December 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 21 December 2018, I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3