

**DECISION 2018 - 12 - 11**  
**TRAVEL AGENCY COMMISSIONER – AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

***ABM Tours and Travels*** (“the Agent”)  
IATA Code 42-3 1045  
Dhaka, Bangladesh.

**Respondent:**

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

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**The Case and Decision:**

The Agent's accreditation was terminated on 5 November 2018 as a result of it failing to settle all BSP dues post defaulting. The total unpaid amount was BDT 215,969 (USD 2,552.00). On 1 December 2018 the Agent paid the amount outstanding.

In its request for review the Agent acknowledged its late payment but having settled felt deserving of reinstatement and would pay whatever costs were associated therewith.

IATA's summary of events included the terms under which reinstatement would be possible.

In considering this matter the writer detects that the Agent has an expectation of being reinstated despite the fact that it had breached the terms of the Passenger Sales Agency Rules. Let me be clear on this matter. IATA has acted in accordance with its mandate and should a further instance of this nature be brought to my attention the writer will not be as lenient as is the case with this review.

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.

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 financial security in the form of a bank guarantee of BDT 5 million expiring 31 December 2019 to IATA

(b) submitting a completed Agency Status Form to IATA

(c) paying the Annual Agency Fee of USD 240.50.

These conditions must be fulfilled within 30 days of the date of this decision.

This Decision is effective as of today.

Decided this 11<sup>th</sup> 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 26 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 27 December 2018, I will assume that there is no objection to that action being taken.

Yours faithfully,

**Jorgen Foged**  
**Travel Agency Commissioner Area 3**