

## **Decision 3/2019**

### **Travel Agency Commissioner - Area 2**

Andreas Körösi  
P.O. Box 5245  
S-102 45 Stockholm, Sweden

---

**Applicant: NABRY STAR TRAVEL & TOURISM AGENCY** (“*Nabry Agency*”)  
IATA Code # 79-2 0122  
Sudan

**Respondent: International Air Transport Association (IATA)**  
Torre Europa  
Paseo de la Castellana, número 95  
28046 Madrid, Spain

---

#### **NOTE:**

This summarized decision is being posted as the Parties have received it. Occasional requests for clarification are not posted. However, should any Stakeholder requests it, a copy of such clarification will be sent to her/him.

#### **Background**

In October 2018, *Nabry Agency* was notified about having its Passenger Agency Agreement terminated due to not having provided appropriate bank guarantee (“BG”) in time.

The issue is about a request to increase the level of Financial Security with about 25% due to currency devaluation. A 30-day deadline was set which was not met, thus, a Notice of Termination was issued by IATA.

*Nabry Agency* explained that issuing a new BG in Sudan would mean to withdraw the old one, thus, leaving the system without any BG. Once explained that there could be a “top up” with the additional, and after additional time allowed *Nabry Agency* provided evidence that the new BG was approved by the provider.

This fact, as confirmed by IATA, did satisfy the needs to fully cover sales at risk and be reinstated.

According to my judgement, as allowed in Resolution 820e §2.3, I do not see the need for an Oral Hearing. Should any of the Parties be of another opinion then please feel free to object and submit the statements to support this within the time frame allowed in Resolution 820e § 2.10 (Right to ask for interpretation).

**Decision:**

- IATA is to reinstate NABRI STAR TRAVEL & TOURISM AGENCY once the original Financial Security is received and validated.

**This Decision is effective as of today.**

Decided in Stockholm, on the 15<sup>th</sup> day of January 2019

Andreas Körösi  
Travel Agency Commissioner  
IATA-Area 2

In accordance with Resolution 820e § 2.10 any Party may ask for an interpretation or correction of any error in computation, any clerical or typographical error, or any error or omission of a similar nature which the Party may find relevant to this decision. The time frame for these types of requests will be maximum 15 calendar days after receipt of this decision. Meaning as soon as possible and **not later than January 30<sup>th</sup>, 2019.**

Please also be advised that, unless I receive written notice from either one of you **before** the above mentioned date this decision will be published in the Travel Agency Commissioner's secure web site, provided no requests for clarification, interpretation or corrections have been granted by this Commissioner, in which case the final decision will be posted right after that.

Please note that if after having asked for and obtained clarification or correction any Party still considers aggrieved by this decision, as per Resolution 820e §4, the Party has the right to seek review by Arbitration in accordance with the provisions of Resolution 824 §14.

Please let me know if any of the Parties requires a signed hard copy of this decision and I will send one once the time for "interpretation or correction" has elapsed.