

**DECISION 2019 - 01 - 03**  
**TRAVEL AGENCY COMMISSIONER - AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

***Al Khadam Group*** ("the Agent")  
IATA Code 14-3 1968  
New Delhi, India.

**Respondent:**

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

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**The Case and Decision:**

The Agent's accreditation was terminated for failing to settle a BSP billing for INR 605,445 (USD 8,509.00). The Agent stated that this failure was due to "our payment in market has stucked and will be recovered gradually." It was intent on paying all outstandings "with interest" and sought reinstatement.

IATA's summary of events recorded that the Agent held a valid financial security up to 20 June 2019 and volunteered that the Agent still had the option of entering into a repayment plan approved by IATA should that be the writer's decision.

In considering this matter it is obvious that the Agent's credit arrangements with its customers was the root cause for its current situation. The extension of credit was a risk that the Agent knowingly took but one that had the potential for financial disaster and, hence, such arrangements should be reviewed and culled where necessary. However, in light of the relatively modest amount involved and the proactive attitude shown by IATA the writer is prepared to grant the Agent its request.

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 accreditation is to be reinstated subject to it complying with the following conditions:

(a) repaying all outstandings via a repayment plan approved by IATA

(b) paying all fees and charges associated therewith.

These conditions are to be initiated within 30 days of the date of this decision.

This Decision is effective as of today.

Decided this 22<sup>nd</sup> day of February 2019 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 9 March 2019.

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 10 March 2019, I will assume that there is no objection to that action being taken.

Yours faithfully,

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