

Decision 16/2019

Travel Agency Commissioner - Area 2

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

Applicant: *TIC Travel*
IATA Code # 5-9 2146 9
Nigeria

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

NOTE:

Both Parties are hereby advised that this is a summarised decision based on the findings of the case. Below considerations and the decision itself are based on the written statements submitted by both Parties, since according to my judgement, as allowed in Resolution 820e § 2.3, I do not see the need for an Oral Hearing.

Background

In August 2018 *TIC Travel* was suspended due to risk for prejudiced collection of funds. The suspension was according to Resolutions even though the reasons that IATA had for its suspension were cleared within days and *TIC Travel* was reinstated; at the time, immediate information was sent to the Airlines and, despite having been fully cleared, Ethiopian Airlines ("ET") chose not to reassign ticketing authority to *TIC Travel*. *TIC Travel* claimed refunds for tickets issued on ET plates and was denied by ET claiming that "... *without TA rights ET won't be able to make the refund.*"

TIC Travel engaged in several email exchanges and finally in an email dated 21 March, 2019 signed by a person called "Faiza", ET admitted: "*We already reply the progress of the refund through our phone and once is finalized we will advise with the ACM.*"

Since ET on numerous occasions have been requested to issue the acknowledged refunds for tickets dating from August 2018 or earlier it is hereby

Decided as follows:

- ET has 5 Business days (not later than 9 May 2019) to refund the acknowledged requests;

Should ET fail to do so, then

- IATA shall issue ACMs on behalf of ET and credit them in the earliest possible billing to *TIC Travel*.

This Decision is effective as of today.

Decided in Stockholm, on the 30th day of April 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 May 15th, 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.