

**DECISION 2019 - 02 - 06**  
**TRAVEL AGENCY COMMISSIONER - AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

***Central Travel and Tours (Pvt) Ltd.*** ("the Agent")  
IATA Code 27-3 2560  
Lahore, Pakistan.

**Respondent:**

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

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**The Case and Decision:**

The Agent defaulted on BSP billings and entered negotiations with IATA on a repayment plan. Initially IATA required a 50 percent deposit; however, on the Agent submitting its case to this office a 20 percent deposit with a 6-month installment period was contemplated. Having made a number of interim payments the amount outstanding had been reduced to PKR 5,865,924 (USD 42,111.00).

In its request for a review the Agent described how the Manager's car had been stolen with the Manager's wallet, credit cards, chequebooks and a "huge cash amount". Having suffered this "huge financial loss" the Agent was unable to pay the BSP billing and its ticketing authority was suspended and "our credit circle was disturbed and recovery from the market was also disturbed".

The Agent attempted to make full settlement but was unable to do so and consequently sought a repayment arrangement, which has culminated in the current situation. The Agent stated that it was determined to clear its debt and sought a 6 month period however expressed optimism that it would clear the debt prior to the expiry of that time.

In considering this matter it is clear that the theft described above was the cause of the Agent's current financial situation and, hence, appropriate acknowledgement of that set of circumstances should be made by this office.

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 is to enter into a repayment plan with IATA which incorporates a 20 percent deposit of the outstandings and 6 monthly installments to clear the debt.

Such plan to be in place within 30 days of the date of this decision.

This Decision is effective as of today.

Decided this 6<sup>th</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 21 Feb. 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 22 Feb. 2019, I will assume that there is no objection to that action being taken.

Yours faithfully,

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