

**DECISION 2019 - 05 - 10**  
**TRAVEL AGENCY COMMISSIONER - AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

***Versatile Air Services Ltd.*** ("the Agent")  
IATA Code 42-3 3198  
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 as a result of failing to submit a Profit and Loss Statement in its financial documentation for the annual financial review. It stated that the staff member responsible for collating that information had been suffering badly from kidney disease and was "taking treatment in home and abroad." Due to the treatment he was unable to concentrate and did not comprehend the need for such a statement, which was required by IATA whether or not any transactions were recorded. The termination had been a "big experience" and an assurance was offered that much care would be taken to avoid a future instance if restatement could be granted.

IATA's summary of events recorded 3 occasions on which this missing statement was sought. The Agent had no outstanding BSP billings or invoices.

In considering this matter it is blatantly clear that there was a lack of managerial oversight with regard to this issue. The simple submission of the required information would have avoided the situation in which the Agent now finds itself.

However, as this matter is of an administrative nature and the fact that Airline moneys are not at risk the writer is prepared to grant the Agent the opportunity of being reinstated. It goes without saying that any future like occurrence will not be dealt with in so benign a fashion.

The Parties 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 is to be reinstated subject to IATA finding that it meets all the terms of the accreditation criteria.

Decided this 10<sup>th</sup> day of May 2019 in Auckland.

This Decision is effective as of today.

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 25 May 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 26 May 2019, I will assume that there is no objection to that action being taken.

Yours faithfully,

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