

**DECISION 2019 - 07 - 04**  
**TRAVEL AGENCY COMMISSIONER - AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

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**Applicant:**

***Angsana Travel and Tours Sdn. Bhd.*** ("the Agent")  
IATA Numeric Code 20-3 2029  
Selangor, Malaysia.

**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 submit its audited financial statements for the annual financial review by the deadline date.

In its request for a review the Agent stated that "we have tried a couple of times to upload the file through the IATA website but we failed. The reason for failure was because I do not see any IFAP button for me to click and proceed for uploading."

IATA's summary of events recorded 16 occasions on which the Agent was contacted to submit its documentation. The Agent did not contact IATA about its upload failure issue or raise any concern until their accreditation was terminated. IATA suggested that the Agent should re-apply or at the least pay a reinstatement charge of USD 500,00 for all the work that had been undertaken.

In a further submission the Agent stated that the 16 IATA messages had gone to an email address that "is not notify us" and elaborating on the elusive IFAP button issue.

In considering this matter it is clear that the Agent lacked initiative in seeking guidance from IATA on how to process the submission of its audited financial statements - more energy in pursuing a solution would have avoided the need for this decision. However, as this is an administrative matter and Airline funds are not at risk I am prepared to give the Agent another chance. A repetition of such behaviour will not be treated as benignly.

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) submitting a set of audited financial statements acceptable to IATA

(b) complying with all other accreditation criteria

(c) paying a fee of USD 500.00.

This Decision is effective as of today.

Decided this 4<sup>th</sup> day of July 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 19<sup>th</sup> July 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 20<sup>th</sup> July 2019, I will assume that there is no objection to that action being taken.

Yours faithfully,

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