

DECISION 2019 - 07 - 15
TRAVEL AGENCY COMMISSIONER - AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Mehfooz Travels (Pvt) Ltd. ("the Agent")
IATA Numeric Code 27-3 3440
Karachi, Pakistan.

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated for failing to submit a completed Agency Status Form by the deadline date. In its request for a review the Agent stated that as the Owner was absent in Saudi Arabia arranging Hajj group accommodation etc it was "overlooked" by the office staff. Furthermore, due to "discontinuation of email facilities " IATA's Notice of Termination had not been received on its dispatch date. The "disturbance of the PTCL Internet Communication" had caused the inability to forward the completed Agency Status Form (ASF). However, the Agent had "updated all our compliance and ready to submit our Agency Status Form for review through IATA." A request for reinstatement was made.

IATA's summary of events recorded 3 reminders to the Agent to submit the completed ASF all of which had gone unheeded. The Agent's financial security of PKR 10,000,000 had been released.

In considering this matter the writer has decided to give the Agent another chance based on the fact that this is an administrative issue and that Airline funds are not at risk. However, any future incident of this nature will not be treated as benignly.

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 accreditation is to be reinstated subject to the following conditions:

(a) IATA finds the information recorded in the completed Agency Status Form satisfactory

(b) a financial security to a level determined by IATA is submitted.

This Decision is effective as of today.

Decided this 15th 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 30th 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 31st July 2019, I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3