

**DECISION 2019 - 08 - 13**  
**TRAVEL AGENCY COMMISSIONER - AREA 3**

Jo Foged  
685 Remuera Road  
Remuera, Auckland 1050  
New Zealand

---

**Applicant:**

***Saywa Tours and Travels (Pvt) Ltd.*** ("the Agent")  
IATA Numeric Code 27-3 1891  
Pakistan

**Respondent:**

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

---

**The Case and Decision:**

The new owner of the Agency had its accreditation terminated as a result of failing to submit a bank guarantee by the extended deadline granted to it. In its request for a review the Agent stated that it had been led to believe that the existing default protection insurance held by the previous owner could be transferred to it. Having sought that transfer after having taken over the Agency, the new owner was declined that arrangement and consequently initiated the acquisition of a bank guarantee. This process was lengthy due to the "political change" in Pakistan and the time it took for the Bank to value its property. The bank guarantee had been secured on the day that IATA dispatched the termination letter.

IATA's submission stated that the bank guarantee document had been received on 2 August 2019 and after examination was found to be satisfactory.

Under the circumstances it would only be fair to grant the Agent the restoration of its accreditation.

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. having submitted a valid bank guarantee to IATA the Agent's accreditation is to be reinstated.

This Decision is effective as of today.

Decided this 13<sup>th</sup> day of August 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 28<sup>th</sup> August 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 29<sup>th</sup> August 2019, I will assume that there is no objection to that action being taken.

Yours faithfully,

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