

DECISION 2019 – 09 - 13
TRAVEL AGENCY COMMISSIONER – AREA 3

Jo Foged
685 Remuera Road
Remuera, Auckland 1050
New Zealand

Applicant:

Maqbool International (Pvt) Ltd. (the “Agent”)
IATA Numeric Code 27-3 1932
Pakistan.

Respondent:

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

The Case and Decision:

The Agent's accreditation was terminated as a result of failing to pay an IATA invoice for USD 119.00 and not submitting a completed Agency Status Form. In its request for a review the Agent stated that it specialised in Hajj and Umrah travel and both directors had been in Saudi Arabia organising same for a period of time. Its staff had not alerted them to the need for reacting to IATA's requirement. The Agency had complied fully with IATA rules and regulations in the past and was willing to pay whatever fees and charges that might be incurred in restoring its ticketing capability.

IATA's summary of events reflected 5 occasions on which the Agent was reminded of the need to settle the subject invoice. Payment for same was made 4 days after the termination date.

In considering this matter an entity's ability to conduct its business should not be permanently affected by its tardiness in settling a minor outstanding. There were no Airline funds owing. However a process to avoid future shortcomings of this nature must be instituted to ensure that no repetition occurs as a similar outcome cannot be guaranteed .

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 restored subject to it complying with the following conditions:

- (a) paying any fees and charges associated therewith;
- (b) submitting a completed Agency Status Form to IATA;
- (c) meeting all other accreditation criteria.

All such conditions to be met within 30 days of the date of this decision.

Decided this 13th day of September 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 28th September 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 6th September 2019, I will assume that there is no objection to that action being taken.

Yours faithfully,

Jorgen Foged
Travel Agency Commissioner Area 3