

24 December 2002

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BY COURIER

Mr Tim Grimwade
General Manager
Adjudication Branch
Australian Competition & Consumer Commission
470 Northbourne Avenue
Dickson ACT 2602

Dear Mr Grimwade

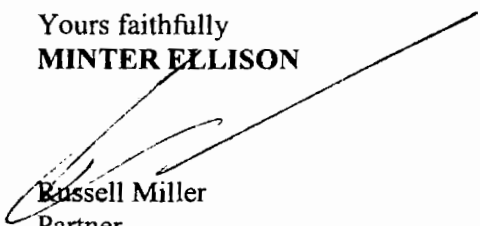
International Air Transport Association - Passenger Agency Programme

On behalf of our client, the International Air Transport Association, we enclose an application for minor variation of authorisation A90791 under section 91A of the *Trade Practices Act 1974*.

We are instructed to request an interim authorisation for the subject matter of that application pending the Commission's decision on it.

If you have any queries about the application or request for an interim authorisation, please contact the writer on the number below, or Cathryn Lane on (02) 6225 3200.

Yours faithfully
MINTER ELLISON



Russell Miller
Partner

Contact: Russell Miller Direct phone: +61 2 6225 3297 Fax: +61 2 6225 3287
E.mail: russell.miller@minterellison.com
Our reference: 26-1323799

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APPLICATION FOR MINOR VARIATION OF AUTHORISATION

To the Australian Competition and Consumer Commission:

Application is hereby made under section 91A of the *Trade Practices Act 1974* for minor variation of authorisation A90791 as set out below:

Name of applicant

International Air Transport Association ('IATA')
800 Place Victoria
Montreal, Quebec
CANADA

Address in Australia for service of documents on the applicant

Minter Ellison
Level 3
25 National Circuit, Forrest
Canberra ACT 2603
AUSTRALIA

Names and addresses (where known) of parties and other persons on whose behalf the application is made

See Attachment 1 to this application.

Authorisation for which variation is sought

Authorisation A90791 granted to IATA in respect of the Passenger Agency Programme by determination dated 13 November 2002.

Nature of variations sought

The following three minor variations of authorisation A90791 are sought:

1. That the following be substituted for paragraph (3) of authorisation A90791:

"This authorisation does not extend to amendments of or substitutions for the resolutions specified in Part 1 of Appendix B as they appeared in the IATA Passenger Agency Conference Resolutions Manual 22nd edition other than those set out in Part 2 of Appendix B."

The effect of this variation is to extend authorisation to amendments to and substitution for the resolutions listed in Appendix B to determination A90791 made since publication of the 22nd edition of the IATA Passenger Agency

Conference Resolutions Manual. The 2nd amendment re-designates the present Appendix B as Part 1 of Appendix B.

2. That the following be substituted for paragraph (5) of authorisation A90791:

"This authorisation does not extend to decisions of the General Assembly made using powers delegated pursuant to resolutions appearing in Part 1 of Appendix B other than: (i) those decisions which are reflected in the IATA Travel Agent's Handbook Resolution 816 Edition (effective 1 December 2000) or (ii) decisions made pursuant to the resolutions in Part 2 of Appendix B or (iii) decisions set out in Part 3 of Appendix B."

The effect of this variation is to extend the authorisation to decisions of the General Assembly made using powers delegated under the resolutions in Parts 2 and 3 to Appendix B, and to those made since publication of the 1 December 2000 edition of the IATA Travel Agent's Handbook Resolution 816 Edition covered by Part 3 of Appendix B.

3. That determination A90791 be amended by designating the table in Appendix B as Part 1 of that appendix and by adding Parts 2 and 3 to Appendix B (being the Parts attached to this application).

The effect of this variation is to update Appendix B to include the amendments to which the first and second variations relate.

The specific resolutions for which authorisation is sought are set out in Attachment 2 to this application.

In addition this application includes, for the sake of completeness, copies of resolutions adopted by IATA's members at the meetings of the Passenger Agency Conference in 2001 and 2002 applicable in Australia which now form part of the Passenger Agency Programme. Those resolutions are in Attachment 3 to this application.

Grounds for grant of minor variation

The variations which are the subject of this application are in respect of changes which either:

- (i) improve the IATA Passenger Agency Programme for airlines and agents, or
- (ii) are of a technical or drafting nature.

The variations would not result, and would not be likely to result, in either a reduction in the extent to which the benefit to the public of the authorisation outweighs any detriment to the public caused by the authorisation, or a reduction in the benefit to the public that arose from the original authorisation.

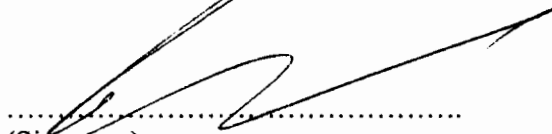
Name and address of person authorised by the applicant to provide additional information in relation to this application:

Russell Miller
Minter Ellison
Level 3
25 National Circuit, Forrest
Canberra ACT 2603
Australia

Telephone: (02) 6225 3000
Facsimile: (02) 6225 1000

Dated: 24 DECEMBER 2002

Signed on behalf of the applicant pursuant to authority dated 19 December 2002


.....
(Signature)

Russell Miller
Minter Ellison

ATTACHMENT 1

IATA MEMBERS¹

ACTIVE MEMBERS	
1. ADA Air	43. Air Niugini
2. Adria Airways	44. Air Nostrum
3. Aegean Airlines	45. Air Pacific
4. Aer Lingus	46. Air Sénégal International
5. Aero Asia	47. Air Seychelles
6. Aero California	48. Air Tanzania
7. Aero Zambia	49. Air Ukraine
8. Aeroflot	50. Air Vanuatu
9. Aerolineas Argentinas	51. Air Zimbabwe
10. Aerolíneas Centrales de Colombia S.A.	52. Air-India
11. AEROMÉXICO	53. Aircalin
12. Aeromexpress	54. Alaska Airlines
13. Aerosvit Airlines	55. Albanian Airlines
14. Afriqiyah Airways	56. ALITALIA S.p.A.
15. Air Algérie	57. All Nippon Airways
16. Air ALM	58. Alliance Air
17. Air Austral	59. Alpi Eagles S.p.A.
18. Air Baltic	60. America West Airlines
19. Air Berlin	61. American Airlines
20. Air Bosna	62. Angola Airlines
21. Air Botnia	63. Antinea Airlines
22. Air Botswana	64. Ariana Afghan Airlines Co. Ltd.
23. Air Canada	65. Arkia Israeli Airlines Ltd
24. Air China International Corporation	66. Armenian Airlines
25. Air Contractors (UK) Limited	67. Asiana
26. Air Europa	68. Atlas Air
27. Air France	69. Augsburg Airways
28. Air Gabon	70. Austrian Airlines
29. Air Jamaica Limited	71. AVIANCA
30. Air Kazakstan	72. AVIATECA
31. Air Koryo	73. Avioimpex
32. Air Littoral S.A.	74. Azerbaijan Airlines
33. Air Luxor	75. Azzurra Air S.p.A.
34. Air Macau	76. Balkan
35. Air Madagascar	77. Bangkok Airways Co., Ltd.
36. Air Malawi	78. Belavia - Belarusian Airlines
37. Air Malta p.l.c.	79. Bellview Airlines
38. Air Marshall Islands	80. Biman
39. Air Mauritius	81. Blue Panorama
40. Air Moldova International	82. bmi british midland
41. Air Namibia	83. Braathens
42. Air New Zealand	84. Britannia Nordic

¹ As at 25 September 2002. Addresses will be provided on request.

85. British Airways	133. Hapag Lloyd
86. British European	134. Hemus Air
87. BWIA International Airways	135. IBERIA
88. C.A.L. Cargo Airlines	136. ICAR
89. Cameroon Airlines	137. Icelandair
90. Cargolux S.A.	138. Indian Airlines
91. Cathay Pacific	139. Interair
92. CCM Airlines Compagnie Aérienne Corse	140. Iran Air
93. China Airlines	141. Iran Aseman Airlines
94. China Eastern	142. Iraqi Airways
95. China Northern Airlines	143. JALways Co. Ltd
96. China Northwest Airlines	144. Japan Air System
97. China Southern Airlines	145. Japan Airlines
98. China Southwest Airlines	146. JAT
99. China Xinjiang Airlines	147. Kenya Airways
100. China Yunnan Airlines	148. Khalifa Airways
101. CityJet	149. KLM
102. Comair Limited	150. Korean Air
103. Continental Airlines	151. Kuwait Airways
104. Continental Micronesia	152. LAB
105. COPA	153. LACSA
106. Corsair	154. Laker Airways (Bahamas) Limited
107. Croatia Airlines	155. LAM
108. Cubana	156. Lan Chile S.A.
109. Cyprus Airways	157. Lan Express
110. Czech Airlines	158. LAPA
111. Delta Air Lines	159. Lauda Air
112. Deutsche BA	160. Lauda Air S.p.A.
113. DHL International E.C.	161. Libyan Arab Airlines
114. Dinar Líneas Aéreas S.A.	162. Lithuanian Airlines
115. Dragonair	163. LOT
116. Egyptair	164. LTU
117. EL AL	165. Lufthansa
118. Emirates	166. Lufthansa Cargo
119. Estonian Air	167. Luxair
120. Ethiopian Airlines	168. Macedonian Airlines - MAT
121. European Air Express	169. Maersk Air
122. European Air Transport	170. Maersk Air Ltd.
123. EVA Air	171. Mahan Air
124. Eurowings	172. Malaysia Airlines
125. Federal Express	173. MALEV
126. Finnair	174. Malmö Aviation AB
127. Formerly Air U.K. Ltd.	175. Manx Airlines
128. Garuda	176. MEA
129. GB Airways	177. Meridiana
130. Ghana Airways	178. Mexicana
131. Gulf Air	179. MIAT
132. Hainan Airlines	180. Montenegro Airlines
	181. Nigeria Airways

182. Nippon Cargo Airlines (NCA)	215. Spanair
183. Northwest Airlines	216. SriLankan
184. Olympic Airways	217. Sudan Airways
185. Oman Air	218. Surinam Airways
186. PAL	219. SWISS
187. Palestinian Airlines	220. Swissair
188. PGA-Portugália Airlines	221. Syrianair
189. PIA	222. T.M.A.
190. PLUNA	223. TACA
191. Polynesian Airlines	224. TAM Linhas Aéreas
192. Pulkovo Aviation Enterprise	225. TAP
193. Qantas	226. TAROM S.A.
194. Qatar Airways	227. Thai Airways
195. Red Sea Air	228. THY
196. Regional Air	229. TNT Airways S.A.
197. Royal Air Maroc	230. Trans Brasil
198. Royal Brunei	231. Transaero
199. Royal Jordanian	232. Transavia Airlines/Transavia
200. Royal Swazi	233. Transportes Aéreos del Mercosur Sociedad Anónima
201. Royal Tongan Airlines	
202. SA Airlink	234. Tunis Air
203. SAA	235. Turkmenistan Airlines
204. Samara Airlines	236. Ukraine International Airlines
205. SAS	237. United Airlines
206. Saudi Arabian Airlines	238. UPS Airlines
207. Shanghai Airlines	239. US Airways, Inc.
208. SIA	240. VARIG
209. Siberia Airlines	241. VASP
210. Sierra National Airlines	242. Virgin Atlantic
211. Singapore Airlines Cargo	243. Volga-Dnepr Airlines
212. Skyways	244. Wideroe
213. SN Brussels Airlines	245. Xiamen Airlines
214. Solomon Airlines	246. Yemenia

ASSOCIATE MEMBERS	
1. Air Jamaica Express	15. Lan Perú
2. Air One S.p.A.	16. Líneas Aéreas Azteca S.A. de C.V.
3. Air Tahiti	17. Lufthansa CityLine
4. Aloha Airlines	18. Mount Cook Airline
5. Austral	19. Safair
6. Eagle Aviation	20. Sahara Airlines Limited
7. Falcon Air	21. SATA Air Açores
8. Forward Air	22. Shandong Airlines Co., Ltd.
9. Hahn Air	23. Shenzhen Airlines Co. Ltd.
10. Hazelton Airlines	24. Southern Winds
11. Jet Airways	25. TAL
12. Kendell Airlines	26. Volare Airlines
13. Ladeco Airlines	27. Zambian Airways
14. Ladeco Cargo	

²

Associate members enjoy the same rights and privileges as active members except that they do not have the right to vote at certain IATA meetings.

APPENDIX B

PART 2

**AUTHORISED 2001 AMENDMENTS TO OR SUBSTITUTIONS
FOR THE RESOLUTIONS SPECIFIED IN APPENDIX B PART 1**

No.	Title	Outline of changes ³
816	Passenger Sales Agency Rules - South West Pacific	Amended to reflect the introduction of Resolution 832 (see below), and to allow an agent's accreditation to be withdrawn if it is used to profit from activities which harm IATA's good standing.
816e	Conduct of Review by Travel Agency Commissioner - South West Pacific	Amended to reflect the introduction of Resolution 832
824r	Refunds to Agents	Amended to replace the previous requirement on airlines to use their best endeavours to ensure refunds to agents are processed within two months, with an obligation to ensure that this occurs. Airlines are also now required to provide reasons to the agent where a refund is not processed within two months.
830a	Consequences of Violation of Ticketing Procedures	Amended to add failure to follow the Ticketing Airline Selection Rules (contained in attachment H to Resolution 850) to the example list of practices which breach agent ticketing procedures.
832	Reporting and Remitting Procedures	New Resolution 832 consolidates the rules relating to consequences of agent default under the various resolutions worldwide into a single resolution. As a result the rules applicable in Australia which were previously set out in section 8 of Resolution 816 have been incorporated into Resolution 832. In the drafting process some aspects of the existing arrangements under Resolution 816 were inadvertently altered in Resolution 832. Those discrepancies were amended at the next Passenger Agency Conference meeting in June 2002. In the interim the arrangements as they existed under Resolution 816 continued to be applied.

³ The outline is provided for guidance only. The full text of the new and amended resolutions, indicating the amendments made, is attached.

PASSENGER AGENCY SALES RULES – SOUTH WEST PACIFIC
(Amending)

PAC3(36)816 (South West Pacific)

Expiry: Indefinite
Type: B

RESOLVED that Resolution 816 be amended as follows:

1. Amend Paragraph 2.2 to read:

2.2 EXECUTIVE COUNCIL

Excluding Australia New Zealand Only

2.2.1(a) the Executive Council elected pursuant to Subparagraph 2.1.3.3 of this Section shall consist of not less than 10 and not more than 15 elected members, including:

2.2.1(a)(i) not less than eight and not more than 13 representatives of Members or Airlines; provided that the Executive Council ~~for Australia shall include not less than two and not more than three members who are representatives of Members with Head Offices in Australia~~ a representative of the national carrier,

2.2.1(a)(ii) two representatives, who are Approved Agents, designated by an association or associations recognised as a National Travel Agents Association or Associations, chosen from its Board of Directors, and if no such association exists in the country or group of countries, two (2) representatives designated by the Agency Administrator,

2.2.1(b) an Assembly member not elected to the Executive Council and wanting to attend a Council meeting shall be granted voting rights if so requested by the member prior to the meeting, provided that no Member or Airline shall have more than one representative on the Executive Council at any one time. The Agency Administrator shall be an ex officio non-voting member of the Council;

2.2.2 two-thirds of the elected membership of the Executive Council shall constitute the quorum and all decisions shall be taken by a simple majority vote of the total of elected Council members plus those Assembly members granted voting rights for the meeting. Written records shall be kept by the Secretary who shall be provided by the Agency Administrator.

Australia Only

2.2.3(a) the Executive Council elected pursuant to Subparagraph 2.1.3.3 of this Section shall consist of 12 elected members, including:

2.2.3(a)(i) six (6) representatives of Members or Airlines and shall include not less than two and not more than three members who are representatives of Members with Head Offices in Australia,

2.2.3(a)(ii) six (6) representatives, who are Approved Agents, designated by an association or associations recognized as a National Travel Agents Association or Associations;

2.2.3(b) an Assembly member not elected to the Executive Council may attend a Council meeting as an observer, provided that no Member or Airline shall have more

than one representative on the Executive Council at any one time. The Agency Administrator shall be an ex officio non-voting member of the Council;

2.2.4 a majority from both airline and agent representatives shall constitute the quorum;

2.2.5 all decisions shall be taken by a simple majority vote of Council members. The voting result shall be included with all recommendations to the Passenger Agency Conference or SWP General Assembly;

2.2.6 Written records shall be kept by the Secretary who shall be provided by the Agency Administrator.

French Overseas Territories and South West Pacific Islands Only

2.2.7(a) the Executive Council elected pursuant to Subparagraph 2.1.3.3 of this Section shall consist of 8 elected members, including:

2.2.7(a)(i) four (4) representatives of Members or Airlines,

2.2.7(a)(ii) four (4) representatives, who are Approved Agents, designated by an association or associations recognized as a National Travel Agents Association or Associations;

2.2.7(b) an Assembly member not elected to the Executive Council may attend a Council meeting as an observer, provided that no Member or Airline shall have more than one representative on the Executive Council at any one time. The Agency Administrator shall be an ex officio non-voting member of the Council;

2.2.8 a majority from both airline and agent representatives shall constitute the quorum;

2.2.9 all decisions shall be taken by a simple majority vote of Council members. The voting result shall be included with all recommendations to the Passenger Agency Conference or SWP General Assembly;

2.2.7 2.2.10 Procedures

~~2.2.7.1~~ **2.2.10.1** the Executive Council shall elect its Chairman. The Secretary shall be supplied by the Agency Administrator and shall keep a written record of the meetings,

2. Amend Paragraph 4.6 to read:

4.6 CAPACITY AND INDEMNITY

the Director General, the Agency Administrator, and ISS Management, in performing any action pursuant to these Rules, to other applicable Resolutions and to Resolution 850 and its Attachments, act not as principals but as agents for the Members concerned. Members appointing Agents undertake to indemnify IATA, its officers, employees and other appointees against liability (including liability for legal costs) for any action taken or omitted in good faith in the performance of their functions under these Rules (other than under Section 6. ~~Thereof~~ 1 of Resolution 832) and under other applicable Resolutions. Members participating in a Billing and Settlement Plan undertake to indemnify IATA its officers, employees and other appointees against liability (including liability for legal costs) for any action taken or omitted in good faith in the performance of their functions with respect to such Plan under Sections ~~6 and 8 of these Rules~~ 1 and 3 of Resolution 832 and under Resolution 850 and its Attachments.

3. Amend Section 8 by replacing all paragraphs with the following paragraph:

Section 8 — Consequences of Default

The provisions regarding the consequences of default are contained in Section 3 of Resolution 832.

4. *Add new Subparagraph 13.2.2 to read:*

13.2 REMOVAL BY AGENCY ADMINISTRATOR

13.2.1 the Agency Administrator may, in accordance with the provisions of these Rules, remove for cause an Agent or a Location of an Agent from the Agency List by giving notice in writing to the Agent to take effect in accordance with these Rules. Such removal shall be without prejudice to fulfilment by the Agent and each of the Members having the Agent under appointment of all obligations accrued up to the date of removal from the Agency List.

13.2.2 Notwithstanding the provisions contained in Paragraph 4 of Resolution 824, when evidence is produced that an Agent uses its IATA accreditation to engage in, and profit from, activities which, if associated with IATA, may prove detrimental to the good standing of IATA, the Agency Administrator may remove the Agent from the Agency List and notify all members of the action being taken. The Agency Administrator shall give notice to the Agent and such removal shall be without prejudice to fulfilment by the Agent and each of the Members having the Agent under appointment of all obligations accrued up to the date of removal from the Agency List.

5. *Amend Subparagraph 13.4.3.2 to read:*

13.4.3.2 except as otherwise provided in these Rules, amounts due by the Agent arising from sales made prior to the effective date of the placement on Cash Basis shall be settled in accordance with the procedures and deadlines applicable under the provisions of Sections ~~6 or 7 of these Rules~~ 1 or 2 of Resolution 832 as appropriate;

**CONDUCT OF REVIEW BY TRAVEL AGENCY COMMISSIONER
(Amending)**

PAC3(36)816e (Orient)

Expiry: Indefinite
Type: B

RESOLVED that Resolution 816e be amended as follows:

1. Amend Subparagraph 1.1.7 to read:

1.1.7 an Agent from which all Standard Traffic Documents and Carrier Identification Plates have been withdrawn by ISS Management or its representative pursuant to Resolution 816 832, ~~Section 6~~, Subparagraph ~~6.8.10.1(b)~~ 1.7.13.1(b); provided that any review initiated under this provision shall be interlocutory pending a redetermination of the eligibility of the Agent or the Location to be retained on the Agency List under Paragraph 2 of this Resolution;

Filing Period	Effective Date	Implementation Date
1 August-30 September 2001	1 October 2001	1 January 2002

REFUNDS TO AGENTS
(Amending)

PAC1(36)824r (except USA)	Expiry: Indefinite
PAC2(36)824r	Type: B
PAC3(36)824r	

RESOLVED that Resolution 824r be amended as follows:

1. Amend Paragraph 1.1.2 as follows:

~~use their best endeavours to~~ will ensure that refunds on partly used Traffic Documents are made or authorised by not later than two months after the refund application is received from the Agent by the Carrier.

2. Add new paragraph 1.1.3 Inability to Process as follows:

1.1.3 Inability to Process

Notwithstanding the provisions of 1.1.2 above if a Member is unable to process a refund on partly used traffic documents within the proscribed time-frame, the reasons will be communicated to the Agent by the Carrier.

<i>Filing Period</i>	<i>Effective Date</i>	<i>Implementation Date</i>	
1 August-30 September 2001		1 October 2001	1 January 2002

CONSEQUENCES OF VIOLATION OF TICKETING PROCEDURES
(Amending)

PAC1(36)830a (except USA)	Expiry: Indefinite
PAC2(36)830a	Type: B
PAC3(36)830a	

RESOLVED that Resolution 830a be amended as follows:

1. Amend Resolution 830a by adding new Paragraph 1.14 to read:

1.14 failing to observe the applicable Ticketing Airline Selection Rules and/or designating transportation on such parties' services where a valid Interline Agreement between the ticketing airline and the transporting party does not exist.

<i>Filing Period</i>	<i>Effective Date</i>	<i>Implementation Date</i>
1 August-30 September 2001	1 October 2001	1 January 2002

REPORTING AND REMITTING PROCEDURES
(New)

PAC1(36)832 (except USA)	Expiry: Indefinite
PAC2(36)832	
PAC3(36)832	Type: B

WHEREAS the Passenger Sales Agency Rules (Resolutions 800, 802, 804, 810, 810c, 810i, 810j, 810r, 814 and 816, as applicable) provide in their respective Sections 6, 7 and 8 or 7, 8 and 9 for reporting and remittance procedures, defaults and related matters, both under the Billing and Settlement Plan (BSP) and outside the BSP and

WHEREAS the Conference wishes to deal with the aforesaid matters in a single resolution and thus ensure that notwithstanding variations in the Passenger Sales Agency Rules, the rules governing these matters shall be applied in a consistent manner, it is

RESOLVED that the following procedures are adopted and shall be applied in conjunction with the applicable Passenger Sales Agency Rules (it being understood that the Definitions in those Rules apply to this Resolution):

Note: major exceptions are shown in shaded type.

SECTION 3 – CONSEQUENCES OF DEFAULT

3.1 DETERMINATION OF AGENT'S INDEBTEDNESS TO MEMBERS/AIRLINES

3.1.1 when the Agency Administrator has determined that an Agent declared in default under any of the provisions of these Rules has effected settlement of amounts due, if any, as provided in Subparagraphs 1.10.2.2 and 2.6.2(a)(ii) of this Resolution, the provisions of Paragraphs 3.3 through 3.5 of this Section shall apply;

3.1.2 when the Agency Administrator has determined that an Agent declared in default under any of the provisions of these Rules has failed to settle amounts due as provided in Subparagraphs 1.10.2.2 and 2.6.2(a)(ii) of this Resolution, he shall give the Agent notice of termination of the Sales Agency Agreement; provided that, if the Agent effects settlement of amounts due in accordance with the provisions of Subparagraph 3.2.1(a) of this Section, the termination shall not take effect unless the Agent fails to honour a repayment schedule agreed upon pursuant to Subparagraph 3.2.1(a)(ii) of that Paragraph; in which case, the original termination notice shall be deemed valid even though the termination may occur at a date other than specified in the notice, and the provisions of Subparagraph 12.4.1 in Resolutions 804 and 810, or Subparagraph 13.4.1 of Resolutions 802, 808, 814 and 816, or Subparagraph 14.4.1 of Resolutions 800, 810c, 810i, 810j and 810r, as applicable, shall apply.

3.2 SETTLEMENT OF AMOUNTS DUE

3.2.1(a) when an Agent declared in default is able to demonstrate to the Agency Administrator prior to the termination date specified in his notice of termination that:

3.2.1(a)(i) either all outstanding amounts, if any, have been settled,

3.2.1(a)(ii) EXCEPT JAPAN AND LATIN AMERICA & THE CARIBBEAN or at least 50% of the outstanding amount has been settled and a firm schedule for repayment by instalments within six months of the balance plus interest at the official (prime) bank rate plus one per cent has been agreed between the Agency Administrator and the Agent;

JAPAN ONLY or at least 50% of the outstanding amount has been settled and a firm schedule for repayment by instalments within six months of the balance plus interest set in the local criteria has been agreed between the Agency Administrator and the Agent;

3.2.1(a)(iii) EXCEPT CANADA AND LATIN AMERICA & THE CARIBBEAN or an alternative repayment schedule and conditions have been agreed between the Agent and either the Agency Administrator or the Agency Services Manager, or in the case of Canada upon unanimous agreement of the Members and Airlines to whom the outstanding amount is due, a fraction of such amount has been settled and a firm schedule for repayment by instalments over an agreed period of the balance plus interest at the official (prime) bank rate plus one percent has been agreed between the Agency Administrator and the Agent; such alternative repayment schedule shall extend over no more than 12 months and, in any event, shall provide for payment of interest at a rate similar to that set out in Subparagraph 3.2.1(a)(i) of this Paragraph;

3.2.1(b) the Agency Administrator shall notify Members, Airlines and ISS Management accordingly. Upon receipt of such notification Members and Airlines shall pay any commission withheld and may continue to do business with the Agent on a commissionable Cash Basis unless otherwise notified by the Agency Administrator;

3.2.2 EXCEPT LATIN AMERICA & THE CARIBBEAN ISS Management or the Agency Services Manager, as the case may be, shall immediately advise the Agency Administrator of any failure of the Agent to honour the repayment schedule; it/he shall also immediately advise the Agency Administrator when total settlement of the balance due (including interest) has been completed.

3.3 REVIEW BY THE AGENCY ADMINISTRATOR

EXCEPT JAPAN when the Agency Administrator is satisfied that the Agent has effected settlement of all outstanding amounts, if any, pursuant to Subparagraph 3.1.1 or to Paragraph 3.2 of this Section, he shall conduct a financial review of the Agent. He may request, and the Agent shall be under obligation to furnish by the date specified in the Agency Administrator's letter the documents deemed necessary by the Agency Administrator to conduct such review. Failure by the Agent to submit such documents as prescribed shall be grounds for the Agency Administrator to give the Agent notice of termination of the sales Agency Agreement:

JAPAN ONLY when the Agency Administrator is satisfied that the Agent has effected settlement of all outstanding amounts, if any, pursuant to Subparagraph 3.1.1 or to Paragraph 3.2 of this Section, the agent may submit a reinstatement application and the application fee within three months after settlement of all outstanding amounts and applicable interest(s). In addition to the reinstatement application, the agent shall furnish a bank or insurance guarantee by the date specified by the Agency Administrator's letter. To process reinstatement application, Paragraphs 4.2 shall apply. The Failure by the Agent to submit such documents as prescribed shall be grounds for the Agency Administrator to give the Agent notice of termination of the Sales Agency Agreement:

3.3.1 EXCEPT JAPAN if the Agent is able to demonstrate to the Agency Administrator that its financial and credit standing satisfies the qualifications set forth in Subparagraph 3.4.1 (Subparagraph 2.4.1(a) for Resolution 810r and 814 countries) of the Passenger Sales Agency Rules or in the Travel Agent's Handbook and, in the case of default resulting from accumulation of notices of irregularity, that it has taken adequate

measures to prevent recurrence of such irregularities, the Agency Administrator shall so notify Members and Airlines; ISS Management shall redeposit stocks of Standard Traffic Documents upon advice of a Member or Airline that it has placed its Carrier Identification Plate with the Agent at the Location(s) concerned and Members not participating in the Billing and Settlement Plan may redeposit stocks of their own Traffic Documents or authorise the Agent to issue its own Transportation Orders at such Location(s).

JAPAN ONLY if the Agent satisfies the qualifications set forth in Subparagraph 3.4 of Section 3 of these Rules and furnishes a bank or insurance guarantee and, in the case of default resulting from accumulation of notices of irregularity, that it has taken adequate measures to prevent recurrence of such irregularities, the Agency Administrator shall so notify Members and Airlines; ISS Management shall redeposit stocks of Traffic Documents upon advice of a Member or Airline that it has placed its Carrier Identification Plate with the Agent at the Location(s) concerned and Members not participating in the Billing and Settlement Plan may redeposit stocks of their own Traffic Documents or authorise the Agent to issue its own Transportation Orders at such Location(s).

3.3.2 CANADA ONLY if the Agent has previously supplied to the Agency Administrator a temporary financial security under any provisions of these Rules, the Agent shall be required to demonstrate to the Agency Administrator that its financial and credit standing meet the requirements of Subparagraphs 3.4.1.1 and 3.4.1.2 of Section 3 of the Passenger Sales Agency Rules (Resolution 804) by the submission of satisfactory financial statements. When the Agent satisfies the requirements of Subparagraphs 3.4.1.1 and 3.4.1.2 of Section 3 of the Passenger Sales Agency Rules (Resolution 804) the Agency Administrator shall so notify Members and Airlines; ISS Management shall redeposit stocks of Standard Traffic Documents upon advice of a Member or Airline that it has placed its Carrier Identification Plate with the Agent and Members not participating in the Billing and Settlement Plan may redeposit stocks of their own Traffic Documents.

3.3.3 EXCEPT JAPAN if the Agent having settled all outstanding amounts, if any, is unable to demonstrate to the Agency Administrator by a specified date that its financial and credit standing satisfies the qualifications set forth in the Travel Agent's Handbook or Subparagraphs 3.4.1.1 and 3.4.1.2 of Resolution 804, Subparagraph 3.4.1 of Resolution 810, Subparagraph 3.4.1(a) of Resolutions 810i and 810j or Subparagraph 3.4.1(a) of Resolution 814, where applicable, and, in the case of default resulting from accumulation of notices of irregularity, that it has taken adequate measures to prevent recurrence of such irregularities, the Agency Administrator shall give the Agent notice of termination of the Sales Agency Agreement or of removal from the Agency List as the case may be. Provided that if, prior to the date of termination or removal, the Agent eliminates the grounds for such termination or removal to the satisfaction of the Agency Administrator, the termination or removal shall not take effect.

JAPAN ONLY if the Agent having settled all outstanding amounts, if any, is unable to satisfy the qualifications set forth in Subparagraph 3. of Section 3 of these Rules and to furnish a bank or insurance guarantee and, in the case of default resulting from accumulation of notices of irregularity, that it has taken adequate measures to prevent recurrence of such irregularities, the Agency Administrator shall give the Agent notice of termination of Sales Agency Agreement or of removal from the Agency List as the case may be; provided that if, prior to the date of termination or removal, the Agent eliminates the grounds for such termination or removal to the satisfaction of the Agency Administrator, the termination or removal shall not take effect.

3.4 EFFECTS OF RETENTION AFTER DEFAULT

a defaulting Agent whose Agreement has not been terminated shall be cleared of all irregularities recorded against all its Locations prior to the default and for the purposes of Subparagraph 1.7.1.2 and 2.5.1(b) of this Resolution, the commencement of the 12-month period shall be the date of the Agency Administrator's notification pursuant to Subparagraph 3.3.1; provided that when the review arose out of default at individual Locations through accumulation of notices of irregularity, the clearance of irregularities shall apply only in respect of the Locations concerned.

3.5 REVIEW BY TRAVEL AGENCY COMMISSIONER

when an Agent's Sales Agency Agreement is terminated or its Approved Location is removed from the Agency List pursuant to the provisions of Subparagraph 3.1.2 or Paragraph 3.3, the Agent may, within 30 days of the termination or removal, invoke the procedures for review of the Agency Administrator's action by the Travel Agency Commissioner; in such case the Agency Administrator shall place the Agent or the Location(s) concerned on a non-commissionable Cash Basis pending the outcome of the review and notify the Agent, ISS Management, and all Members and Airlines accordingly.

Attachment "A" - Frequency of Agent Remittances

BSP	Permitted remittance frequencies	Monthly remittance	Twice Monthly remittance	Greater than Twice Monthly remittance	Weekly remittance	Greater than Weekly remittance
Resolution 802 & 808	Twice Monthly ¹	-	Remittances shall be made by the Agent to reach the Clearing Bank by not later than its close of business on the last day of the month in respect of billings covering the first 15 days of the month and the 15 th day of the following month in respect of billings covering the period from the 16 th to the last day of the month ²	Remittances shall be made by the Agent so as to reach the Clearing Bank by not later than its close of business on the fifth day following the reporting dates so determined	-	-

Note

- ¹ or such greater frequency as the Conference shall determine, provided that individual Agents may elect to remit at such greater frequency and for such length of time as the Conference shall deem appropriate
- ² provided that, for Resolution 802 countries only, the Conference may adjust the period within which remittances are required to reach the Clearing Bank by not more than five calendar days to meet the special requirements which shall be demonstrated of a particular Billing and Settlement Plan

BSP	Permitted remittance frequencies	Monthly remittance	Twice Monthly remittance	Greater than Twice Monthly remittance	Weekly remittance	Greater than Weekly remittance
Resolution 804	<i>(see Subparagraphs 1.6.4 through 1.6.9.2 of this Resolution)</i>					
Resolutions 800, 810i & 810r	Monthly or Twice Monthly ¹	Except Resolution 800 countries within Area 3: Remittances shall be made by the Agent to reach the Clearing Bank by not later than its close of business on the last day of the month in respect of billings covering the first 15 days of the month and the 15 th day of the following month in respect of billings covering the period from the 16 th to the last day of the month ²	Remittances shall be made by the Agent to reach the Clearing Bank by not later than its close of business on the last day of the month in respect of billings covering the first 15 days of the month and the 15 th day of the following month in respect of billings covering the period from the 16 th to the last day of the month ²	Remittances shall be made by the Agent so as to reach the Clearing Bank by not later than its close of business on the fifth day following the reporting dates so determined	-	-

Note

¹ or such greater frequency as the Conference shall determine, provided that individual Agents may elect to remit at such greater frequency and for such length of time as the Conference shall deem appropriate

² provided that, with the exception of Resolution 800 countries within Area 3 and Resolution 810r countries, the Conference may adjust the period within which remittances are required to reach the Clearing Bank by not more than five calendar days to meet the special requirements which shall be demonstrated of a particular Billing and Settlement Plan

BSP	Permitted remittance frequencies	Monthly remittance	Twice Monthly remittance	Greater than Twice Monthly remittance	Weekly remittance	Greater than Weekly remittance
Resolutions 810, 810c and 810j	Except Indonesia, Malaysia & Singapore: Twice Monthly ¹ (In respect of tier-two Agents, the frequency shall not be less than weekly) Indonesia, Malaysia & Singapore only: Weekly ¹	-	Remittances shall be made by the Agent to reach the Clearing Bank by not later than its close of business on the last day of the month in respect of billings covering the first 15 days of the month and the 15 th day of the following month in respect of billings covering the period from the 16 th to the last day of the month	Remittances shall be made by the Agent so as to reach the Clearing Bank by not later than its close of business on the fifth day following the reporting dates so determined. ²	-	-
Resolution 814	<i>(see Subparagraph 1.6.2(b) of this Resolution)</i>					

Note

¹ or such greater frequency as the Conference shall determine, provided that individual Agents may elect to remit at such greater frequency and for such length of time as the Conference shall deem appropriate

² in Resolution 810 countries only, in respect of tier-two Agents, remittances shall be made by the Agent so as to reach the Clearing Bank by not later than its close of business on the seventh day following the reporting dates so determine

BSP	Permitted remittance frequencies	Monthly remittance	Twice Monthly remittance	Greater than Twice Monthly remittance	Weekly remittance	Greater than Weekly remittance
Resolution 816 (except New Zealand)	Weekly ¹	-	-	-	Remittances shall be made by the Agent so as to reach the Clearing Bank not later than its close of business on the 15 th day following the reporting period	Remittances shall be made by the Agent so as to reach the Clearing Bank not later than its close of business on the 15 th day following the reporting dates so determined, or on such earlier date established by the Conference
New Zealand only	Fortnightly (once every 14 days) or Weekly ¹		(Fortnightly Remittance) Remittances shall be made by the Agent so as to reach the Clearing Bank not later than its close of business on the 15th day following the reporting dates so established		Remittances shall be made by the Agent so as to reach the Clearing Bank not later than its close of business on the 15th day following the reporting dates so established	Remittances shall be made by the Agent so as to reach the Clearing Bank not later than its close of business on the 15 th day following the reporting dates so determined, or on such earlier date established by the Conference

Note

¹ or such greater frequency as the Conference shall determine, provided that individual Agents may elect to remit at such greater frequency and for such length of time as the Conference shall deem appropriate

Filing Period **Effective Date** **Implementation Date**
 1 August-30 September 2001 1 October 2001 1 January 2002

APPENDIX B

PART 2

AUTHORISED 2002 AMENDMENTS TO OR SUBSTITUTIONS FOR THE RESOLUTIONS SPECIFIED IN APPENDIX B PART 1

No.	Title	Outline of changes ⁴
816	Passenger Sales Agency Rules - South West Pacific	<p>Amended to:</p> <ul style="list-style-type: none"> • expand the authority delegated to the General Assembly South West Pacific to include cost-recovery charges, variation of sanctions and enhancement of the minimum security standards • make AFTA's chief executive an ex officio member of the Executive Council Australia • remove the provision allowing an airline to lodge a protest against an agent's application for accreditation, and replace it with a provision allowing an airline to register information which it believes justifies a review of a successful applicant • remove the provisions allowing an airline to lodge a protest against an agent's notification of change of ownership, legal status or location • reduce the permitted decision time on applications for accreditation and notifications of change of ownership or legal status • remove the long-unused provision prohibiting commission on government sales • formalise the authority given to accredited agents to use the IATA logo
832	Reporting and Remitting Procedures	<p>Resolution 832 was a new resolution adopted at the 2001 meeting of the Passenger Agency Conference which consolidated the rules relating to consequences of agent default under the various resolutions worldwide into a single resolution. It was amended to improve the clarity of the text, to reflect changes to Resolution 850 and to correct some aspects of the rules applicable in Australia under former section 8 of Resolution 816 which were inadvertently altered during the transition to Resolution 832. During the period that those errors were in Resolution 832 the arrangements as they existed under Resolution 816 continued to be applied.</p>

⁴ The outline is provided for guidance only. The full text of the new and amended resolutions, indicating the amendments made, is attached.

862	Joint Agent and Airline Consultative Meetings	Amended to remove the 12 month transitional timeframe as equal representation has been achieved in all joint consultative bodies.
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PASSENGER AGENCY SALES RULES – SOUTH WEST PACIFIC
(Amending)

PAC3(37)816 (South West Pacific)

Expiry: Indefinite
Type: B

RESOLVED that Resolution 816 be amended as follows:

1. Amend Paragraph 2.1 to read:

2.1 GENERAL ASSEMBLY

the Agency Programme — South West Pacific shall be governed by the General Assembly (“the Assembly”) established by the Conference with delegated authority over certain provisions of these Rules as provided herein. The Assembly shall report to the Conference annually:

2.1.1 Composition

the Assembly shall consist of one representative of each Member eligible to participate, and of each Airline participating, in a Billing and Settlement Plan in one or more of the countries concerned;

2.1.2 Authority and Terms of Reference

2.1.2.1 the Assembly may initiate its own recommendations to the Conference for improvements to those provisions of the Agency Programme in South West Pacific which remain under the undelegated authority of the Conference. The Conference shall inform the General Assembly of action taken on such recommendations, with reasons,

2.1.2.2 the Assembly is empowered to make final decisions in respect of the following provisions of the Agency Programme in South West Pacific:

— **2.1.2.2(a)(i)** qualifications for accreditation and retention of IATA Accredited Agents,

— **2.1.2.2(a)(ii)** procedures for processing applications for accreditation of applicants,

— **2.1.2.2(a)(iii)** conditions for payment of commission and provision of beneficial services to Accredited Agent (except New Zealand),

2.1.2.2(a)(iv) notice of change of ownership or legal status of Agents,

2.1.2.2(a)(v) implementation of cost recovery charges and establishment of their levels;

2.1.2.2(a)(vi) variations in sanctions;

2.1.2.2(a)(vii) any additional measures that enhance the minimum security standards laid down by the Conference.

2.1.2.2(b) provided that all decisions of the Assembly shall be consistent with the terms of Resolution 824 “Passenger Sales Agency Agreement”, and be included, as part of applicable IATA Resolutions, in the Travel Agent’s Handbook — Resolution 816;

2. Amend Paragraph 2.2 to read:

2.2 EXECUTIVE COUNCIL

New Zealand Only

~~2.2.1(a) the Executive Council elected pursuant to Subparagraph 2.1.3.3 of this Section shall consist of not less than 10 and not more than 15 elected members, including:~~

~~2.2.1(a)(i) not less than eight and not more than 13 representatives of Members or Airlines; provided that the Executive Council shall include a representative of the national carrier;~~

~~2.2.1(a)(ii) two representatives, who are Accredited Agents, designated by an association or associations recognised as a National Travel Agents Association or Associations, chosen from its Board of Directors, and if no such association exists in the country or group of countries, two (2) representatives designated by the Agency Administrator;~~

~~2.2.1(b) an Assembly member not elected to the Executive Council and wanting to attend a Council meeting shall be granted voting rights if so requested by the member prior to the meeting, provided that no Member or Airline shall have more than one representative on the Executive Council at any one time. The Agency Administrator shall be an ex officio non-voting member of the Council;~~

~~2.2.2 two thirds of the elected membership of the Executive Council shall constitute the quorum and all decisions shall be taken by a simple majority vote of the total of elected Council members plus those Assembly members granted voting rights for the meeting. Written records shall be kept by the Secretary who shall be provided by the Agency Administrator.~~

Australia Only

~~2.2.3(a) 2.2.1(a)~~ the Executive Council elected pursuant to Subparagraph 2.1.3.3 of this Section shall consist of 12 elected members, including:

~~2.2.3(a)(i) 2.2.1(a)(i)~~ six (6) representatives of Members or Airlines and shall include not less than two and not more than three members who are representatives of Members with Head Offices in Australia,

~~2.2.3(a)(ii) 2.2.1(a)(ii)~~ six (6) representatives, who are Accredited Agents, designated by an association or associations recognised as a National Travel Agents Association or Associations;

~~2.2.3(b) 2.2.1(b)~~ an Assembly member not elected to the Executive Council may attend a Council meeting as an observer, provided that no Member or Airline shall have more than one representative on the Executive Council at any one time. The Agency Administrator and the Chief Executive of the national travel agents association shall be an ex officio non-voting members of the Council;

~~2.2.4 2.2.2~~ a majority from both airline and agent representatives shall constitute the quorum;

~~2.2.5 2.2.3~~ all decisions shall be taken by a simple majority vote of Council members. The voting result shall be included with all recommendations to the Passenger Agency Conference or SWP General Assembly;

~~2.2.6 2.2.4~~ Written records shall be kept by the Secretary who shall be provided by the Agency Administrator.

New Zealand Only

2.2.5(a) the Executive Council elected pursuant to Subparagraph 2.1.3.3 of this Section shall consist of 12 elected members, including:

2.2.5(a)(i) six (6) representatives of Members or Airlines one of whom must be a representative of a Member with a Head Office in New Zealand,

2.2.5(a)(ii) six (6) representatives, who are Accredited Agents, designated by an association or associations recognised as a National Travel Agents Association or Associations;

2.2.5(b) an Assembly member not elected to the Executive Council may attend a Council meeting as an observer, provided that no Member or Airline shall have more than one representative on the Executive Council at any one time. The Agency Administrator and the Chief Executive of the national travel agents association shall be ex officio non-voting members of the Council;

2.2.6 a majority from both airline and agent representatives shall constitute the quorum;

2.2.7 the Council shall meet when required. All decisions shall be taken by a simple majority vote of Council members. The voting result shall be included with all recommendations to the Passenger Agency Conference or SWP General Assembly;

French Overseas Territories and South West Pacific Islands Only

~~2.2.7(a)~~ 2.2.8(a) the Executive Council elected pursuant to Subparagraph 2.1.3.3 of this Section shall consist of 8 elected members, including:

~~2.2.7(a)(i)~~ 2.2.8(a)(i) four (4) representatives of Members or Airlines,

~~2.2.7(a)(ii)~~ 2.2.8(a)(ii) four (4) representatives, who are Approved Agents, designated by an association or associations recognised as a National Travel Agents Association or Associations;

~~2.2.7(b)~~ 2.2.8(b) an Assembly member not elected to the Executive Council may attend a Council meeting as an observer, provided that no Member or Airline shall have more than one representative on the Executive Council at any one time. The Agency Administrator shall be an ex officio non-voting member of the Council;

~~2.2.8~~ 2.2.9 a majority from both airline and agent representatives shall constitute the quorum;

~~2.2.9~~ 2.2.10 all decisions shall be taken by a simple majority vote of Council members. The voting result shall be included with all recommendations to the Passenger Agency Conference or SWP General Assembly;

2.2.10 2.2.11 Procedures

~~2.2.10.1~~ 2.2.11.1 The Executive Council shall elect its Chairman. The Secretary shall be supplied by the Agency Administrator and shall keep a written record of the meetings.

3. Amend Paragraph 4.7 to read:

4.7 ASSEMBLY APPLICATION PROCEDURES

4.7.1 the applicant must complete the application form prescribed. The submitted application shall be accompanied by financial statements as required under Section 3, Subparagraph 3.4.1 of these Rules, photographs of the premises and fees as set forth in Paragraph 4.1 of this Section;

4.7.2 when the application is received by the Agency Administrator he shall promptly consider whether such application is complete. If any of the required information or fees have not been included with the application the Agency Administrator shall so inform the applicant;

4.7.3 if the Agency Administrator finds the application is complete, he shall publish promptly to Members in a twice-monthly listing that such application has been received;

~~4.7.4 any Member may within 30 days of publication of such information, file evidence with the Agency Administrator indicating the grounds why, in that Member's opinion, the applicant does not meet the qualifications to become an Accredited Agent. The Agency Administrator shall inform the applicant that such protest has been made and invite response;~~

4.7.5 ~~4.7.4~~ the Agency Administrator shall arrange for at least one inspection report to assist in determining whether the applicant meets the qualifications necessary to become an Accredited Agent or Location;

4.7.6 ~~4.7.5~~ the Agency Administrator shall consider each application and supporting information and any other information brought to his attention and decide within 45 days of date of publication of the application listing (5 days in respect of a STP Location) if the applicant meets the qualifications to become an Accredited Agent or Approved Location;

4.7.7 ~~4.7.6~~ the applicant shall be notified promptly in writing of the Agency Administrator's action and in the event of rejection shall be given clear reasons why the application failed;

4.7.8 ~~4.7.7~~ a rejected applicant or an Agent whose application for an additional location has been rejected may seek redress pursuant to Paragraph 4.2 of this Section;

~~4.7.9 4.7.8 a Member filing evidence pursuant to Subparagraph 4.7.4 of this Paragraph may, if the applicant concerned is accredited, request reconsideration of the decision by the Agency Administrator or may request a review of the Agent on the grounds specified in the protest made under Subparagraph 4.7.4 of this Paragraph. In the latter instance, the Agency Administrator shall initiate a review by the Travel Agency Commissioner. The Agency Administrator shall notify the Agent of the request for the review and the grounds upon which it shall be based and shall invite the Agent to submit rebuttal or supplementary information to the Travel Agency Commissioner, with copy to the Agency Administrator, bearing on the allegations upon which the protest was filed. subsequent to approval and addition to the Agency List any Member may register with the Agency Administrator information concerning the Accredited Agent, where it feels that approval justifies further review.~~

4. Delete Paragraph 9.6 as follows:

~~9.6 SALES TO GOVERNMENT~~

~~no commission or other remuneration shall be paid to, claimed or withheld by the Agent for transportation sold to a government:~~

~~9.6.1 at a government discount; or~~

~~9.6.2 where payments for such transportation are wholly or partly made directly to a Member or paid by a government transportation request, unless such request is drawn in favour of the Agent who cashes it and remits the proceeds to the Member or to the Clearing Bank under a Billing and Settlement Plan;~~

5. Amend Subparagraph 10.4.1.2 as follows:

10.4.1.2 publish promptly to Members in a monthly listing that such a notice has been received, ~~any Member may within 30 days of publication of such information, file evidence with the Agency Administrator indicating the grounds why, in that Member's opinion, the Agent does not meet the qualifications to remain an~~

~~Accredited Agent. The Agency Administrator shall inform the Agent that such protest has been made and invite response;~~

6. *Amend Subparagraphs 10.6.1.2(a) and (b) to read:*

~~10.6.1.2(a) if, the report shows that the said requirements are satisfied, and no protest has been received from a Member within 30 days following notice from the Agency Administrator of the proposed change, the Agency Administrator shall:~~

10.6.1.2(a)(i) in cases of a change as described in Subparagraph 10.2.1.1 or in Paragraph 10.2.2 of this Section, notify the transferee that the provisional Sales Agency Agreement shall cease to be provisional and shall become a Sales Agency Agreement,

10.6.1.2(a)(ii) in cases of a change as described in Subparagraph 10.2.1.2 of this Section, notify the Agent that the provisional approval of the change shall cease to be provisional and shall become a full approval;

10.6.1.2(b) the Sales Agency Agreement or the final approval of the change shall take effect ~~45~~ 15 days from the date of the publication to Members of the intended change by the Agency Administrator or on the date the change takes place, whichever is the later. The Agency Administrator shall notify all Members accordingly and, when required, make any necessary amendment to the Agency List.

7. *Amend Subparagraph 10.11.1(b) to read:*

10.11.1(b) the Agency Administrator shall obtain an inspection report of the new location and shall notify all Members of the proposed new location. ~~If no protest is received from any Member within 30 days of such notice and if the inspection report is favourable, the new location shall be deemed an Approved Location. If the change is protested by a Member within such period or if the investigation report is unfavourable the new location shall not be approved and the Agency Administrator shall give the Agent notice of termination of the Sales Agency Agreement or of removal from the Agency List in the case of a Branch Office Location and notify all Members accordingly. Such termination or removal shall not take effect prior to the date of termination or removal, the Agency Administrator is able to approve the application for change of location;~~

8. *Add new Paragraph 13.9 as follows:*

13.9 USE OF IATA LOGO

13.9.1 An IATA Accredited Agent may use the logo on its letterhead and publicity materials exactly as illustrated in the Travel Agents Handbooks. No other forms of IATA logo are authorised for Agent use.

13.9.2 The use of the logo is permitted only in connection with activities of an IATA Accredited Agent's Approved Locations.

13.9.3 The IATA logo may not be used in any way to misrepresent an existing industry service such as the IATA/UFTAA Travel Agent Identity (ID) Card.

Filing Period

1-30 September 2002

Effective/Implementation Date

1 January 2003