



MEMORANDUM

PAC/RESO/1074

To: All Members, Passenger Agency Conference
Accredited Representatives

From: Director, FSDS Operations, GDC

Date: 30 October 2025

Subject: **MAIL VOTE (A707)**
PAC2 (Mail A707)
Commissions and Arbitration – Amendments to Resolutions 800 and 812

Background Information

Resolutions 800 and 812 both include sections on Commissions, Remuneration, and Arbitration. While these sections offer detailed information and may have been relevant in the past, they no longer reflect current practices. These differences also result in separate rules for BSP and non-BSP markets

In IATA's continued effort to modernize and streamline the Agency Program, these types of section require a revision and alignment, to ensure clear and transparent rules.

Proposed Solution

In the case of Commissions and Renumeration, this proposal adds a statement to the Resolutions to clarify these are determined by the airlines. The proposal is for the section to remain captured in the Resolutions, though reflecting more accurately the current practices. All current wording is removed and replaced by this statement:

Any commission and/or remuneration due to the Agent for the sale of international air passenger transportation shall be determined by the Airline, in advance of any applicable sales and communicated in writing to the Agent by the Airline.

In the case of Arbitration, the importance of arbitration needs to be included and maintained within the Agency Programs. This proposal is intended to make the process clearer, and refers to the Rules of Arbitration. This helps ensure the rules are easy to understand for everyone. All current wording is removed and replaced by multiple paragraphs, of which the first one states:

Any parties to a dispute which considers itself aggrieved by a decision of the Travel Agency Commissioner ('the Commissioner') under Resolution 820e shall have the right to have the decision reviewed by arbitration under the Rules of Arbitration by one or more Arbitrators appointed in accordance with such Rules.

The proposed and aligned resolution rewording is captured in Attachment 'A' for the changes to Resolution 800 and Attachment 'B' for Resolution 812.

The proposal was reviewed and endorsed by the Passenger Agency Conference Steering Group (PSG/137).

Effective Date

The proposed effective date of these changes is 1 January 2026.

Proposed Action

Conference to adopt the changes to the Resolutions as shown in Attachment 'A'.

The timetable for this Mail Vote is as follows:

Voting Period: 30 October-13 November 2025

Filing Period: 14 - 28 November 2025

Effectiveness: 1 January 2026

To cast a vote, Members are asked to access the application from the following link:

<https://forms.office.com/e/X2tmmeakQK>.

Please note that no other form of voting will be accepted. Voting will conclude at close of business MAD time on **Thursday, 13 November 2025**. Votes not cast by that deadline will be deemed to be affirmative.

In conformity with the Mail Vote procedure endorsed by PAConf in October 2009, this Mail Vote has been provided in advance to representatives of the agency associations ECTAA, UFTAA and WTAAA for review and/or comment.

The following feedback was received from ECTAA/WTAAA:

This covers two significant topics relating to the Agency Programme, so why weren't we given the opportunity to at least discuss/debate the merits of the proposed changes at the meeting just a few weeks ago to ensure due process?

We do not understand this lack of consultation not following the correct due process/feedback loop. The need to have proper discussions has been continually raised and was a feature of the Taskforce Report that was accepted. This proposal should thus be withdrawn and be properly discussed during the next PAPGJC meeting

IATA's response:

The intent of this proposal is to simplify the wording concerning practices that could potentially be removed entirely from the Agency Program. Commissions remain a matter of mutual agreement between airlines and agents with no involvement with IATA. Regarding Arbitration, the right to seek mediation outside the framework of the Agency Program remains valid, and the proposal is intended to make the process clearer. The current proposal aims solely to streamline the language in the manual, rather than to eliminate the topics altogether. Therefore, we wouldn't consider delaying the voting for further negotiations and your comments will be shared as part of the mail vote process for members to consider.

Any Member seeking clarification on any aspect of the mail vote or the mail vote process is invited to contact the IATA Passenger Governance team by email to pac-gov@iata.org.



Juan Antonio Rodriguez
Director – FSDS Operations, GDC

Resolution 800

Section 10—Commission and Beneficial Services

Any commission and/or remuneration due to the Agent for the sale of international air passenger transportation shall be determined by the Airline, in advance of any applicable sales and communicated in writing to the Agent by the Airline.

10.1 RATE OF COMMISSION OR AMOUNT OF REMUNERATION

~~commission and/or the amount of other remuneration for the sale of international air passenger transportation paid to Agents shall be as may be authorised from time to time by the Member; provided that the Agent complies with the applicable rules governing sales of the transportation. It is recommended that notification of changes to such commission or other remuneration will be given well in advance. No commission or other remuneration shall be paid on Miscellaneous Charges Orders or Transportation Orders unless the air transportation for which they have been issued is specifically described therein. Taxes on commission or other remuneration, collectable by the Member on behalf of the competent fiscal authorities, shall be deducted from any commission or other remuneration paid to or claimed by the Agent.~~

10.2 AUTHORITY TO PAY COMMISSION AND OTHER REMUNERATION

~~10.2.1/10.2.1.1 Agents duly appointed by the Member shall be paid commission or other remuneration for the sale of international air passenger transportation;~~

~~10.2.1.2 an Accredited Agent shall retain the full amount of the commission or other remuneration paid by the Member and shall not rebate or promise to rebate directly or indirectly in any manner whatsoever such commission or other remuneration or portion thereof to any passenger or client or disburse such commission or other remuneration or portion thereof to any other person;~~

10.2.2 Commission for Applicant

~~10.2.2.1(a) upon receipt of a complete application, the Secretary of the Agency Investigation Panel shall promptly publish to the Members on the Panel in a periodic listing that such application has been received. Notwithstanding Subparagraph 10.2.1 of this Paragraph, Members may, on receipt of this listing, pay commission or other remuneration to the applicant for the sale of international air passenger transportation sold by the Member, which such applicant has referred to the Member during the pendency of the application, provided that:~~

~~10.2.2.1(a)(i) any Member which does not wish to pay such commission or other remuneration shall so notify the applicant in writing,~~

~~10.2.2.1(a)(ii) the applicant has paid, directly to the Member, the monies due for sales of Traffic Documents issued by the Member, at the time of issue,~~

~~10.2.2.1(a)(iii) the applicant has not been removed from the Agency List during the year preceding the date of the application involved;~~

~~10.2.2.1(b) furthermore, nothing in this Subparagraph shall be deemed to authorise any person to perform any act as Agent for a Member before such person is approved and appointed in accordance with these Rules.~~

10.3 INTERLINE SALES

~~the amount of fare on which commission shall be computed may include, and the level of any other remuneration may take into account, interline passenger transportation over the services of other Members with which the Agent's principal has an interline traffic agreement. A Member may also pay commission or other remuneration to an Agent for passenger transportation sold on the services of an air carrier that is not a Member when the Member has been so authorised by such air carrier.~~

~~10.4 CONDITIONS FOR PAYING COMMISSION~~

~~10.4.1 where commission is payable to an Agent it shall be calculated only on the amount of the fares applicable to the air passenger transportation or charter prices paid over to the Member, or to the Clearing Bank under a Billing and Settlement Plan, and collected by the Agent; provided that this shall not prevent commission being paid where the sale is made:~~

~~10.4.1.1 pursuant to the Universal Air Travel Plan or a credit plan recognised by the Member (provided the Agent has procured and forwarded to the Member the Universal Credit Card Charge Form or other documents required under the credit plan, validated by an imprint of the date of issuance and Agent's name), or pursuant to an instalment plan of a Member made available to the public by the Member concerned; or with respect to bona fide immigrants to South Africa, pursuant to a government assisted passage loan or contribution plan wherein the government lends or contributes part or all of the cost of transportation to the passenger; or~~

~~10.4.1.2 on a prepaid ticket advice when the Agent issues the ticket or arranges for the issuance of the ticket and the fare is paid by the purchaser directly to the Member, the Member's Passenger General Sales Agent or to an air carrier with which the Member has an interline Traffic Agreement (or such carrier's General Sales Agent);~~

~~10.4.2 the 'fares applicable' are the fares (including fare surcharges) for the transportation in accordance with the Member's tariffs and shall exclude any charges for excess baggage or excess valuation of baggage as well as all taxes and other charges collected by the Agent.~~

~~10.5 RECALL OF COMMISSION OR OTHER REMUNERATION~~

~~where a refund is made of all or any part of the fare or charge for any transportation, the Agent's commission or other remuneration shall be recomputed on the unrefunded fare or charge. If the commission or other remuneration has already been paid, the Agent shall pay back any amount in excess of the recomputed commission or other remuneration. Where there is an involuntary change of routing involving a substitution of surface transportation for confirmed air transportation a recall of commission or other remuneration shall not be deemed due. In case of involuntary change of routing to other air services, nothing shall prevent the Member from passing on to the Agent the commission or other remuneration received from the new carrying carrier.~~

[...]

Section 13—Arbitration

13.1 AGREEMENT TO ARBITRATE

13.1.1 Any parties to a dispute which considers itself aggrieved by a decision of the Travel Agency Commissioner ('the Commissioner') under Resolution 820e shall have the right to have the decision reviewed by arbitration under the Rules of Arbitration of the International Chamber of Commerce by one or more Arbitrators appointed in accordance with such Rules.

13.1.2 Unless otherwise agreed by the parties, the language of the arbitration will be in English, but at the request of a party, documents and testimony will be translated in the native of language of the requesting party.

13.1.3 The place of the arbitration will be in the jurisdiction where the applicant or Agent is located or the location specified in the application submitting the decision to review by arbitration, as the case may be, unless otherwise agreed by the parties. Notwithstanding the foregoing, in the event that the laws of such country are inconsistent with the effect of sub-paragraph 13.1.5, then in the case of a Decision rendered with respect to Area 1, the place of arbitration shall be, at the election of the claimant, either Montreal, Quebec or Miami, Florida; in the case of a Decision rendered with respect to Area 2, the place of arbitration shall be Geneva, Switzerland; and in the case of a Decision rendered with respect to Area 3, the place of arbitration shall be, at the election of the claimant, either Singapore or Sydney, Australia.

13.1.4 The award of the arbitrator(s) shall be accompanied by a statement of the reasons upon which the award is based.

13.1.5 The award will be final and conclusively binding on the parties and will be complied with in accordance with its terms.

13.1.6 Where the Travel Agency Commissioner has granted interlocutory relief, such relief and any bank or other guarantee shall remain in effect pending the outcome of the arbitration. The arbitrators, however, will have the power to vary the terms of the bank or other guarantee as they deem appropriate including requesting additional guarantees from the Appellant.

13. 2 COMMENCEMENT OF ARBITRATION

Arbitration proceedings pursuant to this section will be commenced no later than thirty (30) calendar days from the date of the decision of the Commissioner or the panel of all the Commissioners, whichever is later.

13.1 RIGHT TO ARBITRATION

13.1.1 Any party to a dispute settled in accordance with Resolution 820e shall have the right to submit the Travel Agency Commissioner's decision to de novo review by arbitration in accordance with this Section.

13.1.2 Where the Travel Agency Commissioner has granted interlocutory relief, such relief and any bank or other guarantee shall remain in effect pending the outcome of the arbitration. The arbitrators, however, will have the power to vary the terms of the bank or other guarantee as they deem appropriate including requesting additional guarantees from the Appellant.

13.2 AGREEMENT TO ARBITRATE

13.2.1 All disputes arising out of or in connection with a decision rendered by a Travel Agency Commissioner (a "Decision") shall be finally settled under the Rules of Arbitration of the International Chamber of Commerce by one or more arbitrators appointed in accordance with said Rules and judgment upon the award may be entered in any Court having jurisdiction thereof.

13.2.2 Unless otherwise agreed by the parties, the language of the arbitration shall be English, but at the request of a party, documents and testimony shall be translated into such party's native language.

13.2.3 The place of arbitration shall be in the country of the Approved Location concerned or the location under application, as the case may be, unless otherwise agreed by the parties. Notwithstanding the foregoing, in the event that the laws of such country are inconsistent with the effect of subparagraph 13.2.5 herein, then in the case of a Decision rendered with respect to Area 1, the place of arbitration shall be, at the election of the claimant, either Montreal, Quebec or Miami, Florida; in the case of a Decision rendered with respect to Area 2, the place of arbitration shall be Geneva, Switzerland; and in the case of a Decision rendered with respect to Area 3, the place of arbitration shall be, at the election of the claimant, either Singapore or Sydney, Australia.

~~13.2.4 The Award of the arbitrator(s) shall be accompanied by a statement of the reasons upon which the award is based.~~

~~13.2.5 The arbitration award shall be final and conclusively binding on the parties and shall be complied with in accordance with its terms.~~

~~13.3 COMMENCEMENT OF THE PROCEEDING~~

~~13.3.1 Arbitration proceedings pursuant to this Section 13 shall be commenced no later than thirty (30) calendar days from the date of the Travel Agency Commissioner's award.~~

Resolution 812

Section 9—Commission and Other Remuneration

Any commission and/or remuneration due to the Agent for the sale of international air passenger transportation shall be determined by the Airline, in advance of any applicable sales and communicated in writing to the Agent by the Airline.

~~9.1 FRAMEWORK OF CONDITIONS FOR PAYMENT OF COMMISSION AND OTHER REMUNERATION~~

~~9.1.1 This section 9 sets out matters relating to the payment of commission and other remuneration to the Agent by a BSP Airline.~~

~~9.1.2 This section 9 is structured as follows:~~

- ~~a. 9.2 Rate of commission or amount of other remuneration;~~
- ~~b. 9.3 Interline sales;~~
- ~~c. 9.4 Conditions for paying commission;~~
- ~~d. 9.5 Repayment of commission or other remuneration.~~

~~9.2 RATE OF COMMISSION OR AMOUNT OF OTHER REMUNERATION~~

~~9.2.1 Subject to the provisions of this section 9, any commission or other remuneration due to the Agent by a BSP Airline shall be~~

- ~~a. determined by the BSP Airline;~~
- ~~b. determined in advance of any applicable sales; and~~
- ~~c. communicated in writing to the Agent by the BSP Airline.~~

~~9.2.2 Any changes in the amount of commission or other remuneration due by a BSP Airline to the Agent or the conditions for payment must be notified to the Agent in writing by the BSP Airline in advance of the change being implemented.~~

~~9.3 INTERLINE SALES~~

~~9.3.1 The commission or other remuneration may take into account interline passenger transportation over the services of other air carriers with which the BSP Airline whose Standard Traffic Document is issued has an interline traffic agreement.~~

~~9.4 CONDITIONS FOR PAYING COMMISSION~~

~~9.4.1 Where commission is payable to the Agent by a BSP Airline the amount of the commission shall be calculated on the amount of the fares applicable to the air passenger transportation.~~

~~9.4.2 The 'fares applicable' are the fares (including fare surcharges) for the transportation in accordance with the BSP Airline's tariffs and will exclude any charges for excess baggage or excess valuation of baggage as well as all taxes, fees and charges collected by the Agent.~~

~~9.5 REPAYMENT OF COMMISSION OR OTHER REMUNERATION~~

~~9.5.1 If a refund is made of all or any part of the fare for any transportation by the Agent, the commission or other remuneration payable to the Agent by a BSP Airline will be recomputed with respect to that part of the fare which has not been refunded by the Agent.~~

~~9.5.2 If the commission or other remuneration with respect to the refunded fare has already been paid by the BSP Airline, any amount paid by the BSP Airline in excess of the recomputed commission or other remuneration must be repaid by the Agent to the BSP Airline within 30 days of the refund being made.~~

~~9.5.3 If there is an involuntary change of routing involving a substitution of surface transportation for confirmed air transportation, a repayment of commission or other remuneration by the Agent to the BSP Airline will not be required.~~

~~9.5.4 In the case of involuntary change of routing to other air services, nothing shall prevent the BSP Airline from passing on the relevant commission or other remuneration received from the new carrying air carrier.~~

[...]

Section 12—Arbitration

12.1 AGREEMENT TO ARBITRATE

12.1.1 Any parties to a dispute which considers itself aggrieved by a decision of the Travel Agency Commissioner ('the Commissioner') under Resolution 820e shall have the right to have the decision reviewed by arbitration under the Rules of Arbitration of the International Chamber of Commerce by one or more Arbitrators appointed in accordance with such Rules.

12.1.2 Unless otherwise agreed by the parties, the language of the arbitration will be in English, but at the request of a party, documents and testimony will be translated in the native of language of the requesting party.

12.1.3 The place of the arbitration will be in the jurisdiction where the applicant or Agent is located or the location specified in the application submitting the decision to review by arbitration, as the case may be, unless otherwise agreed by the parties. Notwithstanding the foregoing, in the event that the laws of such country are inconsistent with the effect of sub-paragraph 13.1.5, then in the case of a Decision rendered with respect to Area 1, the place of arbitration shall be, at the election of the claimant, either Montreal, Quebec or Miami, Florida; in the case of a Decision rendered with respect to Area 2, the place of arbitration shall be Geneva, Switzerland; and in the case of a Decision rendered with respect to Area 3, the place of arbitration shall be, at the election of the claimant, either Singapore or Sydney, Australia.

12.1.4 The award of the arbitrator(s) shall be accompanied by a statement of the reasons upon which the award is based.

12.1.5 The award will be final and conclusively binding on the parties and will be complied with in accordance with its terms.

12.1.6 Where the Travel Agency Commissioner has granted interlocutory relief, such relief and any Financial Security must remain in effect pending the award of the arbitrator(s). The arbitrator(s), however, will have the power to vary the terms of the Financial Security as they deem appropriate including requesting an increased amount of Financial Security from the party requesting a review by arbitration ("Appellant").

12.2 COMMENCEMENT OF ARBITRATION

Arbitration proceedings pursuant to this section will be commenced no later than thirty (30) calendar days from the date of the decision of the Commissioner or the panel of all the Commissioners, whichever is later.

12.1 FRAMEWORK FOR ARBITRATION

~~12.1.1 This section 12 sets out the requirements and procedure for the de novo review by arbitration of a Travel Agency Commissioner's decision pursuant to Resolution 820e.~~

~~12.2 RIGHT TO ARBITRATION~~

~~12.2.1 Any party to a dispute settled in accordance with Resolution 820e shall have the right to submit the Travel Agency Commissioner's decision to de novo review by arbitration in accordance with this section 12.~~

~~12.2.2 Where the Travel Agency Commissioner has granted interlocutory relief, such relief and any Financial Security must remain in effect pending the award of the arbitrator(s). The arbitrator(s), however, will have the power to vary the terms of the Financial Security as they deem appropriate including requesting an increased amount of Financial Security from the party requesting a review by arbitration ("Appellant").~~

~~12.3 AGREEMENT TO ARBITRATE~~

~~12.3.1 All disputes arising out of, or in connection with, a decision of a Travel Agency Commissioner (a "Decision") will be finally settled under the Rules of Arbitration of the International Chamber of Commerce by one or more arbitrators appointed in accordance with said Rules and judgment upon the award may be entered in any Court of competent jurisdiction.~~

~~12.3.2 Unless otherwise agreed by the parties, the language of the arbitration will be English, but at the request of a party, documents and testimony will be translated into the native language of the requesting party.~~

~~12.3.3 The place of arbitration will be in the market where the Agent is located or the location specified in the application submitting the decision to review by arbitration, as the case may be, unless otherwise agreed by the parties. Notwithstanding the foregoing, if the laws of that market are in conflict with the effect of section 12.3.5, then:~~

- ~~a. in the case of a Decision rendered with respect to Area 1, the place of arbitration will be, at the election of the Appellant, either Montreal, Quebec, Canada or Miami, Florida, USA;~~
- ~~b. in the case of a Decision rendered with respect to Area 2, the place of arbitration will be Geneva, Switzerland; and~~
- ~~c. in the case of a Decision rendered with respect to Area 3, the place of arbitration will be, at the election of the Appellant, either Singapore or Sydney, Australia.~~

~~12.3.4 The award of the arbitrator(s) shall be accompanied by a statement of the reasons upon which the award is based.~~

~~12.3.5 The award will be final and conclusively binding on the parties and will be complied with in accordance with its terms.~~

~~12.4 COMMENCEMENT OF ARBITRATION~~

~~12.4.1 An arbitration pursuant to this Section 12 will be commenced no later than thirty (30) calendar days from the date of the Travel Agency Commissioner's decision.~~