SUMMARY OF RESOLUTION AMENDMENTS
45th Passenger Agency Conference

Changes with effectiveness 1 January 2024

This document aims to provide Agents with a high-level summary of upcoming changes to the Passenger Agency Conference Resolutions that were adopted at the last Passenger Agency Conference that took place between 31 May-1 June 2023 at the IATA Office, Geneva, Switzerland. Agents may refer to the Book of Finally Adopted Resolutions (BOFR) which provide details on the actual changes in the provisions. This summary is provided for convenience purposes only – in the event of any conflict with the content of this memorandum and the Resolutions, what is expressed in the Resolutions shall prevail.

Finally, Agents will have the complete list of salient aspects included on the cover page of the next Travel Agent’s Handbook, as usual.

Resolution 820e – Reviews by the Travel Agency Commissioner

- Section 2.10 has been amended to allow de novo proceedings for en banc reviews, meaning the parties to a TAC matter are allowed to submit new evidence or forward new arguments before the en banc panel which were not raised during the initial consideration of the case by a single TAC.

Resolution 850 – Billing and Settlement Plans

- New requirements have been introduced for Airlines reporting transactions that result from an Order, which ensure Airlines can demonstrate that the transactions processed through the BSP relate to sales of Standard Traffic Documents.

  The following new Sections have been introduced to the Resolution to reflect this:

  6.9.1, 6.9.2, 8.9.1, 8.9.2, 15.1(g), 15.1(h), 24.

Resolution 812 – Passenger Sales Agency Rules

- Attachment ‘I’ has been amended to reflect changes in ‘Days to remittance date’ for Japan from current 8 to 6 calendar days.
RESOLUTIONS ADOPTED AT THE
FORTY FIFTH PASSENGER AGENCY CONFERENCE

Geneva, Switzerland, 31 May-1 June 2023

FOR NORMAL IMPLEMENTATION

PAC/Reso/989

Paseo de la Castellana 95
28046 Madrid
Spain
MEMORANDUM
PAC/Reso/989

To: All Members, Passenger Agency Conference
   Accredited Representatives

From: Director GDC Operations, CFDS

Date: 14th August 2023

Subject: FORTY FIFTH PASSENGER AGENCY CONFERENCE (PAConf/45)
Geneva, Switzerland, 31 May - 1 June 2023
FINALLY ADOPTED RESOLUTIONS

1. Attached are the Finally Adopted Resolutions that were adopted at the 45th meeting of the Passenger Agency Conference (PAConf/45), 31 May-1 June 2023.

2. Members are requested kindly to file these Resolutions with their respective Government authorities, where required, and to advise this office of such authorities’ reactions when received.

3. The filing period is 15 August-15 September and the intended effectiveness and implementation date is 1 January 2024.

4. You are reminded that these Resolutions will be declared effective upon receipt of the required Government approvals, in accordance with Resolutions 001 and 006.

Juan Antonio Rodriguez
Director – FDS Operations, GDC
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Filing Period (15 Aug – 15 Sept 2023)
Effective/Implementation Date (1 January 2024)
## OUTLINE OF CONTENTS AND STATUS OF EFFECTIVENESS

Resolutions adopted at:

Fourty-Fifth Passenger Agency Conference (PAConf/45)

31 May – 1 June 2023

Intended Effective Date: 1 January 2024
(unless stated otherwise)

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<td>PAC(589)812/(Mail A562, 589, 590, 591, 592, 593, 595, 596, 607)(except USA)</td>
<td>Passenger Sales Agency Rules</td>
<td>L1.2</td>
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Amend Resolution 820e as shown below:

[...] within 30 days after the receipt of the decision or an interpreted or clarified decision pursuant to paragraph 2.8 hereinabove, a party, with notice to the other parties may request that the decision be reviewed by a majority decision of a panel of all of the Commissioners. This proceeding shall be de novo, with either party able to submit new evidence or arguments to the panel. The panel shall conduct a new analysis accordingly and shall not be bound by or provide deference to the original decision.
BILLING AND SETTLEMENT PLANS

PAC(589)850/(MailA595)(except USA) Expired: Indefinite
Type: B

Amend Resolution 850 as shown below:

[...]

6.8 IATA must not be prohibited from doing business with the Member or reasonably consider that doing so would pose an undue risk to IATA under applicable legal or regulatory requirements.

6.89 Members reporting transactions through the BSP that result from an Offer must ensure that their system is capable of the following functions:

6.89.1 the ability to prohibit the issuance of the Standard Traffic Document through real-time information as provided by IATA of an Agent’s status:

(i) an Approved Location is removed from the Agency List, declared in default, or has its Ticketing Authority removed in accordance with the Sales Agency Rules or,

(ii) the BSP Member has withdrawn its authority from the Approved Locations to issue Standard Traffic Documents on its behalf.

6.89.2 the ability to activate or restrict a form of payment for any issuance of Standard Traffic Documents using real-time information as provided by IATA of an Agent’s status.

6.89.3 the ability to provide IATA with the data required to enable real-time sales monitoring of Agent’s sales of Standard Traffic Documents reported through the BSP.

6.89.1 the ability to provide IATA with the data required to comply with applicable legal and regulatory requirements (in a reasonably available data format as agreed with IATA and including the documentation demonstrating the identity of the Standard Traffic Documents) represented by an individual transaction, including the counterparties to that transaction. The Member shall not be required to provide any information to IATA pursuant to this clause which it is prohibited from providing under applicable law, or to provide information at an unreasonable frequency or scope considering IATA’s legal and regulatory obligations.

6.89.2 the ability to prevent any transactions which are not for the issuance of Standard Traffic Documents, or which are not issued by the relevant Member airline, from being submitted to the BSP.

[...]

8.8 IATA must not be prohibited from doing business with the Member or reasonably consider that doing so would pose an undue risk to IATA under applicable legal or regulatory requirements.

8.89 non-Member airlines reporting transactions through the BSP that result from an Offer must ensure that their system is capable of the following functions:

8.89.1 the ability to prohibit the issuance of the Standard Traffic Document through real-time information as provided by IATA of an Agent’s status:

(i) an Approved Location is removed from the Agency List, declared in default, or has its Ticketing Authority removed in accordance with the Sales Agency Rules or,

(ii) the BSP Member has withdrawn its authority from the Approved Locations to issue Standard Traffic Documents on its behalf.

8.89.2 the ability to activate or restrict a form of payment for any issuance of Standard Traffic Documents using real-time information as provided by IATA of an Agent’s status.
Resolution 850

8.9.3 the ability to provide IATA with the data required to enable real-time sales monitoring of Agent’s sales of Standard Traffic Documents reported through the BSP.

8.9.1 the ability to provide IATA with the data required to comply with applicable legal and regulatory requirements (in a reasonably available data format as agreed with IATA and including the documentation demonstrating the identity of the Standard Traffic Documents) represented by an individual transaction, including the counterparties to that transaction. The Member shall not be required to provide any information to IATA pursuant to this clause which it is prohibited from providing under applicable law, or to provide information at an unreasonable frequency or scope considering IATA’s legal and regulatory obligations.

8.9.2 the ability to prevent any transactions which are not for the issuance of Standard Traffic Documents, or which are not issued by the relevant Member airline, from being submitted to the BSP.

[...]

15. SUSPENSION OF BSP AIRLINE

Notwithstanding Paragraph 14 of this Resolution, IATA may immediately suspend (without a notification or other waiting period) a BSP Airline’s participation in some or all BSPs under any of the following circumstances:

15.1(a) the BSP Airline fails to pay any amount due in relation to a BSP settlement, as provided for in subparagraphs 6.5 or 8.5 above; or

15.1(b) the BSP Airline ceases all scheduled passenger operations, either temporarily (including where such operations are planned for future dates but are not currently being flown) or permanently, due to financial or other reasons, or otherwise no longer meets the requirements for participation in the BSP as described in Paragraphs 6 and 8 of this Resolution; or

15.1(c) the BSP Airline becomes subject to formal bankruptcy, moratorium of debt, reorganization, liquidation, or similar proceedings;

15.1(d) the BSP Airline defaults on a material obligation to the BSP under the Resolutions or other agreements governing its participation in the BSP, or

15.1(e) if the BSP Airline does not have a valid designator/prefix and accounting code assigned by IATA; or

15.1(f) if the BSP Airline is suspended from any of the other settlement systems provided by IATA, including the IATA Clearing House and the Cargo Accounts Settlement System; or

15.1(g) if the BSP Airline fails to comply, within a reasonable deadline given the scope and format of the request as notified by IATA (but not less than 14 days unless specifically required by applicable law as demonstrated by IATA), with any reasonable request from IATA for documentation required pursuant to 6.8.1 or 8.8.1; or

15.1(h) if the BSP Airline fails to comply with its obligations in Paragraphs 6 or 8 of this Resolution; or

15.1(i) if IATA otherwise determines that there are sufficient financial or legal grounds—including outstanding amounts owed to IATA in connection with its other settlement services or otherwise—to suspend the BSP Airline, in light of the financial or legal risk to the BSP.

15.2 At the discretion of IATA, IATA may elect to refrain from suspending a BSP Airline from some or all BSPs under this paragraph if there are alternatives available to protect the financial integrity of the BSP from the circumstances of the BSP Airline—including from the risk that refunds may exceed sales—and to obtain the immediate payment of outstanding debts of the BSP Airline to IATA. Such alternatives may include, at the discretion of IATA, the provision by the BSP Airline of a centrally held security deposit, or alternative security acceptable to IATA to be held centrally, and calculated so as to cover funds at risk for a minimum of one month.

15.3 IATA shall follow the procedures outlined in Attachment ‘F’ to this Resolution upon the suspension of a BSP Airline pursuant to this paragraph.
15.4 If IATA determines that the financial integrity of the BSP is at risk as a result of the circumstances of a BSP Airline, IATA may withhold funds due from the BSP to such BSP Airline in order to secure the potential risk, in advance of any potential suspension of such BSP Airline.

[...]

24. SYSTEM REQUIREMENTS – OFFERS

BSP Airlines reporting transactions through the BSP that result from an Offer should ensure that their system is capable of the following functions. Failure to do so shall impact the BSP Airline’s recovery from the Agent’s Financial Security as set forth in the relevant Passenger Agency Sale Rules provisions.

24.1 The ability to prohibit the issuance of the Standard Traffic Document through real-time information as provided by IATA of an Agent’s status:

   (i) an Approved Location is removed from the Agency List, declared in default, or has its Ticketing Authority removed in accordance with the Sales Agency Rules or,

   (ii) the BSP Member has withdrawn its authority from the Approved Locations to issue Standard Traffic Documents on its behalf.

24.2 the ability to activate or restrict a form of payment for any issuance of Standard Traffic Documents using real-time information as provided by IATA of an Agent’s status.

24.3 the ability to provide IATA with the data required to enable real-time sales monitoring of Agent’s sales of Standard Traffic Documents reported through the BSP.
PASSENGER SALES AGENCY RULES
(Amending)

PAC(589)812(Mail A562, 589, 590, 591, 592, 593, 595, 596, 607) (except USA) Expiry: Indefinite
Type: B

Amend Resolution 812, Attachment 'I' as shown below:

<table>
<thead>
<tr>
<th>Operation</th>
<th>Frequency</th>
<th>Number of Days in a Period</th>
<th>End of Sales Period to Remittance Date</th>
<th>Notes</th>
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<tr>
<td>Japan</td>
<td>Four times per Month</td>
<td>Refer to BSP Calendar</td>
<td>8 or 6</td>
<td>Recurring dates 29 December through 3 January, considered as business holidays, must not have remittance scheduled during this window. If the remittance frequency established is four times monthly, Remittances shall made so as to reach the Clearing Bank no later than close of business on the 8th or 6th calendar day from the Reporting Date.</td>
</tr>
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