



MEMORANDUM
#099/2020
CAC/MVFAR

CARGO AGENCY CONFERENCE
FINALLY ADOPTED RESOLUTIONS

TO: All Members of IATA
Accredited Representatives/Alternates to the Cargo Agency Conference

COPY: Members, Cargo Procedures Conference Management Group
IATA FIATA Consultative Council Members (IFCC)
Cargo Procedures Conference Management Groups (CPCMG)
IATA Internal Stakeholders

FROM: Juan Antonio Rodriguez, Director FDS, GDC

DATE: 31 July 2020

SUBJECT: **Finally Adopted Resolutions via Mail Vote C078, dated 02 July 2020**
Resolution 805zz

Please find attached Resolution 805zz, as finally adopted by mail vote for normal effectiveness.

The filing period runs **from 31 July 2020 to 10 September 2020**, with an **intended effectiveness date of 11 September 2020**.

Members are requested to file this Resolution with their Government authorities where required, and to advise this office of their Government's action by 10 September 2020, the end of the filing period.

Please note that this Resolution will be declared effective upon receipt of the required Government Approvals, in accordance with Resolutions 001 and 006.

Sincerely,

Juan Antonio Rodriguez
Director FDS, GDC

Normal Resolution

MAIL VOTE ITEM

Intended Effectiveness

C078

Resolution 805zz European Air Cargo Programme Rules - Financial Requirements Non-compliance and failure to provide Financial Statements

Intermediaries failing to submit documents for financial review as required in the European Air Cargo Programme are given 30 additional days to comply and will receive one instance of irregularity for lateness.

11 September 2020

**MAIL VOTE ITEM
ADOPTED**

RESOLUTION 805zz
European Air Cargo Programme Rules

CAC2(Mail Vote C078) 805zz (amending)

Expiry: Indefinite

Type: B

805zz, Attachment 'B', Section 1.2 Financial Requirements, in paragraph 1.2.1. Financial Standing:

1.2.1 Financial Standing

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(Applicable in the EACP Area) When the financial position of an Intermediary and/or its level of credit is subject to review by the Agency Administrator the Intermediary may be required to:

(Not applicable in the EACP Area) When the financial position of an Intermediary and/or its settlement limit shall be subject to annual review by the Agency Administrator the Intermediary may be required to:

1. Furnish documents specified in the Handbook, deemed necessary to conduct such review
2. Renew by the expiry date any bank guarantee or bond
3. Adjust the level of any bank guarantee or bond

In the case of 1. above, failure by the Intermediary to submit such documents, as prescribed, shall be grounds for IATA to apply one instance of irregularity and to give the Intermediary 30 days to comply.

Failure to comply with 2. or 3. the above and/or with the financial requirements contained within the Handbook shall constitute grounds for the Agency Administrator to suspend the Intermediary from CASS and to ~~initiate a review by the Ombudsman~~ give the Intermediary 30 days to comply.

Failure by the Intermediary to comply within 30 days shall be grounds for IATA to give the Intermediary written notice of termination, provided that if the Intermediary submits the required documents, or renews or adjusts its bank guarantee or bond prior to the removal date the termination shall not take effect. Where the Agency Administrator gives notice of termination under this provision, the notice shall specify the date at which it will be effective, which shall not be before the date specified in the termination clause of the Cargo Intermediary Agreement.

1.2.2 notwithstanding the provisions contained within paragraph 1.2.1, an Intermediary may satisfy the requirement to provide additional financial as support through any type of security accepted by the Agency Administrator from time to time. “

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