

AFTA ADVISORY NOTE

ATAS STATUS of TEMPO HOLIDAYS

On the 3rd July 2019, AFTA suspended the accreditation of Tempo Holidays Pty Ltd, following a release by parent company, Cox and Kings Ltd, to the Indian Stock Exchange, that Cox & Kings had defaulted on its debt payments. Tempo Holidays remained suspended, until an investigation was complete into whether Tempo Holidays continued to meet the Eligibility Criteria of the ATAS Charter.

On the 22nd August 2019, the ATAS accreditation was cancelled, and Tempo Holidays was added to the excluded list of suppliers under the AFTA Chargeback Scheme (ACS). This was notified to all ATAS Accredited entities at this time, and covered extensively in the press.

STEPS TO FOLLOW

There are a number of different scenarios currently affecting agents, and consumers, who have bookings via Tempo Holidays, and Bentours. In general, we advise agents take the following steps:

- Where possible, contact the relevant service providers to confirm the status of the booking, and whether payment has been received.

Where the booking has been affected:

- AFTA Chargeback Scheme (ACS) Members: where customers have paid by credit / debit card, refer to the **below** if you have a valid transaction captured by the scheme.
- Where the customer has made payment by cash, or a transaction, is not covered by ACS, contact the administrator and submit the relevant information.

ADMINISTRATOR CONTACT DETAILS

On the 20th September 2019, Laurence Fitzgerald and Michael Humphris, of William Buck, were appointed administrator of Tempo Holidays.

Contact Details of the administrator are:

Frank Davoli
Senior Accountant
Direct line: +61 3 8823 9707
frank.davoli@williambuck.com

To submit a claim, please complete the form [here](#) and return with any supporting documentation to William Buck via the contact details listed on the form.

First meetings of appointed creditors:

Date: Thursday, 3 October 2019
Time: 10:30 AM
Venue: Chartered Accountants Australia and New Zealand
Level 18, 600 Bourke Street, Melbourne VIC 3000

For more information and the most recent updates visit the AFTA Website [here](#).

ACS CLAIM PROCESS

Tempo Holidays was excluded as a supplier, from coverage under the ACS scheme, for any transactions occurring **after 12pm on the 22nd August 2019**. For those transactions prior to this date, please see the below process for making a claim under ACS.

ACS works to reimburse the agent where a chargeback has occurred. A chargeback by the customer to the agent is therefore a necessary trigger point. To be covered the below criteria must have been met.

Making an ACS Claim

Step 1: As soon as you are notified of a Disputed Transaction, and a possible Chargeback, which relates to Supplier Insolvency, you must complete a Claim Form (link below), and submit to travel@gowgates.com.au. This must be done within 10 days of notification being received.

Step 2: ACS will review the claim and check that:

- You are an ACS member
- A contribution was paid to ACS via a Payment Partner; and
- The Chargeback relates to Supplier Insolvency.

Step 3: When you receive confirmation that the Chargeback against you has been successful, provide those details to ACS, and the claim will be settled within 7 business days. If you have any questions regarding a claim after you have received a chargeback, please call the claims team on 02 9267 9999 or email travel@gowgates.com.au

The ACS claim form is available [here](#).

What documents do I need to make a claim from ACS?

When making a claim, you'll be asked to provide evidence of the booking and the Chargeback, including;

- Passenger Invoice(s), Unused airline/ supplier ticket(s) or voucher(s)
- Details of a Credit/Debit Card of the disputed transaction, including that a chargeback has been approved by your merchant provider, and the amount, and date, that the chargeback will occur.

WHERE AN AGENT HAS PAID TEMPO VIA THEIR BUSINESS CREDIT CARD?

Where an agent has paid Tempo on their business credit card, this is outside the ACS scheme.

The agent has, under the normal rules and rights of the credit card scheme, the right to invoke a credit card chargeback with their bank to recoup the customer's funds.

The success of such a chargeback is reliant on the rules of your credit card and bank.

HURTIGRUTEN

Hurtigruten will not cancel any agent or guest bookings without consultation.

Hurtigruten bookings with embarkation dates up to 30 September 2019 are unaffected by the closure.

Bookings from 1 October 2019 may be affected. Hurtigruten have not received funds for any travel beyond October 01 from Cox & Kings Ltd - Bentours/Tempo

Paid in full (October – Dec departures)

- 1) Where a new payment is required, as we have not received payment from Bentours, this would be required to be re paid at the net 'discounted rate'.

*If your agency is a party to the ACS scheme, you need to make your own enquires as to any recoverable amounts.

Paid deposit – you need to confirm the status with Hurtigruten.

- 1) Pay balance and agent receives capped commission at 5% or
- 2) Pay full gross money and normal commission applies.

Hurtigruten services only.

Travelling on 'Follow the lights' tours

Hurtigruten have, in partnership with Unique North, the DMC created discounted compassion fare for this tour. Please contact Hurtigruten for new price.

Other Tours

Hurtigruten are working with key Wholesalers and operators in Australia such as 50 degrees, Adventure World and Beyond and will offer heavily reduced prices for the Hurtigruten elements.

Other Details:

Anyone with a booking with Hurtigruten for travel after 1 October should email apac.assist@hurtigruten.com with the following information for each person travelling.

- Departure Date from Australia
- Voyage Departure Date
- Voyage (Route or Tour Name)
- Hurtigruten Reference (if known)
- Bentours Reference (if known)
- Amount Paid (with supporting evidence)
- Please attach all Bentours or agency documentation you may have received including invoices, itineraries and booking confirmations. Each booking enquiry will be considered on a case by case basis.

Please see hurtigruten.com.au/bentours/ for full directions and updates.

CIE TOURS

CIE Tours have advised that a number of agents are yet to contact CIE Tours regarding a number of bookings.

All 2019 bookings where no contact has been made by the agent or client will be cancelled on 2 October 2019.

Any 2020 bookings will be cancelled on 1 December 2019 if there has been no contact by the agent or client.

CIE Tours urge any agents to contact them immediately to discuss status if there are any booking with CIE Tours.

Contact Details:

Paul O'Neill
Manager UK & EUROPE
CIE tours
35 lower Abbey Street, Dublin 1, Ireland
+353 1 7034154
+353 1 7031888
Paul.oneill@cietours.com
www.cietours.com

ICELAND TRAVEL

Australian agents who have current bookings with Bentours in Iceland to please contact the team at bookings@icelandtravel.is at earliest convenience to discuss their booking status.

FINAL NOTE:

AFTA WILL UPDATE THIS FACT SHEET AS NEW INFORMATION AND DETAILS COME TO HAND.

IF YOU NEED CLARIFICATION AND ARE AN AFTA/ATAS MEMBER, PLEASE DO NOT HESITATE TO CONTACT THE OFFICE ON 02 9287 9900.

We know that this is a dreadful situation that the industry finds itself at this time. We are doing all that we can to work on a better outcome, and this will depend totally on the decisions taken and made by Cox and Kings Ltd India. There is nobody else at fault in this instance.

LINK TO THE UPDATED INFORMATION CAN BE FOUND at www.afta.com.au