

13 October 2020

NOTICE TO SELECTED AIRLINES REGARDING IATA AND SATA TICKETS

Dear Sir / Madam

**RE: STA TRAVEL PTY LTD (IN LIQUIDATION)
ACN 004 801 512
(REFERRED TO AS 'STA TRAVEL' OR THE 'COMPANY')**

I refer to the appointment of Tim Norman and myself as Joint & Several Administrators and subsequently Joint & Several Liquidators of the Company on 21 August 2020 and 25 September 2020 respectively. A copy of our appointment documents lodged with the Australian Securities & Investments Commission for both appointments is attached as **Annexure 1**.

Demand for payment of refunds owing to customers as at 21 August 2020

Mr Norman and I are presently in control of STA Travel and we are entitled and obligated to take all reasonable steps to recover debts due and payable to STA Travel which arose prior to our appointment. These include refunds for cancelled flights booked by STA Travel on behalf of its customers.

We hereby demand payment to be paid via BSP link or alternatively into the bank account established by the Liquidators of the Company.

Should payment be processed via BSP link it is requested that you correspond with International Air Transport Association (**IATA**) directly regarding the transfer of these funds to the Liquidators.

Please provide remittance advice to this office once payment has been processed.

Ongoing contact with existing customers for the period on or after 21 August 2020

As you are aware, STA Travel has arranged tickets and bookings on behalf of its customers with airlines for flights that were scheduled to depart for the period on or after 21 August 2020 (when Mr Norman and I were appointed as Voluntary Administrators), and which their scheduled flights have not been cancelled or varied.

STA Travel is now in liquidation and has made the vast majority of its staff redundant, with the effect that STA Travel will not be in a position to deal with ongoing queries in relation to these customers for an indeterminate period going forward.

Airlines have a direct contractual relationship with these customers and we therefore seek confirmation that your airline will honour those bookings according to their terms and deal directly with those customers going forward in relation to tickets, cancellations, variations and/or refunds.

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In accordance with the terms of the Student Air Travel Association (**SATA**) agreement between airlines and STA Travel, it is our understanding that airlines have provided an undertaking to ensure that the customers are re-accommodated for any flight changes in which the customer is to be treated in the same way as any other customer of the airline.

To that end, we also ask that your organisation provides us with a schedule of all extant bookings of customers of STA Travel who have purchased airline tickets with your airline for the period on or after 21 August 2020. This request is made for three purposes:

1. *First*, for clarity about which customers are being dealt with by your airline and which remain to be dealt with by STA Travel. While we are taking reasonable steps to confirm the veracity of STA Travel's records, we anticipate that your records will be more reliable than those of STA Travel particularly given that customer monies have been received, and tickets issued, by you.
2. *Secondly*, we assume that your airline is aware that many customers of STA Travel who have purchased their tickets using a credit card are claiming chargebacks from their credit card providers in respect of cancelled flights. In that regard, it will be of significant assistance if we are provided with the customer reference numbers for the particular bookings and corresponding customers with whom you have been dealing, or are proposing to deal, directly (rather than liaising with the Liquidators' office). Once the Liquidators have that material, we will be in a better position to communicate with you regarding chargeback requests received by STA Travel's bank in relation to those customers. This will reduce the risk of refunds being paid to customers twice (for example, by both you and by the customer's credit card provider). That is in the interests of both you and STA Travel, as it is desirable that customers do not improperly receive double recovery of any refund for a cancelled flight.
3. *Thirdly*, an undertaking in writing from your airline that you will honour all IATA and any SATA customer bookings according to your terms and deal directly with those customers going forward in relation to tickets, cancellations, variations and/or refunds for all scheduled flights to occur on or after 21 August 2020.

We are comfortable for any sensitive information to be excluded from the schedule (such as the customer's personal details including an address, telephone number etc.) provided that the customer booking reference number and the status of any cancellation or refund by the airline is recorded.

Please kindly let us know if you will be unable to provide the requested confirmation and the requested booking information, by **5pm on Monday 19 October 2020**. There is urgency to this matter, given that STA Travel's bank is receiving chargeback requests which must be dealt with promptly. As noted above, this gives rise to a risk of double compensation being paid of customers to the extent that refunds have already been processed (or may in the future be processed) by the airlines.

We look forward to your prompt response and confirmation regarding this matter.

Should you have any queries, please do not hesitate to contact our team at STATravel@deloitte.com.au.

Yours faithfully



Jason Tracy
Joint and Several Liquidator
Encl.

Form 505

Corporations Act 2001

415(1), 427(2), 427(4), 450A(1)(a),

499(2C)(a) & (b), 537(1) & (2),

Insolvency Practice Rules (Corporations) 2016

s70-60(2)

External Administration or Controllership Appointment of an administrator or controller

Liquidator details

Registered liquidator number

429179

Registered liquidator name

JASON MARK TRACY

Company details

Company name

STA TRAVEL PTY. LTD.

ACN

004 801 512

Company industry type

Other (Business and Personal) Services

Add a new appointment

Appointee details

Liquidator No.

429179

Person Name

JASON MARK TRACY

Address

**DELOITTE TOUCHE TOHMATSU,
'GROSVENOR PLACE' LEVEL 1 225
GEORGE STREET SYDNEY NSW 2000
Australia**

Type of Appointment

**Appointed Jointly and
Severally**

Appointee details

Liquidator No. **296669**

Person Name
TIMOTHY BRYCE NORMAN

Address
**'DELOITTE TOUCHE TOHMATSU'
LEVEL 23 477 COLLINS STREET
MELBOURNE VIC 3000 Australia**

Type of Appointment **Appointed Jointly and Severally**

Appointment Details

Provide the date of appointment.
21-08-2020

Type of administrator
Administrator

Method of appointment
appointment by company under writing under its common seal

Authentication

This form has been authenticated by
Name **JASON MARK TRACY**

This form has been submitted by
Name **Jack MCGRATH**
Date **21-08-2020**

Payment

You need to pay the fee (and any late fees if required) by Bpay or cheque in accordance with the instructions on your invoice

For more help or information

Web www.asic.gov.au
Ask a question? www.asic.gov.au/question
Telephone 1300 300 630

Notice of special resolution to wind up a company

Liquidator Details

Registration No.

429179

Name

JASON MARK TRACY

Company details

Company name

STA TRAVEL PTY. LTD.

ACN

004 801 512

Special resolution passed or taken to have been passed

Type of resolution:

The creditors of the company (under administration) resolved that the company be wound up under s439C(c)

Date of resolution:

25-09-2020

The creditors have resolved that the appointed liquidator is:

the same as the administrator

and accordingly, the company is taken because of the application of:

Section 446A

to have passed a special resolution under section 491 that the company be wound up voluntarily.

Date on which the under paragraph 446A(2)(a) or paragraph 446AA(2)(a), the company is taken to have passed the special resolution:

25-09-2020

Liquidator(s)

Name

TRACY JASON MARK

Residential address

**DELOITTE TOUCHE TOHMATSU
'GROSVENOR PLACE' LEVEL 1
225 GEORGE STREET
SYDNEY NSW 2000**

Name

NORMAN TIMOTHY BRYCE

Residential address

**'DELOITTE TOUCHE TOHMATSU'
LEVEL 23
477 COLLINS STREET
MELBOURNE VIC 3000**

Authentication

This form has been authenticated by

Name

This form has been submitted by

Name

Zoe GREW

As

Date

29-09-2020

For more help or information

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