



ANNO TRICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1986

No. 88 of 1986

An Act to amend the Travel Agents Act, 1986.

[Assented to 4 December 1986]

The Parliament of South Australia enacts as follows:

Short title.

1. (1) This Act may be cited as the "Travel Agents Act Amendment Act, 1986".

(2) The Travel Agents Act, 1986, is in this Act referred to as "the principal Act".

Commencement.

2. (1) This Act shall come into operation on a day to be fixed by proclamation.

(2) The Governor may, in a proclamation fixing a day for this Act to come into operation, suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.

Amendment of
s. 7—
Travel agent to be
licensed.

3. Section 7 of the principal Act is amended by inserting the following subsections after subsection (3):

(4) Where a person is convicted of an offence against subsection (1), the court by which the conviction is recorded shall order the person to pay to the Crown an amount estimated by the court to be the amount of the profit that has accrued to the convicted person or any other person with whom the convicted person has a business or personal association in consequence of the commission of the offence.

(5) Any amount recovered by the Crown in pursuance of an order under subsection (4) shall be paid into the Compensation Fund.

Amendment of
s. 8—
Application for a
licence.

4. Section 8 of the principal Act is amended by striking out paragraph (d) of subsection (9) and substituting the following paragraph:

(d) that the applicant is not disqualified under a corresponding law from holding a licence under the corresponding law or being involved in the direction, management or conduct of the business of a travel agent;

5. The following section is inserted after section 10 of the principal Act:

Insertion of new
s. 10a.

10a. (1) The business conducted at any place from which a licensee carries on business must be managed and supervised by a person with qualifications approved by the Tribunal (whether or not that person is the licensee).

Supervision of
business of travel
agent.

(2) If a licensee fails to ensure compliance with subsection (1), the licensee is guilty of an offence.

Penalty: \$5 000.

6. Section 13 of the principal Act is amended by striking out subparagraph (iv) of paragraph (c) of subsection (8) and substituting the following subparagraph:

Amendment of
s. 13—
Tribunal may
exercise
disciplinary
powers.

(iv) has been found guilty of an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than 3 months;

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor