

## INQUIRY AGENTS LICENSING.

13° Elizabeth II., No. XVI.

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No. 16 of 1964.

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### AN ACT to amend the *Inquiry Agents Licensing Act, 1954.*

[Assented to 8th October, 1964.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.

1. (1) This Act may be cited as the *Inquiry Agents Licensing Act Amendment Act, 1964.*

No. 11 of  
1954.

(2) In this Act the *Inquiry Agents Licensing Act, 1954*, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Inquiry Agents Licensing Act, 1954-1964.*

2. This Act shall come into operation on a day to be fixed by proclamation. Commence-  
ment.

3. Section two of the principal Act is amended— S. 2  
amended.

(a) by substituting for the interpretation, “Court”, the following interpretation—

“Court” or “Court of Petty Sessions” means a Court of Petty Sessions constituted by a Stipendiary Magistrate but “court” in the interpretation, “Inquiry agent” means any court;

(b) by deleting the interpretation, “evidence”; and

(c) by adding before the interpretation, “license” the following interpretation—

“Inquiry agent” means a person (whether or not he carries on any other business) who whether as a principal, an agent or an employee, on behalf of any other person and for gain, fee or reward, exercises or carries on any of the following functions, namely—

(a) obtaining and furnishing; or

(b) undertaking to obtain and furnish,

evidence for the purpose of any proceeding in a court, whether the proceeding has commenced or is contemplated or prospective.

4. Section three of the principal Act is repealed and re-enacted as follows— S. 3  
repealed and  
re-enacted.

3. (1) Subject to this Act, no person shall— Inquiry  
agents  
must be  
licensed.

(a) exercise or carry on or advertise, notify or state that he exercises or carries on or is willing to exercise or carry on the

business of or shall act as an inquiry agent, whether as principal or as agent or employee; or

- (b) shall in any way hold himself out to the public as ready to undertake for gain, fee or reward any of the functions of an inquiry agent, whether as principal or as agent or employee,

unless he is the holder of a license.

Penalty: Fifty pounds.

(2) This Act shall not be construed as requiring—

- (a) any member of the police force of the State or of the Commonwealth or of any other State or Territory of the Commonwealth while acting in the exercise of his functions as such;
- (b) any member of the Defence Force of the Commonwealth while acting in the exercise of his functions as such;
- (c) any officer or employee of
  - (i) the Crown in right of the Commonwealth or of this State or of any other State;
  - (ii) any Government Department of the Commonwealth or of this State or of any other State,while acting in the exercise of his functions as such;

- (d) any practitioner holding a valid and current practice certificate under the Legal Practitioners Act, 1893, while acting in the ordinary course of his profession as such or any clerk to the practitioner acting in the ordinary course of the practitioner's profession as such;

- (e) any medical practitioner registered under the Medical Act, 1894, while acting in the ordinary course of his profession as such;
- (f) any person genuinely carrying on the business of insurance or of any insurance adjustment agency or any employee or agent of such a person in the exercise of his functions as such,

to hold a license.

(3) The holder of a license may advertise he is the holder of a license under this Act and his name and the place where and the times when he may be consulted, but shall not include any other information in any advertisement.

Penalty: Fifty pounds.

5. Paragraph (b) of subsection (2) of section four of the principal Act is amended by substituting for the words, "obtaining evidence" in line five, the words, "exercising or carrying on the business of or acting as an inquiry agent". S. 4  
amended.

6. Section nine of the principal Act is amended by adding after the word, "Act" being the last word in the section, the following passage, "and may, by any such regulation, exempt any class of person from holding a license". S. 9  
amended.

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