

CN304

TRAVEL AGENTS ACT 1985**TRAVEL AGENTS AMENDMENT REGULATIONS 1991**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Travel Agents Amendment Regulations 1991*.

Principal regulations

2. In these regulations the *Travel Agents Regulations 1986** are referred to as the principal regulations.

[*Published in the Gazette on 19 December 1986 at pp. 4926-38. For amendments to 21 June 1991 see pp. 386-387 of 1990 Index to Legislation of Western Australia.]

Regulation 15 amended

3. Regulation 15 of the principal regulations is amended by deleting "3 and 4" and substituting the following—

" 3 to 10 ".

Schedules 6 to 10 added

4. After Schedule 5 to the principal regulations, the following schedules are added—

"

Schedule 6

(Regulation 15)

RESOLUTION OF THE TRUSTEES**Amendment resolution**

The Travel Agents Compensation Trust Fund Deed set out in Schedule 2 and amended in Schedules 3 to 5 is amended in clause 8.4 by deleting "at least two trustees" and substituting the following—

" two Trustees or by one Trustee and any person so authorized in writing by any two Trustees. Such authority may be revoked at any time in writing by any two Trustees ".

Made by resolution of the Trustees on 27 July 1987 and resolved by the Trustees that the amendment come into operation on and from 8 September 1987.

Schedule 7

(Regulation 15)

RESOLUTION OF THE TRUSTEES

Amendment resolution

The Travel Agents Compensation Fund Trust Deed set out in Schedule 2 and amended in later schedules is amended—

- (a) in clause 1.1 in the definition of "year" by deleting "1st July to the next succeeding 30th June" and substituting the following—
 - " 1st January to the next succeeding 31st December ";
- and
- (b) in clause 13.2—
 - (i) by deleting "and" at the end of paragraph (c);
 - (ii) by deleting the full stop at the end of paragraph (d) and substituting a semi colon; and
 - (iii) by inserting after paragraph (d) the following paragraph—
 - " (e) if the person was an applicant or participant in Tasmania, appeal to a Magistrate of that State. "

Made by resolution of the Trustees on 10 February 1988 and resolved by the Trustees that the amendments come into operation on and from 31 March 1988.

Schedule 8

(Regulation 15)

RESOLUTION OF THE TRUSTEES

The Travel Agents Compensation Fund Trust Deed set out in Schedule 2 and amended in later schedules is amended—

- (a) in clause 13.2—
 - (i) by deleting the full stop at the end of paragraph (e) and substituting a semi colon; and
 - (ii) by inserting after paragraph (e) the following paragraph—
 - " (f) if the person was an applicant or participant in Queensland, appeal to the District Court in that State. "; and
- (b) in clause 15.3 by deleting all the words after "loss" and substituting the following—
 - " that is a loss within the meaning of clause 15 and arises before the proclamation of the Act in the State or Territory "

Made by resolution of the Trustees on 16 June 1988 and resolved by the Trustees that the amendments come into operation on and from 1 August 1988.

Schedule 9

(Regulation 15)

RESOLUTION OF THE TRUSTEES

Amendment resolution

The Travel Agents Compensation Fund Trust Deed set out in Schedule 2 and amended in later schedules is amended in clause 2.2 by deleting paragraph (b) and substituting the following paragraph—

- " (b) every person who entrusts money or other valuable consideration to another person (or an employee or agent of the other person) in the course of the other person's carrying on business as a travel agent in a State if either:
 - (i) that other person; or
 - (ii) any third or subsequent person who carries on business as a travel agent in a State and who, in turn, receives directly or indirectly through an employee or agent of the third or subsequent person all or part of that money or consideration, other than as a principal,
 fails to account for the relevant money or consideration, whether due to an act or to an omission of that person (or of an employee or agent of that person). "

Made by resolution of the Trustees on 17 October 1990 and resolved by the Trustees that the amendment come into operation on and from 21 December 1990.

Schedule 10

(Regulation 15)

RESOLUTION OF THE TRUSTEES

Amendment resolution

The Travel Agents Compensation Fund Trust Deed set out in Schedule 2 and amended in later schedules is amended—

(a) in clause 24.1 by deleting “60” and substituting the following—

“ ninety ”; and

(b) in clause 25.1 by deleting “three” and substituting the following—

“ four ”.

Made by resolution of the Trustees on 5 February 1991 and resolved by the Trustees that the amendments come into operation on 31 March 1991. ”.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.