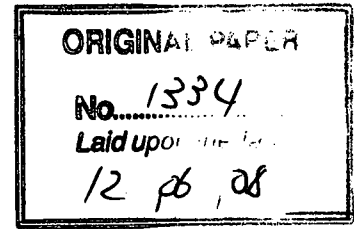


EXPLANATORY MEMORANDUM

REGULATIONS 2008, NO. 10



Consumer Affairs and Fair Trading (Travel Agents) Regulations 2008

The Consumer Affairs and Fair Trading Regulations 2008 were made by the Administrator on 19 May 2008 and notified in the Gazette on 28 May 2008.

In 2004 the Ministerial Council on Consumer Affairs endorsed the implementation of proposed new qualification requirements for travel agents. The Northern Territory has now amended its regulations to achieve consistency with other states.

The Consumer Affairs and Fair Trading (Travel Agents) Amendment Regulations 2008:

- insert new definitions regarding categories of travel agent businesses depending on the type of sales that are made;
- modify the qualifications and experience a person needs to be eligible to become a manager for a category 1 business (ie: a business involved in the sale or arrangement for the sale of rights to international travel);
- amend the fee schedule so that fee amounts are expressed in revenue units rather than dollar amounts; and
- make consequential amendments to prescribed forms.

AUTHORITY: Section 338 of the *Consumer Affairs and Fair Trading Act*.

NORTHERN TERRITORY OF AUSTRALIA

CONSUMER AFFAIRS AND FAIR TRADING (TRAVEL AGENTS)
AMENDMENT REGULATIONS 2008

Subordinate Legislation No. 10 of 2008

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 10 of 2008*

Consumer Affairs and Fair Trading (Travel Agents) Amendment Regulations 2008

I, THOMAS IAN PAULING, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Consumer Affairs and Fair Trading Act*.

Dated 19 May 2008.

T. I. Pauling
Administrator

By His Honour's Command

K. Vatskalis
Minister for Business and Economic Development
acting for the
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 28 May 2008.

1 Citation

These Regulations may be cited as the *Consumer Affairs and Fair Trading (Travel Agents) Amendment Regulations 2008*.

2 Regulations amended

These Regulations amend the *Consumer Affairs and Fair Trading (Travel Agents) Regulations*.

3 Amendment of regulation 2 (Definitions)

(1) Regulation 2

omit

Regulations, unless the contrary intention appears –

substitute

Regulations:

(2) Regulation 2, definitions ***category 1 business***, ***category 2 business***, ***category 3 business***, ***category 4 business*** and ***business***

omit

(3) Regulation 2

insert (in alphabetical order)

business means business as a travel agent.

category 1 business, see regulation 2A(1).

category 2 business, see regulation 2A(2).

international travel means travel to or from a place outside Australia.

4 New regulation 2A

After regulation 2

insert

2A Business categories

- (1) A category 1 business is a business involved in the sale or arrangement for the sale of rights to international travel.

-
- (2) A category 2 business is a business, other than a category 1 business, involved in the sale or arrangement for the sale of rights to travel.

5 Repeal and substitution of regulation 10

Regulation 10

repeal, substitute

10 Prescribed qualifications and experience – section 213 of Act

- (1) The prescribed qualifications and experience for a manager for a category 1 business are:
- (a) successful completion of Unit of Competency THTSOP20A provided or assessed by an organisation registered by a State or Territory to deliver training or conduct assessments, and to issue nationally recognised qualifications, in accordance with the Australian Quality Training Framework; or
 - (b) 1 year full-time experience, obtained during the 5 year period immediately before starting to perform duties as a manager for the business:
 - (i) selling or arranging for the sale of rights to international travel; or
 - (ii) in employment as a manager for a category 1 business; or
 - (iii) in employment as a person in charge of the day-to-day conduct of a place of business of a travel agent licensed under a corresponding law that involves the selling or arranging for the sale of rights to international travel.

Note

There are no prescribed qualifications or experience for a manager for a category 2 business.

- (2) In this regulation:

Australian Quality Training Framework means the AQTF as defined in the *Northern Territory Employment and Training Act*.

6 Amendment of Schedule 1

Schedule 1, Form 1, item 10 and Form 2, item 9

omit

Category 3

Category 4

7 Repeal and substitution of Schedule 2

Schedule 2

repeal, substitute

Schedule 2

regulation 12

Matter	Fee (revenue units)
Processing of licence application – section 190(2) of the Act	25
Grant of licence – section 193(8)	25
Variation of licence – section 194(5)	25
Annual licence fee – section 198(1)(a)	50
Amount for default – section 198(2)	200
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Issue of duplicate licence – section 202(1)	25
