

TASMANIA

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**TRAVEL AGENTS REPEAL BILL 2014**

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**CONTENTS**

1. Short title
  2. Commencement
  3. Continued operation of compensation scheme
  4. Consequential amendments
  5. Legislation repealed
  6. Legislation rescinded
  7. Legislation revoked
  8. Further amendment of regulations or orders not prevented
  9. Repeal of Act
  10. Administration of Act
- Schedule 1 – Consequential Amendments
- Schedule 2 – Legislation repealed
- Schedule 3 – Legislation rescinded
- Schedule 4 – Legislation revoked



# **TRAVEL AGENTS REPEAL BILL 2014**

*(Brought in by the Minister for Health, the Honourable  
Michael Darrel Joseph Ferguson)*

## **A BILL FOR**

**An Act to repeal the *Travel Agents Act 1987*, to provide, for a limited period, for the continued operation of the compensation scheme under that Act and to amend certain legislation consequent on the repeal of that Act**

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

### **1. Short title**

This Act may be cited as the *Travel Agents Repeal Act 2014*.

### **2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

### **3. Continued operation of compensation scheme**

- (1) Despite the repeal of the *Travel Agents Act 1987* under section 5, on and after the day on which this Act commences (the *repeal date*) and until the date of termination of the compensation scheme, section 53 of that Act as in force immediately before the repeal date continues to

*Travel Agents Repeal Act 2014*  
*Act No. of*

s. 4

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apply in relation to any legal proceedings brought by or against the compensation scheme trustees in relation to any matter occurring before the repeal date.

(2) For the purposes of subsection (1) –

- (a) a term used in the *Travel Agents Act 1987* has the same meaning as it had immediately before the repeal date; and
- (b) the date of termination of the compensation scheme is the date provided for the termination of the Trust under clause 27.1 of the trust deed under which the compensation scheme is established.

*Note* Clause 27.1 of the trust deed provides for the termination of the Trust on 31 December 2015 or as soon after 30 June 2015 as the obligations of the Trust are discharged, whichever occurs first. That clause otherwise provides that the date of termination may be extended, or the Trust terminated sooner, by the Ministerial Council within the meaning of the trust deed.

#### **4. Consequential amendments**

The legislation specified in Schedule 1 is amended as specified in that Schedule.

#### **5. Legislation repealed**

The legislation specified in Schedule 2 is repealed.

*Travel Agents Repeal Act 2014*  
*Act No. of*

s. 6

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**6. Legislation rescinded**

The legislation specified in Schedule 3 is rescinded.

**7. Legislation revoked**

The legislation specified in Schedule 4 is revoked.

**8. Further amendment of regulations or orders not prevented**

The amendment by this Act of a provision of any regulations or order does not prevent that or any other provision of those regulations or that order from being amended or rescinded by a later regulation or order.

**9. Repeal of Act**

This Act is repealed 3 years from the day on which it commences.

**10. Administration of Act**

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

- (a) the administration of this Act is assigned to the Minister for Justice; and

*Travel Agents Repeal Act 2014*  
*Act No. of*

**s. 10**

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- (b) the department responsible to that Minister in relation to the administration of this Act is the Department of Justice.

*Travel Agents Repeal Act 2014*  
*Act No. of*

**sch. 1**

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**SCHEDULE 1 – CONSEQUENTIAL AMENDMENTS**

Section 4

*Australian Consumer Law (Tasmania) Regulations 2012*

1. Schedule 1 is amended by omitting item 10.

*Justices Order 2004*

1. Clause 4 is amended by omitting paragraph (zb).

*Travel Agents Repeal Act 2014*  
*Act No. of*

**sch. 2**

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**SCHEDULE 2 – LEGISLATION REPEALED**

Section 5

*Travel Agents Act 1987* (No. 111 of 1987)

*Travel Agents Amendment Act 2007* (No. 41 of 2007)



*Travel Agents Repeal Act 2014*  
*Act No. of*

**sch. 3**

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**SCHEDULE 3 – LEGISLATION RESCINDED**

Section 6

*Travel Agents Regulations 2013* (No. 109 of 2013)

*Travel Agents Repeal Act 2014*  
*Act No. of*

**sch. 4**

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**SCHEDULE 4 – LEGISLATION REVOKED**

Section 7

*Proclamation under the Travel Agents Act 1987* (No. 11 of 1988)

*Travel Agents Order (No. 2) 1988* (No. 121 of 1988)

*Proclamation under the Travel Agents Act 1987* (No. 149 of 1988)

*Travel Agents Order 2004* (No. 94 of 2004)

*Travel Agents (Exemption) Order 2005* (No. 21 of 2005)