



New South Wales

Travel Agents Amendment (Qualifications) Regulation 2005

under the

Travel Agents Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Travel Agents Act 1986*.

JOHN HATZISTERGOS, M.L.C.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to prescribe the qualifications that a person in charge of the day-to-day conduct of the business of a travel agent must have.

This Regulation is made under the *Travel Agents Act 1986*, including sections 36 (Supervision of conduct of business) and 57 (the general regulation-making power).

2005 No 135

Clause 1 Travel Agents Amendment (Qualifications) Regulation 2005

Travel Agents Amendment (Qualifications) Regulation 2005

under the

Travel Agents Act 1986

1 Name of Regulation

This Regulation is the *Travel Agents Amendment (Qualifications) Regulation 2005*.

2 Commencement

This Regulation commences on 8 April 2005.

3 Amendment of Travel Agents Regulation 2001

The *Travel Agents Regulation 2001* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

Clauses 18–18B

Omit clause 18. Insert instead:

18 Qualifications of person in charge of business (until 7 April 2006)

- (1) This clause is repealed at the end of 7 April 2006.
 - (2) For the purposes of section 36 of the Act, the prescribed qualifications for a person in charge of the day-to-day conduct of the business of a travel agent are the following:
 - (a) in the case of a business involving the sale of tickets or the arrangement of rights of passage by aircraft to or from a place outside Australia:
 - (i) 5 years' experience in the selling of tickets or the arrangement of rights of passage by aircraft to or from a place outside Australia, or
 - (ii) 2 years' experience in the selling of tickets or the arrangement of rights of passage by aircraft to or from a place outside Australia, together with the qualification set out in subclause (3),
 - (b) in the case of a business involving the sale of tickets or the arrangement of rights of passage for travel (other than by aircraft) to or from a place outside Australia:
 - (i) any of the qualifications referred to in paragraph (a), or
 - (ii) 2 years' experience in the selling of tickets or the arrangement of rights of passage for travel to or from a place outside Australia.
- Note.** If the travel agent's business only involves travel arrangements within Australia, the person in charge of the business does not need to have the prescribed qualifications.
- (3) The qualification referred to in subclause (2) (a) (ii) is completion of a travel agent's course that deals with the selling of tickets or the arrangement of rights of passage by aircraft to or from a place outside Australia and:
 - (a) was recognised by the Australian Travel Training Review Panel (or any similar national body that succeeds that Panel) at the time the course was completed, or
 - (b) is approved by the Director-General.

18A Qualifications of person in charge of business

For the purposes of section 36 of the Act, the prescribed qualifications for a person in charge of the day-to-day conduct of the business of a travel agent that involves the sale of tickets, or the arrangement of rights of passage, for international travel or international travel and accommodation are:

- (a) successful completion of Unit of Competency THTSOP20A provided or assessed by a registered provider within the meaning of the *Vocational Education and Training Accreditation Act 1990*, or
- (b) a total of 1 years' experience over the preceding 5 years:
 - (i) in the selling of tickets, or the arrangement of rights of passage, for international travel or international travel and accommodation, or
 - (ii) in employment as the person in charge of the day-to-day conduct of a place of business of a travel agent licensed under the Act or a corresponding Act that involves the selling of tickets, or the arrangement of rights of passage, for international travel or international travel and accommodation.

Note. If the travel agent's business only involves travel arrangements within Australia, the person in charge of the business does not need to have the prescribed qualifications.

18B Qualifications during transitional year

- (1) This clause is repealed at the end of 7 April 2006.
- (2) For the purposes of section 36 of the Act, the prescribed qualifications, during the period between 8 April 2005 and 7 April 2006 (inclusive), for a person in charge of the day-to-day conduct of the business of a travel agent are those referred to in either clause 18 or 18A.