

13 May 2002

Dr Peter Patmore, MHA
Attorney-General
Minister for Justice and Industrial Relations

Dear Minister

Section 10 (1) of the Travel Agents Act 1987 requires the Board to submit to the Minister a report on its operations during the previous financial year.

I have pleasure in submitting to you on behalf of the Board the Fourteenth Annual Report covering the period 1 July 2000 to 30 June 2001.

Yours sincerely

A handwritten signature in black ink, appearing to read 'AG Wells', with a long horizontal flourish extending to the right.

AG WELLS
Chairman
Travel Agents Licensing Board

INTRODUCTION

The Travel Agents Act 1987 requires that all travel agents in Tasmania hold a licence to operate. A travel agent may be licensed to arrange travel in four separate categories, ranging from domestic surface travel to international air travel.

Licensing of travel agents is part of a national scheme to protect customer funds until they are passed on to the provider of the travel service. The Travel Agents Licensing Board is the licensing authority for this State.

To hold a licence, a travel agent must be a contributor to the Travel Compensation Fund (TCF), which reimburses consumers in the event of financial loss resulting from the failure of travel agents to account for client funds.

There is a close relationship between the TCF and the Board and this relationship is clearly defined in the Act.

TASMANIAN LEGISLATION

The participation of Tasmania in the national scheme is provided for under the *Travel Agents Act 1987*, which establishes a Travel Agents Licensing Board and defines its membership and functions.

Under the legislation, a person must not carry on the business of a travel agent unless licensed by the Board. The requirements to be met in order to be eligible to obtain a licence are listed in the Act and include:

- a minimum age requirement;
- participation, or eligibility for participation, in the Travel Compensation Fund;
- being a fit and proper person to be a holder of a licence; and
- meeting certain prescribed levels of qualifications and experience in the making of travel arrangements.

A licence may also be issued subject to prescribed conditions and restrictions.

However, the Act provides that a person does not need to be licensed if:

- the gross turnover of the business as a travel agent during the preceding 12 month period did not exceed \$30,000; and
- the only rights to travel or accommodation sold during that period in the course of the business were the rights to travel or accommodation within Australia.

TRAVEL AGENTS LICENSING BOARD

The Travel Agents Licensing Board consists of:

- Glen Wells, who is the current Chairman, appointed by the Governor of Tasmania;
- Carole Bradford, representing members of the Australian Federation of Travel Agents (AFTA);
- Lynn Ayers, representing travel agents who are not members of AFTA; and
- Roy Ormerod, Director of Consumer Affairs and Fair Trading.

The Travel Agents Act requires the Board to:

- licence travel agents;
- ensure that high standards within the industry are maintained;
- ensure that those who hold a licence conduct their business in a competent manner;
- investigate any complaint or charge that a licensed travel agent has contravened or failed to comply with the provisions of the Act; and
- maintain a register of licensed travel agents.

TRAVEL COMPENSATION**FUND**

The Travel Compensation Fund (TCF) was established in 1987. It is the second part of the national scheme and it set up a deed of trust to compensate consumers who experience financial loss resulting from the collapse of a travel agency.

The TCF monitors the financial viability of travel agents and therefore provides an assessment of their managerial competence. A national register of participants is also maintained by the Fund. Licensed travel agents in all jurisdictions, except the Northern Territory, are required to participate.

The TCF fee structure is:

	Principal Office	Branch Office
	\$	\$
Administration Fee	655.00	405.00
Fund Contribution	7,430.00	1,485.00
GST	<u>808.50</u>	<u>189.00</u>
	\$8,893.50	\$2,079.00

* The Administration Fee is non-refundable. A rebate of up to \$3000 will be made at the first renewal date, dependent on the points score achieved in the TCF's financial ratio tests, as assessed by TCF staff.

TRAVEL COMPENSATION FUND DEED OF TRUST

The operations of the Travel Compensation Fund are established under a Deed of Trust administered by Trustees appointed by the Consumer Affairs Ministers of each participating State and Territory.

In Tasmania, the original Deed is reproduced in Regulations made under the *Travel Agents Act 1987*. However, as various amendments have been made since that time, the Office maintains an up to date copy.

Any person who wishes to view an amended copy of the Deed is welcome to do so by calling into Consumer Affairs and Fair Trading during business hours.

As a result of a major re-drafting of the Deed of Trust, the number of Trustees has been reduced from 16 to 11 and the method of appointment altered. The Ministerial Council now appoints all Trustees as a joint decision (Clause 4.0).

Board Members

Chairperson		Mr John King
Four Industry Trustees	nominees of AFTA Ltd (2) nominee of ATEC non-aligned travel industry representative	Ms A Templeman-Jones Mr B Roberts Mr A Wong Ms J Copson
Four Ministerial Council Representatives	NSW representative VIC representative QLD/WA representative (on a rotating basis) SA/TAS/ACT representative (on a rotating basis)	Mr B Given Ms S Maclellan Mr P Walker Mr R Ormerod
Two Trustees	representing the interest of consumers	Prof D Harland Assoc. Prof S Russell

TRAVEL AGENTS LICENSING BOARD

ACTIVITIES

New Licences

TAS146 Jetset Launceston

Agencies Ceased Trading

TAS072 Mures Tasmania
TAS121 Island State Coach Travel
TAS122 Flinders Island Holidays
TAS127 Dickensons Travel

LICENCE RENEWALS

Travel Agents are reminded that licence renewals fall due on 1 July each year, and prompt payment results in considerable savings in staff time and avoids a late payment penalty of \$31.50. The deadline for payment is 31 July.

REGISTER OF LICENCES

The Act requires the Travel Agents Licensing Board to keep a register of licence holders, which is available for inspection by any person. The register must include the addresses of the principal and branch locations for each agent, together with the name and address of the manager of each location.

The register is computerised and can be inspected between 9.00 am and 4.30 pm at Consumer Affairs and Fair Trading, 15 Murray Street, Hobart.

A list of current licensed travel agents, together with their principal business address, highest qualification, and manager details is included in Appendix B.

INCOME AND EXPENDITURE

The income and expenditure of the Board from 1 July 2000 to 30 June 2001 is shown in Appendix A. The income is derived from licence and renewal fees set down in the regulations of the Act, and interest derived from that money.

ADMINISTRATION

Consumer Affairs and Fair Trading provides a secretariat function to the Board, for which the Office is reimbursed. In addition, the Advisory and Compliance Branch of the Office undertakes all compliance activities on behalf of the Board.

TRAVEL AGENTS AND FAIR TRADING

Travellers experience a great diversity of problems and many of these result from innocent mistakes or reasons beyond an agents control. However, an agent has a professional obligation to take precautions to prevent problems occurring.

The most common problems experienced by travel consumers are:

- incorrect flight times shown on airline tickets;
- confirmed bookings being refused by an airline due to local peculiarities;
- not being advised that a booking is waitlisted, or in some cases not advised of the significance of such status being endorsed on a ticket;
- increases in prices of tours and/or airline tickets after consumers have made the final payment, due to currency fluctuations, airlines or consolidators withdrawing special rates for the wrong season;
- vouchers for travel services not being accepted by overseas tour operators;
- tours cancelled or varied at the last moment, leaving insufficient time for consumers to make alternative arrangements;
- not being notified of co-share arrangements;
- standards of accommodation and travel services being inferior to, or shorter duration than those described in tour brochures;
- not being advised of special requirements such as visa, customs, monetary controls, etc.
- not being notified of cancellation charges at the time of booking, or the possibility of lengthy delays in obtaining refunds of unused air tickets, especially 'off-shore' tickets.

The Travel Agents Licensing Board believes the following are essential for the proper conduct of a travel agency.

FULL DISCLOSURE

A consumer cannot be expected to accept a share of responsibility in any transaction if they are unaware of that responsibility. They should be fully informed of all costs, schedules, conditions and cancellation fees. Where special conditions apply to tickets, these should be fully explained, preferably both verbally and in writing.

A travel agent should respond to questions about products or services with detailed information and give detailed written quotations. This will require the agent to have a high standard of product knowledge, which is continually being updated.

FAIR CANCELLATION FEES

The common law recognises the right of a business to fair compensation when consumers cancel an arrangement. Cancellation fees should, however, reflect true costs.

ACCURATE REPRESENTATIONS

It is essential that all promotional material give an accurate overall impression. Representations concerning what is offered should not be false or misleading. This can be conveyed by pictures in brochures and advertisements, as well as by word. Similarly, the prices charged for accommodation or tours may give rise to certain expectations as to the standard offered.

ADEQUATE NOTICE OF VARIATIONS

Consumers must always be informed of variations as soon as they become known rather than waiting until the consumer comes to pick up the tickets.

GOOD OFFICE PRACTICES

Many problems arise because agents do not keep accurate records or operate according to the standards of good office practices. Details of all transactions need to be adequately documented. The more important points should be explained and preferably in writing.

APPENDIX A

STATEMENT OF RECEIPTS AND EXPENDITURE

FOR THE YEAR ENDED 30TH JUNE 2001

1999-2000 \$		2000-2001 \$
35,811	Opening Balance	25,135
	Receipts	
8,137	Licence and Application Fees	10,789
2,682	Licence and Application Fees <i>(for July 2000 paid in advance)</i>	
1,752	Interest	3,357
12,571	Total Receipts	14,146
	Less Expenditure	
15,155	Salaries and Associated Expenses	15,805
59	Postage	
1,562	Information Technology/Equipment Leases	599
740	Printing and Publications	660
500	Audit Fee	
388	Building Maintenance	
	Other Expenditure	626
18,404	Total Expenditure	17,690
29,978	Closing Balance	21,591

An alteration in the accounting procedures has resulted in a difference between the 1999/2000 closing balance and the 2000/2001 opening balance. Statement figures have been provided by the Financial Services, Department of Justice and Industrial Relations and have been independently audited by the Tasmanian Audit Office.

**LIST OF LICENSED TRAVEL AGENTS IN TASMANIA INCLUDING
HIGHEST QUALIFICATION AND LICENCE NUMBER AS AT 30 JUNE 2001**

<p>Ace Travel Club 44 Riverway Road MONTROSE 7010 Manager: C Shearing Domestic Air Travel Licence No: TAS069</p>	<p>Barbara Birch Travel Advisory Service 45 Victoria Street HOBART 7000 Manager: B J Birch International Air Travel Licence No: TAS040</p>	<p>Derwent Travel Centre 43 High Street NEW NORFOLK 7140 Manager: R Parker International Air Travel Licence No: TAS096</p>
<p>Adventures Unlimited 20 Banawarra Road GEILSTON BAY 7015 Manager: G & S Batten International Air Travel Licence No: TAS138</p>	<p>Bini Travel Agency 1st Floor 151B Liverpool Street HOBART 7000 Manager: N Bini-Maluta International Air Travel Licence No: TAS047</p>	<p>Eco Temptations PO Box 20 HADSPEN 7290 Manager: S Elliott Domestic Surface Travel Licence No: TAS102</p>
<p>Airport Ground Handling 82 Stewart Street DEVONPORT 7310 Manager: PW Jarvis Wynyard Airport WYNYARD 7325 Manager: G W Sloane Domestic Air Travel Licence No: TAS110</p>	<p>Bruce Ockerby Travel 70 St John Street LAUNCESTON 7250 Manager: EB Ockerby International Air Travel Licence No: TAS087</p>	<p>Executive Travel Consultants P/L 53 Salamanca Place HOBART 7000 Manager: M Booker International Air Travel Licence No: TAS003</p>
<p>American Express Travel Agency 74a Liverpool Street HOBART 7000 Manager: R Jacker International Air Travel Licence No: TAS064</p>	<p>Burnie Travel Centre 18 Wilmot Street BURNIE 7320 Manager: I Last International Air Travel Licence No: TAS062</p>	<p>Flight Centres Australia Shop 3 136 Collins Street HOBART 7000 Manager: J Burke Shop G20 Eastlands Shopping Centre ROSNY PARK 7018 Manager: S Good Shop T2 Northgate Shopping Centre GLENORCHY 7010 Manager: A McConarchy 65 Brisbane Street LAUNCESTON 7250 Manager: M Hardie International Air Travel Licence No: TAS031</p>
<p>Andrew Jones Travel Level 1/61 Salamanca Place HOBART 7000 Manager: A Jones International Air Travel Licence No: TAS103</p>	<p>Carole Bradford Travel 49 Liverpool Street HOBART 7000 Manager: C S Bradford International Air Travel Licence No: TAS014</p>	
<p>Anne Shipp Travel Pty Ltd 70 St John Street LAUNCESTON 7250 Manager: A Shipp International Air Travel Licence No: TAS074</p>	<p>Conference Design Pty Ltd 14a Magnet Court SANDY BAY 7005 Manager: P Archer Domestic Air Travel Licence No: TAS088</p>	
<p>Ansett Airlines 6 Technopark Drive KINGS MEADOWS 7249 Manager: M Callender International Air Travel Licence No: TAS048</p>	<p>Deloraine Travel Pty Ltd 30 Emu Bay Road DELORAINIE 7304 Manager: M McHarg Domestic Air Travel Licence No: TAS113</p>	<p>George Town Travel 5 Bathurst Street GEORGE TOWN 7253 Manager: L Porteous International Air Travel Licence No: TAS075</p>

<p>Groups Tasmania Suite 2/63 Paterson St LAUNCESTON 7250 Manager: D Luttrell Domestic Air Travel Licence No: TAS144</p>	<p>Harvey World Travel (Ulverstone) 29a Reibey Street ULVERSTONE 7315 Manager: A Smith International Air Travel Licence No: TAS012/TAS013</p>	<p>Kings Meadows Travel 114 Hobart Road KINGS MEADOWS 7250 Manager: D Peck International Air Travel Licence No: TAS020</p>
<p>Harvey World Travel (Burnie) 25 Wilson Street BURNIE 7320 Manager: T Milne International Air Travel Licence No: TAS147</p>	<p>Heritage Tours of Tasmania 3 Quamby Avenue SANDY BAY 7005 Manager: B Kile Domestic Surface Travel Licence No: TAS027</p>	<p>Know-How Travel 23 Gordon Street SORELL TAS 7172 Manager: J E Holloway Foyer Casino, 410 Sandy Bay R SANDY BAY 7005 Manager: P Bahr International Air Travel Licence No: TAS130</p>
<p>Harvey World Travel (Devonport) Shop 1 Jet Arcade 4 Ways Shopping Centre 141 William Street DEVONPORT 7310 Manager: J E O'Donnell International Air Travel Licence No:TAS082/TAS083</p>	<p>Huon Travel Centre 37 Main Road HUONVILLE 7109 Manager: P Geale International Air Travel Licence No: TAS099</p>	<p>National World Travel 151 Charles Street LAUNCESTON 7250 Manager: A Willis International Air Travel Licence No: TAS143</p>
<p>Harvey World Travel (Hobart) Shop 1/60 Liverpool Street HOBART 7000 Manager: K J Plunkett International Air Travel Licence No: TAS097</p>	<p>Jetset Travel Hobart 150 Collins Street HOBART 7000 Manager: M Lucas International Air Travel Licence No: TAS136</p>	<p>North West Travel P/L Cnr Mount & Wilmot Sts BURNIE 7320 Manager: G Blair 31 Rooke Street DEVONPORT 7310 Manager: J Cutts International Air Travel Licence No: TAS070</p>
<p>Harvey World Travel (Kingston) 43 Channel Court Shopping Centre KINGSTON 7050 Manager: CS Burnett-Cosgrove & R Allen International Air Travel Licence No: TAS117</p>	<p>Jetset Travel Launceston 74 Charles Street LAUNCESTON 7250 Manager: N Barton International Air Travel Licence No: TAS146</p>	<p>Pat Young Travel Pty Ltd Room 8 Days Building Best Street DEVONPORT 7310 Manager: P Young International Air Travel Licence No: TAS067</p>
<p>Harvey World Travel (Launceston) 100 St John Street LAUNCESTON 7250 Manager: M Berryman International Air Travel Licence No: TAS019</p>	<p>Jetset Travel (Devonport) Shop 10 Roelf Vos Shopping Centre 80 Best Street DEVONPORT 7310 Manager: R H Knight International Air Travel Licence No: TAS125</p>	<p>Qantas Airways Ltd 77 Elizabeth Mall HOBART 7000 Manager: J Darling Cnr Brisbane & George Sts LAUNCESTON 7250 Manager: N Blaubaum Hobart Airport LLANHERNE 7170 Manager: Roger Jenns Launceston Airport LAUNCESTON 7250 Manager: R Jenns International Air Travel Licence No: TAS049</p>
<p>Harvey World Travel (Sandy Bay) 247 Sandy Bay Road SANDY BAY 7005 Manager: S Gourlay International Air Travel Licence No: TAS030</p>	<p>Kendell Airlines (Aust) P/L Shop 3/34 Edward Street KING ISLAND 7256 Manager: B Holthouse Domestic Air Travel Licence No: TAS004</p>	

<p>RACT Travel Cnr Patrick & Murray Sts HOBART 7000 Manager: P Williams Cnr York & George Sts LAUNCESTON 7250 Manager: R Ravani 5 Steele Street DEVONPORT 7310 Manager: R Evans 24 North Terrace BURNIE 7320 Manager: E Jaffray Rosny Mall 2 Bayfield Street ROSNY 7018 Manager: K Curtis Shop 45 Northgate Shopping Centre GLENORCHY 7010 Manager: E Johnson Shop 20 Channel Court KINGSTON 7050 Manager: C Benbow International Air Travel Licence No: TAS025</p>	<p>STA Travel Ground Floor Student Union Building University of Tasmania SANDY BAY 7005 Manager: E McKenzie International Air Travel Licence No: TAS128</p>	<p>Tasmanian Travel & Information Centre Burnie Pioneer Village Museum Little Alexander Street BURNIE 7320 Manager: CS Cameron International Air Travel Licence No: TAS116</p>
<p>Roberts Ltd 28 Havelock Street SMITHTON 7330 Manager: F Blizzard International Air Travel Licence No: TAS032</p>	<p>Mowbray Travel 403-407 Invermay Road MOWBRAY 7248 Manager: M Nation International Air Travel Licence No: TAS124</p>	<p>Tasmanian Visitor Information Centre Hobart 20 Davey Street HOBART 7000 Manager: H Stewart Domestic Air Travel Licence No: TAS105</p>
<p>Roses Travel 11 Alfred Street SCOTTSDALE 7260 Manager: B Taylor International Air Travel Licence No: TAS043</p>	<p>St Helens Travel Centre 20 Cecilia Street ST HELENS 7216 Manager: C Dewar Domestic Air Travel Licence No: TAS035</p>	<p>Tasmanian Travel & Information Centre Launceston Cnr St John & Paterson Streets LAUNCESTON 7250 Manager: T Webber Domestic Air Travel Licence No: TAS112</p>
<p>Smiths Classic Travel SOUTH RIANA 7316 Manager: P Smith Domestic Surface Travel Licence No: TAS109</p>	<p>Tamar Traveland 54 Brisbane Street LAUNCESTON 7250 Manager: W Wilson & M Brown International Air Travel Licence No: TAS058</p>	<p>Tastrips/Strait-a-Way Travel Stubbs Road ULVERSTONE 7315 Manager: G Harwood Domestic Air Travel Licence No: TAS081, TAS080 Tas Vacations 11-17 Argyle Street HOBART 7000 Manager: R Crawford Domestic Air Travel Licence No: TAS029</p>
<p>Smiths Classic Travel 54 Main Street PENGUIN 7316 Manager: R Adams International Air Travel Licence No: TAS093</p>	<p>Tasmanian Tours & Travel/ Tigerline/ TassieLink/Heritage Tasmania 212 Main Road MOONAH 7009 Manager: R Di Felice 3 Merino Street LAUNCESTON 7250 Manager: S Midson Domestic Surface Travel Licence No: TAS140</p>	<p>The Travel Studio (Tas) P/L Suite 21A, Level 2 Trafalgar on Collins 110-126 Collins Street HOBART 7000 Manager: L Ayers International Air Travel Licence No: TAS139</p>
	<p>Tasmanian Travel/ Information Centre Devonport Showcase 92 Formby Road DEVONPORT 7310 Manager: A-M Snell International Air Travel Licence No: TAS115</p>	

<p>First Choice Holidays / Thomas Cook Travel 40 Murray Street HOBART 7000 Manager: M Pigden 85B George Street LAUNCESTON 7250 Manager: J Smith International Air Travel Licence No: TAS007</p>
<p>Travel 360 Pty Ltd Prospect Vale Market Place 350 Westbury Road PROSPECT VALE 7250 Manager: K Bennett & P Cooper International Air Travel Licence No: TAS137</p>
<p>Wilson's Travel Service/ Traveland Ulverstone 38 Reibey Street ULVERSTONE 7315 Manager: R Sinfield Traveland Burnie 72 Wilson Street BURNIE 7320 Manager: M Lillico Traveland Devonport 119 Rooke Street DEVONPORT 7310 Manager: F Raymond-Crawn Traveland Hobart Shop 1, 110 Collins Street HOBART 7000 Manager: EF Russell International Air Travel Licence No: TAS010, TAS011</p>
<p>Travelscape Tasmania P/L 11 Susan Parade LENAH VALLEY 7008 Manager: Annette Gallagher International Air Travel Licence No: TAS141</p>
<p>Wynyard Travel Service 84 Goldie Street WYNYARD 7325 Manager: L Vardy International Air Travel Licence No: TAS095</p>