

# Construction and Tourism (Red Tape Reduction) and Other Legislation Amendment Bill 2014

## Explanatory Notes

### Short title

The short title of the Bill is the Construction and Tourism (Red Tape Reduction) and Other Legislation Amendment Bill 2014.

### Policy objectives and the reasons for them

The objectives of the Bill are to:

- reduce red tape and regulatory complexity for employers in the construction industry;
- further reduce regulatory burden on the gaming industry, particularly the club industry, by amending the various Gaming Acts;
- amalgamate the casino benefit funds into the Gambling Community Benefit Fund to create a streamlined single grant funding program;
- make minor amendments to the Gaming Acts to improve the efficiency and clarity of the legislation;
- amend the *Reprints Act 1992* to facilitate the delivery of the Office of the Queensland Parliamentary Counsel's eLegislation project; and
- repeal the *Travel Agents Act 1988* and the *Travel Agents Regulation 1998*.

The *Building and Construction Industry (Portable Long Service Leave) Act 1991* governs the equitable and efficient system of portable long service leave in the building and construction industry. The impact of the portable long service leave scheme was reviewed as part of the simplifying of business regulations contained within the Governing for Growth framework which incorporated, in 2013, concerns raised by the Queensland Resources Council regarding the Scheme's application and effects on coal seam gas, liquefied natural gas and mining operations which require the building of infrastructure in Queensland. The legislative amendments will apply to projects across the whole of the building and construction industry rather than being confined simply to construction undertaken in the resources sector.

The Government has committed to reducing the regulatory burden on industry and the community. In response to concerns raised by participants at the inaugural *Destination Q* forum in June 2012, the Government is undertaking the reduction of red tape and regulatory reform in the liquor and gaming industry in a phased approach, in consultation with key stakeholders.

In September 2012, the Government appointed an expert panel comprised of business, community and Government representatives, to review liquor licensing and gaming laws. The expert panel contributed to the creation of a Government discussion paper titled *Red tape reduction and other reform proposals for regulation of liquor and gaming* (discussion paper) which was released for public consultation on 15 February 2013.

The expert panel has considered the public responses to the discussion paper and has made a number of recommendations to reform and reduce the regulatory burden on the liquor and gaming industry.

A number of significant reforms have already been made through the *Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Act 2013* passed by Parliament in May 2013 and the *Liquor (Red Tape Reduction) and Other Legislation Amendment Act 2013* passed in November 2013.

The Bill continues the reform process by reducing unnecessary red tape on the gaming industry, in particular community clubs, which will provide benefits for members and local communities more broadly.

The Bill will also amalgamate the Jupiters Casino Community Benefit Fund, Breakwater Island Casino Community Benefit Fund and Reef Hotel Casino Community Benefit Fund into the Gambling Community Benefit Fund. This will result in a streamlined single grant funding program, which will provide efficiency and equity benefits for grant applicants and to Government. The amendments will address the Queensland Commission of Audit Final Report (30 April 2013) recommendation for grant programs across Government to be rationalised and consolidated. In addition, the amendments will support the implementation of the findings of the Queensland Audit Office Report: *Community Benefit Funds: Grant Management*, which was tabled in the Queensland Parliament on 21 May 2013, to improve accessibility, governance and consistency across the funding programs.

The Bill also makes a number of minor amendments to the Gaming Acts, to improve the efficiency and clarity of the legislation.

An amendment to the *Reprints Act 1992* is included in the Bill to facilitate the delivery of the Office of the Queensland Parliamentary Counsel's eLegislation project. This project involves the development of a new drafting and publishing system for Queensland legislation.

A key objective of the eLegislation project is to future-proof the Queensland Statute Book by converting the electronic files for current legislation to eXtensible Markup Language (XML) format. This is a way of storing data that is independent of any particular software or hardware.

The amendment to the *Reprints Act 1992* inserts a provision that allows the structure of a law, when a reprint of the law is being prepared, to be brought into line with current drafting practice. This will assist in the data conversion process for the Queensland Statute Book by allowing the structure of Queensland's legislation (meaning how different provisions of legislation are set out, numbered and grouped with other provisions and headings) to be standardised before conversion.

The Bill also repeals the *Travel Agents Act 1988* and the *Travel Agents Regulation 1998* and provides savings and transitional matters associated with their repeal.

Travel agents in Australia are currently regulated by a national scheme established under the Participation Agreement for the Co-operative Scheme for the Uniform Regulation of Travel Agents (the Participation Agreement), which was signed by all States and Territories at varying stages from 1986 to 1990. States and Territories enacted uniform travel agents legislation, with the Queensland legislation being the *Travel Agents Act 1988* and *Travel Agents Regulation 1998*. As well as requiring enactment of uniform legislation, the Participation Agreement also required states and territories to participate in a national compensation scheme, the Travel Compensation Fund. The Travel Compensation Fund was originally established in 1986 by the Travel Compensation Fund Trust Deed which was replaced with the Travel Compensation Fund Substitution Trust Deed in July 2013. The Travel Compensation Fund is operated by a Board of Trustees.

The *Travel Agents Act 1988* licenses and regulates the conduct of travel agents and requires them to participate in the Travel Compensation Fund. Essentially, compensation may be offered to a consumer through the Travel Compensation Fund when a travel agency fails to account for its client's funds, often due to its insolvency.

The travel industry has changed significantly since the establishment of the national scheme in the early 1990s. The increased use of the internet, the declining relative cost of travel and the use of international travel intermediaries has resulted in a large number of travel transactions falling outside the scope of the national scheme and a shrinking pool of consumers who are eligible to claim compensation from the Travel Compensation Fund.

As a result of these changes, the Council of Australian Governments Legislative and Governance Forum on Consumer Affairs (Consumer Affairs Forum) reviewed the national travel industry regulatory framework and by majority, supported the Travel Industry Transition Plan. The Travel Industry Transition Plan includes repeal of State and Territory travel agents Acts (scheduled for 30 June 2014), winding up and removal of the Travel Compensation Fund, and the establishment of a new voluntary industry accreditation scheme.

Further details on the Travel Industry Transition Plan can be found on the Consumer Affairs Forum website:

[http://www.consumerlaw.gov.au/content/Content.aspx?doc=ACL\\_travel.htm](http://www.consumerlaw.gov.au/content/Content.aspx?doc=ACL_travel.htm)

To facilitate an orderly transition to the new deregulated arrangements, the Bill provides, for a limited period (the post repeal period), for the continued operation of the compensation scheme under the *Travel Agents Act 1988*, and rights of appeal of decisions to the Queensland Civil and Administrative Tribunal (in both cases, in relation to relevant events occurring prior to 1 July 2014). The Bill also allows for the investigation and prosecution of offences under the *Travel Agents Act 1988* (occurring before repeal of the Act) in the post repeal period, as if the *Travel Agents Act 1988* had not been repealed.

The post repeal period will be from repeal of the Act to termination of the Travel Compensation Fund, as set out in the Travel Compensation Fund Substitution Trust Deed. Under the Trust Deed, the Travel Compensation Fund will terminate on either 31 December 2015 or as soon after 30 June 2015 as the obligations under the Travel Compensation Fund are discharged, whichever occurs first.

The Bill also amends the *Fair Trading Inspectors Act 2014*, the *Tourism Services Act 2003*, the *Police Powers and Responsibilities Regulation 2012* and the *State Penalties Enforcement Regulation 2000* consequent upon the repeal of the *Travel Agents Act 1988*.

## **Achievement of policy objective**

Objective: Reduce red tape and regulatory complexity for employers in the construction industry

The Bill amends the *Building and Construction Industry (Portable Long Service Leave) Act 1991* to:

- clarify who is not an eligible worker;
- clarify exemptions from payment of levy for work that is undertaken for a person not substantially engaged in the building and construction industry;
- clarify what is included and what is exempt in the meaning of cost of building and construction work. This will not only reduce the cost to the building and construction industry but also the cost incurred to Queenslanders for whom work is done; and
- permit the Building and Construction Industry (Portable Long Service Leave) Authority to remunerate Private Certifiers who sight approved forms.

The proposed amendments will have a positive impact across not only the resources sector, but across the whole of the building and construction industry. The proposed amendments align with the Queensland Government's community objectives of growing and strengthening the economy through both the building and construction industry and also the resources sector.

Objective: Make further reductions to the regulatory burden on the gaming industry

*Removing the 'near rule' for gaming machine licensed clubs*

The Bill amends the *Gaming Machine Act 1991* (Gaming Machine Act) to remove the requirement for an additional club premises under a Category 2 (club) gaming licence to be approved only if it is near the club's existing premises. Removing the 'near rule' will facilitate larger clubs to establish new club premises in greenfield areas and provide sporting and other facilities to these new communities, and to take over smaller struggling clubs to prevent their closure.

Existing provisions within the Gaming Machine Act will continue to ensure that the Commissioner for Liquor and Gaming (commissioner) may only approve additional premises if the commissioner considers the installation of gaming machines on the additional premises is unlikely to adversely affect public interest.

The commissioner's consideration of the public interest will have regard to the commonality of interests between clubs concerned and will continue to assess the direct and indirect benefits currently provided by both premises to their immediate local communities.

*Reduce the regulatory burden on gaming machine licensed clubs by removing 'entitlement boundaries' from the Gaming Machine Act*

Since 2009, there has been a cap on the total number of gaming machines in Queensland clubs. To effect the cap, a total of 24,705 club gaming machine entitlements were created, and legislation was introduced in November 2009 that required a club to hold an entitlement for each gaming machine it operated. A market-based scheme was devised in order to allow the club industry the ability to reallocate entitlements amongst venues in response to the particular circumstances of individual clubs.

The scheme provides that entitlements may change hands in two ways:

- via a direct club-to-club transfer, in which clubs approach one another regarding the sale of entitlements and negotiate their own price. Transfers can be permanent or temporary; or
- via an authorised sale process in which clubs complete, by tender auction, for Government-owned surplus entitlements.

Three entitlement regions were created, and entitlements could not be transferred across the regional boundaries. The original intent of the boundary entitlement scheme was to ensure equitable supply of gaming machines across all Queensland regions, in turn creating equitable access to gaming. In particular, one of the intents of the boundary scheme was to ensure there was not an inequitable concentration of gaming in the southeast corner of the State.

However, consultation with industry has indicated that the supply and demand has been vastly different between entitlement regions, with licensees in some regions unable to obtain entitlements due to overwhelming demand, while licensees in other regions are unable to find buyers for their entitlements. This restricts the ability of clubs in particular to make decisions in their best interests and the interests of their membership.

The Bill amends the Gaming Machine Act to remove club entitlement regional boundaries to allow clubs that wish to sell their gaming machine entitlements to be able to supply entitlements to any licensed club in the State. In conjunction with the removal of the near rule, clubs will also be able to transfer gaming machine entitlements between their primary premises and any proposed additional premises not located near the primary premises. This amendment will assist the ongoing financial viability of clubs in Queensland.

Existing provisions within the Gaming Machine Act will still provide for an assessment of social impacts and for limits to be set on the number of gaming machines allowed, prior to clubs being able to transfer club gaming machine entitlements, to minimise the impact of potential problem gambling and address potential over supply of gaming machines in one area.

*Reduce the regulatory burden by minimising the business reporting requirements under the Gaming Acts*

The Bill also amends the following Gaming Acts to remove a number of obsolete or unnecessary business reporting requirements:

- *Casino Control Act 1982* (Casino Control Act);
- *Charitable and Non-Profit Gaming Act 1999* (Charitable and Non-Profit Gaming Act);
- *Keno Act 1996* (Keno Act);
- *Lotteries Act 1997* (Lotteries Act); and
- *Wagering Act 1998* (Wagering Act).

Objective: Amalgamate the casino benefit funds into the Gambling Community Benefit Fund to create a streamlined single grant funding program

In Queensland, the following four gambling and casino community benefit funds have provided grants to non-profit organisations to fund activities that benefit communities:

- *Gambling Community Benefit Fund*;
- *Jupiters Casino Community Benefit Fund*;
- *Breakwater Island Casino Community Benefit Fund*; and
- *Reef Hotel Casino Community Benefit Fund*.

The Bill will amend the Casino Control Act to amalgamate the three casino benefit funds into the Gambling Community Benefit Fund. As a result of the amendments, all grant applications will now be considered under a single funding program.

All money from the existing casino benefit funds will be transferred into the Gambling Community Benefit Fund and the total grant funding for community organisations that is currently available across each of the casino benefit funds and the Gambling Community Benefit Fund will be maintained. The maximum grant for the revised grant program will remain at \$35,000.

The amendments in the Bill will result in a streamlined single grant funding program, which will provide efficiency and equity benefits for grant applicants and to Government. The amendments will address the Queensland Commission of Audit's final report (30 April 2013) recommendation for grant programs across Government to be rationalised and consolidated. In addition, the amendments will support the implementation of the findings of the Queensland Audit Office Report: *Community Benefit Funds: Grant Management*, which was tabled in the Queensland Parliament on 21 May 2013, to improve accessibility, governance and consistency across the funding programs.

Transitional provisions in the Bill provide for the existing funds within the casino benefit funds to be transferred to the Gambling Community Benefit Fund and for the associated casino trust deeds to be revoked. The transitional provision also provides for the Minister to cause moneys to be paid out of the Gambling Community Benefit Fund in circumstances where the trustees of a casino benefit fund have made recommendations to the Minister prior to the commencement of the provision, but those funds have not yet been paid out of a casino benefit fund prior to its abolition.

Objective: Make minor amendments to the Gaming Acts to improve the efficiency and clarity of the legislation.

*Amendment to the Charitable and Non-Profit Gaming Act to allow financial parameters for categories of games to be prescribed under a regulation*

The Charitable and Non-Profit Gaming Act regulates the conduct of raffles, art unions, bingo, lucky envelopes, trade promotions and other forms of general gambling. The funds generated by these forms of gambling are applied to charitable and non-profit gaming purposes. The various games within the scope of the Charitable and Non-Profit Gaming Act are categorised according to anticipated gross proceeds or ticket sales.

The head of power amendments to the Charitable and Non-Profit Act provide for a regulation making power to specify by regulation, the amount of gross proceeds that would define 'other games' (e.g. art unions or calcutta sweeps) as being category 1, 2 or 3. As these amounts are currently contained in the Act, the amendments will provide flexibility for Queensland charities and non-profit organisations to readily respond to external forces, such as changes in consumer price index and market conditions, to assist them to adapt and remain competitive.

*Amendment to the Gaming Machine Act to allow a different maximum number of gaming machines to be prescribed based on the number of premises operating under a category 2 (club) licence*

Under the Gaming Machine Act, a category 2 (club) gaming machine licensee may only hold one gaming machine licence, however may operate more than one premises under this licence. While a club may establish additional premises to which its gaming machine licence relates, the maximum number of gaming machines that it may operate across all of its premises cannot exceed 300, regardless of the number of premises relating to the licence.

The Bill includes an amendment to the Gaming Machine Act to provide a regulation making power to prescribe the maximum number of gaming machines that may operate at each individual venue under a Category 2 licence. The head of power will also permit a different maximum number of gaming machines to be prescribed based on the number of venues operating under the licence.

*Amendment to the Interactive Gambling (Player Protection) Act to include a head of power to impose fees*

Each of the Gaming Acts, except for the Interactive Gambling (Player Protection) Act (i.e. Casino Control Act, Charitable and Non-Profit Gaming Act, Gaming Machine Act, Keno Act, Lotteries Act and Wagering Act) has an express regulation making power in relation to fees.

On 31 October 2013, amendments were made to all relevant gaming regulations (other than the *Interactive Gambling (Player Protection) Regulation 1998*) to prescribe a fee system for the recoupment of costs for investigations into the suitability of persons or entities, who are associated or connected, or to be associated or connected with the ownership, administration or management of the operation or business of a gaming licensee.

As there is no fee making power within the Interactive Gambling (Player Protection) Act, a fee making power is included in the Bill to ensure consistency between the Gaming Acts.

*Amendment to the Wagering Act to clarify that a wagering licensee may contribute its own money to a totalisator pool to provide a minimum pool guarantee to bettors*

The Wagering Act enables the use of totalisator wagering by a licensed entity. A totalisator is a pool of money comprised of investments made by persons wagering on the outcomes of events or contingencies. Dividends are paid out to winning investors based on the total pool of money in the totalisator after allowing for refunds, minus the amount paid to the operator as commission. The amount of dividends is dependent on how much money is invested in the pool.

The current provisions in the Wagering Act do not contemplate a wagering operator contributing their own monies into the totalisator pool. Consequently, the Act requires amendment to put beyond doubt that the licensee may contribute additional funds to the totalisator pool to provide a minimum pool guarantee for investors.

A minimum pool amount is the minimum dividend pool available for distribution as dividends to investors, which will be calculated using the advertised totalisator pool amount (after taking into account payable refunds and commission deductions).

Under this model, if the amount invested in the totalisator pool exceeds the minimum pool amount, the dividends would be distributed as usual. However, if the amount invested by bettors is insufficient to cover the minimum pool amount, the licensee will contribute the shortfall in the net dividend pool itself (the pool top-up amount). Any payable refunds or commissions will be deducted from the totalisator pool as normal prior to the licensee contributing the pool top-up amount.

The amendment will provide legislative certainty to the operator that this product can be offered in the market place.

Objective: Facilitate the delivery of the Office of the Queensland Parliamentary Counsel's eLegislation project

Amendments to the *Reprints Act 1992* will allow the Parliamentary Counsel, in preparing a reprint of a law, to change the structure of the law to bring it into line with current legislative drafting practice for the purpose of converting the electronic version of the law to eXtensible Markup Language for publication on the Queensland legislation website.

Objective: Repeal of Queensland *Travel Agents Act 1988* and *Travel Agents Regulation 1998*

Repeal of the *Travel Agents Act 1988* will address industry claims that existing arrangements place licensed travel agents at a competitive disadvantage and will assist the Queensland Government to achieve its commitment to cut red tape. The repeal of the *Travel Agents Act 1988* also contributes towards achieving the policy objectives of the Travel Industry Transition Plan by deregulating travel agents.

Consumer protections will continue to be provided through reliance on existing generic laws and other schemes, including the Australian Consumer Law, credit-card chargeback facilities, travel insurance and the Airline Customer Advocate.

A generic consumer protection framework is provided in the Australian Consumer Law in schedule 2 of the Commonwealth *Competition and Consumer Act 2010*. The Australian Consumer Law is also a law of Queensland (applied through provisions in the *Fair Trading Act 1989*) and provides consumer protections which apply to all business and sectors, including travel agents. Further information on the Australian Consumer Law is available from the Department of Justice and Attorney-General's fair trading website:

<http://www.fairtrading.qld.gov.au>

The Australia Federation of Travel Agents is well underway in developing a voluntary industry accreditation scheme, commonly known as ATAS, which is expected to commence on 1 July 2014. The ATAS accreditation scheme will have a wider coverage than the existing regulatory framework as it will not only be available to travel agents, but also to suppliers of travel and travel-related services.

Consumers using an ATAS accredited business can expect the business will abide by the ATAS code of conduct, will be required to provide proof of financial solvency to the Australia Federation of Travel Agents and will have minimum protections in place such as public liability and professional indemnity insurance as well as being required to have a complaints handling processes.

The Australia Federation of Travel Agents has also negotiated with UK insurer, International Passenger Protection, to introduce new insurance products into the Australian market covering defaults by both travel agents and suppliers. Further details can be found on the Australian Federation of Travel Agents' website:

<http://www.afta.com.au/ATASAFTATravelAccreditationScheme>

Travel agents may already participate in existing industry accreditation schemes such as the International Air Transport Association. In some instances, an agent may also be accredited under a government-led scheme, such as the National Tourism Accreditation Framework. Such agents are authorised to display a T-QUAL symbol.

## **Alternative ways of achieving policy objective**

The policy objectives can only be achieved by legislative amendment.

## **Estimated cost for government implementation**

There are no significant implementation costs associated with the amendments.

A number of the amendments will require changes to the gaming licensing and compliance database, however these can be undertaken within existing budgets.

The amalgamation of the gambling and casino community benefits funds is expected to create efficiencies and minor savings for Government. The total number of members will significantly reduce from 29 to 11 individuals and the number of meetings will reduce from 12 to 4 per year across the funds.

The amendment to the *Reprints Act 1992* allowing the structure of Queensland legislation, when reprints of the legislation are prepared, to be standardised will reduce the cost of the Office of the Queensland Parliamentary Counsel's eLegislation project by more than an estimated \$100,000. Also, by enabling the complexity of the overall structure of the electronic Statute Book to be reduced, the amendments will reduce the associated lifetime maintenance costs.

Implementation of the Travel Industry Transition Plan in Queensland is occurring within existing resources. The repeal of the *Travel Agents Act 1988* will result in greater reliance by both consumers and traders on the generic consumer protections in the Australian Consumer Law. The small amount of resources currently allocated to administering the *Travel Agents Act 1988* will be reallocated to the increased demand for compliance and enforcement in respect of the Australian Consumer Law.

## **Consistency with fundamental legislative principles**

The Bill is generally consistent with fundamental legislative principles. Potential breaches of fundamental legislative principles are addressed below.

### Clause 4 – Amendment to the *Building and Construction Industry (Portable Long Service Leave) Act 1991* confirming eligibility

Clause 4 potentially creates a minor breach of the fundamental legislative principle that legislation should have sufficient regard to the rights and liberties of individuals. The clause confirms that an individual only has a right to eligibility for one form of long service leave at a time. The clause confirms that those who performed work under *the Coal Mining Industry (Long Service Leave) Administration Act 1992 (Cwlth)* are not deemed as eligible under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*. The clarifying amendment is justified as a person will have an entitlement to long service leave, under one or the other Act, based on the work performed.

### Clauses 11-12 – Amendment to the Casino Control Act to amalgamate the casino benefit funds into the Gambling Community Benefit Fund

Clauses 11-12 potentially create a minor breach of the fundamental principle that legislation should have sufficient regard to the rights and liberties of individuals. Individuals appointed as trustees to a casino benefit fund will not retain that position at the commencement of the provision on 24 August 2014. However, the rights of the trustees will not be affected because appointments of current trustees to the casino benefit funds are due to expire on 24 August 2014.

### Clauses 14-16 – Amendment of the Charitable and Non-Profit Gaming Act to allow for the financial parameters of games to be prescribed in a regulation

Clauses 14-16 potentially create a minor breach of the principle of allowing the delegation of legislative power only in appropriate cases.

The head of power amendments to the Charitable and Non-Profit Act provide for a regulation making power to specify by regulation, the amount of gross proceeds that would define 'other games' (e.g. art unions or calcutta sweeps) as being category 1, 2 or 3. These amounts are currently contained in the Act. Different accounting, record keeping and reporting requirements apply to the conduct of categories of games, with category 2 and 3 attracting more stringent requirements.

These amendments potentially create a minor fundamental legislative principles breach in regard to the delegation of legislative power only in appropriate cases. This breach is considered justifiable as the provisions relate to lower risk charitable and non-profit organisations to which a low regulatory burden framework applies, and the amendments are limited in scope as they apply only to certain games referred to in the Charitable and Non-Profit Gaming Act as 'other games'. The amendments will provide flexibility for Queensland charities and non-profit organisations to readily respond to external forces, such as changes in consumer price index and market conditions, to assist them to adapt and remain competitive.

Clauses 50 – Amendment of the Reprints Act to allow the form of an Act to be amended other than by an Act of Parliament

The proposed reprints power being inserted into the *Reprints Act 1992* to support the Office of the Queensland Parliamentary Counsel's eLegislation project arguably conflicts with the fundamental principle that legislation should have sufficient regard for the institution of Parliament. This is because it allows particular aspects of the form of an Act to be amended other than by an Act of Parliament. This power is justified in that the power is limited to making structural changes to Acts that do not change their effect, rather than substantive changes. Appropriate safeguards have also been included by ensuring the provision can only be used for the limited purpose of supporting the eLegislation project and providing for this power to expire.

Clause 53 – Continuing the effects of disqualification orders against travel agents

This clause continues the effects of disqualification orders which disqualify persons from being involved in the direction, management or conduct of business as a travel agent, made prior to repeal of the Act, in the post repeal period. It is possible that continuing the effects of disqualification orders after the repeal of the Act could be regarded as adversely affecting the rights and liberties of individuals. However, the continued effects of disqualification orders only apply to breaches which occurred before repeal of the *Travel Agents Act 1988*.

Although this clause places a restriction on the business conduct of travel agents post repeal of the *Travel Agents Act 1988*, the restriction is also only in place during a defined post repeal period, a period of 12 to 18 months from repeal of the *Travel Agents Act 1988* to closure of the national Travel Compensation Fund. Although this clause continues the effects of disqualification orders, the clause also preserves the rights of such a disqualified person to appeal the disqualification order to the Queensland Civil and Administrative Tribunal, during the post repeal period.

Clause 64 – Expiry of the savings and transitional provisions for the *Travel Agents Act 1988*

Clause 64 of the Bill provides that the savings and transitional provisions for repeal of the *Travel Agents Act 1988* expire on the date the national Travel Compensation Fund is terminated under the Travel Compensation Fund Substitution Trust Deed. As clause 64 is dependent on an event outside Parliament's control it could be considered that insufficient regard is being given to the institution of Parliament.

The repeal of the *Travel Agents Act 1988* is part of the repeal of a national scheme including repeal of State and Territory travel agents acts and closure of the national Travel Compensation Fund established as part of the national scheme. For the purposes of good governance, the expiry of the savings and transitional provisions for the *Travel Agents Act 1988* is linked to the closure of the national Travel Compensation Fund. A similar approach has been taken in Victoria.

The operation of the national Travel Compensation Fund is governed by the Travel Compensation Fund Substitution Trust Deed, the Travel Compensation Fund can only be terminated under the terms of the Travel Compensation Fund Substitution Trust Deed. Under clause 27.1 of the Travel Compensation Fund Substitution Trust Deed, the Travel Compensation Fund will terminate on either 31 December 2015 or as soon after 30 June 2015 as the obligations under the Travel Compensation Fund are discharged, whichever occurs first.

It is considered that setting a fixed expiry date for the savings and transitional provisions relevant to the repeal of the *Travel Agents Act 1988* could be problematic as the terms of the Travel Compensation Fund Substitution Trust Deed mean there is not a fixed date for the termination of the Travel Compensation Fund. However, the Travel Compensation Fund Substitution Trust Deed does indicate that the possible termination dates are within a defined period, that is, between 30 June 2015 and 31 December 2015.

To ensure the Office of the Queensland Parliamentary Counsel is given sufficient notice of the pending termination date of the national Travel Compensation Fund, notification procedures are being implemented to ensure that the Office of the Queensland Parliamentary Counsel is informed if the Trustees decide to terminate the Travel Compensation Fund prior to 31 December 2015, in accordance with clause 27.1 of the Travel Compensation Fund Substitution Trust Deed.

It is possible that people who are subject to a continuing disqualification order under Clause 53 may have some uncertainty of when that disqualification order expires and this may be regarded as adversely affecting the rights and liberties of individuals. Upon termination of the Travel Compensation Fund, the Office of the Queensland Parliamentary Counsel intends to publicise the expiry of the savings and transitional provisions relevant to the repeal of the *Travel Agents Act 1988* on its website. This will assist an individual who is subject a continuing disqualification order under Clause 53 to understand when that disqualification order expires.

## Consultation

### Amendments to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*

Extensive consultation has been undertaken with the Queensland Resources Council and with the major building and construction industry stakeholders, including Queensland Master Builders' Association, Housing Industry Association, Civil Contractors Federation and construction industry unions, through the Building and Construction Industry (Portable Long Service Leave) Board.

The Steering Committee for QLeave scheme's review included the Department of Justice and Attorney General, the Department of State Development, Innovation and Planning. Queensland Treasury was also consulted regarding the financial impact on the Scheme.

### Amendments to the Gaming Acts

The significant reforms to the Gaming Acts were recommended by the Liquor and Gaming Red Tape Reduction Expert Panel (expert panel) which was appointed by the Government to review liquor licensing and gaming laws. The expert panel comprised both industry and community representatives, including Queensland Hotels Association, Clubs Queensland, RSL and Services Club Association, Cabarets Queensland, Australasian Casino Association, Restaurants and Catering Industry Association, Queensland Tourism Industry Council, Gambling Help Network, and the Gold Coast Youth Service.

### Amendments to the *Reprints Act 1992*

There has been no public consultation about the inclusion of the *Reprints Act 1992* power relating to the Office of the Queensland Parliamentary Counsel's eLegislation project.

### Repeal of Queensland *Travel Agents Act 1988* and *Travel Agents Regulation 1998*

The proposal to deregulate the travel agent industry has been widely discussed in public forums and through engagement with stakeholders by the Commonwealth and Queensland Governments and the industry association, the Australia Federation of Travel Agents.

In March 2011, the Commonwealth Treasury released a PricewaterhouseCoopers report for public consultation and a consultation Regulatory Impact Statement. In August 2012, the draft Travel Industry Transition Plan was released for public consultation and the Department of Justice and Attorney-General wrote to stakeholders, who had previously written on the Consumer Affairs Forum review as well as publishing a notice on the Office of Fair Trading website. During November and December 2013, the Australian Federation of Travel Agents delivered national transitional workshops on the new voluntary accreditation scheme to over 1800 industry participants, including presentations in Cairns, Brisbane and the Gold Coast.

Most travel industry stakeholders are supportive of repealing travel agents Acts. A survey of the travel industry by the Australian Federation of Travel Agents in December 2013 showed a

high level of support by travel businesses for joining the new voluntary accreditation scheme (due to commence on 1 July 2014). Consumer stakeholders have noted the Travel Industry

Transition Plan, with its focus on the industry voluntary accreditation scheme and the general law, is not a replacement for current regulation. For example, the Australian Consumer Law requires a consumer to seek enforcement of a remedy through the courts or tribunals.

As the Bill makes consequential amendments to the *Tourism Services Act 2003*, the *Police Powers and Responsibilities Regulation 2012* and the *State Penalties Enforcement Regulation 2000*, the Department has consulted with the Department of Tourism, Major Events, Small Business and the Commonwealth Games, the Public Safety Business Agency and the State Penalties Enforcement Registry with Queensland Treasury and Trade.

As the Bill impacts on the functions of the Queensland Civil and Administrative Tribunal Registry, the Department has also consulted with the Registry.

The impacted agencies and departments are supportive of the relevant provisions in the Bill.

## **Consistency with legislation of other jurisdictions**

As the Bill contains amendments relating to a range of policy initiatives (though linked by a common red tape reduction theme) and technical matters, and these amendments often relate to peculiarities of the Queensland legislative framework, it is difficult to provide a clear comparison with other jurisdictions for all matters. Consideration of other jurisdictions' legislation has been undertaken in developing the policy underlying the amendments. For the majority of amendments, there is similar comparable legislation in other jurisdictions, although details of how they apply are often different.

Overall, the amendments in the Bill will not create any major inconsistency between Queensland gaming legislation and the legislation in other Australian jurisdictions.

As the travel agents legislation repeal provisions in the Bill are part of a national reform process, the Travel Industry Transition Plan, other jurisdictions are also moving towards repealing their travel agents legislation.

On 13 March 2014, the Victorian repeal bill was passed by the Legislative Council of the Victorian Parliament. At the time of preparation of these Explanatory Notes, a repeal bill had also been introduced into the New South Wales Parliament.

## Notes on provisions

### Chapter 1 Preliminary

Clause 1 sets out the short title of the Bill.

Clause 2 specifies when the provisions made under the Act will commence.

The clauses relating to the amendments to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, the removal of gaming machine entitlement boundaries, the repeal of travel agents legislation and minor consequential amendments in Schedule 1 commence on 1 July 2014. The clauses relating to the amalgamation of the casino benefit funds into the Gambling Community Benefit Fund will commence on 24 August 2014, to align with the expiry of the Casino Community Benefit Fund boards. Provisions to allow the financial parameters for categories of games to be prescribed in a regulation will commence by proclamation. The remaining provisions commence on assent.

### Chapter 2 Amendment of *Building and Construction Industry (Portable Long Service Leave) Act 1991*

Clause 3 specifies that amendments are to be made to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*.

Clause 4 confirms when an individual is not an eligible worker by providing the inclusion of individuals who are performing qualifying service within the meaning of the *Coal Mining Industry (Long Service Leave) Administration Act 1992* (Cwth). It confirms and clarifies that an individual only has a right to eligibility for one form of long service leave at a time. The Bill will not affect the ability of an eligible worker from retaining previous services credits where they were performing eligible work under *Building and Construction Industry (Portable Long Service Leave) Act 1991*. The Building and Construction Industry (Portable Long Service Leave) Authority reviews the eligibility of workers within the scheme on a four year basis.

Clause 5 clarifies the wording of section 50.

Clause 6 further clarifies exemption from payment of the levy by those not substantially engaged in the building and construction industry. It is intended that this amended provision will provide guidance for building and construction industry works or part there of that may be deemed exempt.

Clause 7 clarifies what is included and what is not included in the total cost of building and construction work. The total cost of building and construction industry work is calculated regardless of where the goods, materials, supplies and/or services are collated from for work in Queensland.

Clarity has also been provided that GST is not included in the total cost of building and construction industry work.

Further, clause 7 will also provide clarity regarding exempted costs. The exemptions will have an impact on all building and construction industry work, including the resource sector, and will provide certainty and reduce costs to Queenslanders.

Clause 8 confirms remuneration of the duty to sight the approved form by a private certifier (class A).

## **Chapter 3 Gaming and wagering amendments**

### **Part 1 Amendment of *Casino Control Act 1982***

Clause 9 provides that Chapter 3, Part 1 amends the Casino Control Act.

Clause 10 omits section 42 of the Casino Control Act, which required casino operators to provide a list of all licensed casino staff to the chief executive every 6 months. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 11 omits section 52 of the Casino Control Act, which provided for the existence of the Casino Community Benefit Fund. As the Casino Community Benefit Fund is being amalgamated into the Gambling Community Benefit Fund, this section is no longer required.

Clause 12 inserts a new Part 11, Division 9 of the Casino Control Act, which inserts a transitional provision that when the Casino Community Benefit Fund is closed, any money remaining in the former fund is transferred to the Gambling Community Benefit Fund. It also provides that a trust deed approved by the Governor in Council relating to the appointment of trustees and the expenditure of funds for the benefit of the community under repealed section 52(6) of the Casino Control Act, is revoked. Where the trustees for a trust deed made recommendations to the Minister under repealed section 52(7) as to the application of moneys appropriate for the trust deed, for the benefit of the community, and the Minister had not caused moneys to be paid out of the Casino Community Benefit Fund in accordance with the recommendation of the trustees, the Minister may, on or after the commencement, cause the moneys to be paid out of the gambling community benefit fund in accordance with the recommendations of the trustees.

### **Part 2 Amendment of *Charitable and Non-Profit Gaming Act 1999***

Clause 13 provides that Chapter 3, Part 2 amends the Charitable and Non-Profit Gaming Act.

Clause 14 amends section 14(1)(b) of the Charitable and Non-Profit Gaming Act, to remove the specific upper financial parameter for 'other' category 1 games and replaces it with the ability to prescribe the upper financial parameter in the *Charitable and Non-Profit Gaming Regulation 1999* (Charitable and Non-Profit Gaming Regulation). The clause also inserts a new subsection (3) to provide that the amount prescribed for 14(1)(b) must not be more than the lower financial parameter prescribed for a category 2 game.

Clause 15 amends section 15(1)(c) of the Charitable and Non-Profit Gaming Act, to remove the specific upper and lower financial parameters for ‘other’ category 2 games, and replaces it with the ability to prescribe the upper and lower financial parameters in the Charitable and Non-Profit Gaming Regulation.

Clause 16 amends section 16(1)(a) of the Charitable and Non-Profit Gaming Act, to remove the specific lower financial parameter of ‘other’ category 3 games and replaces it with the ability to prescribe the lower financial parameter in the Charitable and Non-Profit Gaming Regulation. The clause also inserts a new subsection (3) to provide that the amount prescribed for 16(1)(a) must not be less than the upper financial parameter prescribed for a category 2 game.

Clause 17 omits section 84 of the Charitable and Non-Profit Gaming Act, which provided that the holder of a bingo centre, or lucky envelope printer, licence must give a return about the activity authorised under the licence to the chief executive within 1 month after each 30 June and 31 December during the term of the licence. The omission of this requirement is in line with the Government’s red tape reduction agenda.

Clause 18 makes a consequential amendment to section 84A of the Charitable and Non-Profit Gaming Act, as a result of the omission of section 84.

### **Part 3    Amendment of *Gaming Machine Act 1991***

Clause 19 provides that Chapter 3, Part 3 amends the Gaming Machine Act.

Clause 20 amends section 56A to provide that where the category 1 licensee of a premises is applying for a licence of a new premises, the application must relate to a new premises situated within the relevant local community area for the old premises. It also omits definitions relating to ‘local community area’, and ‘local community area’ for the old premises.

Clause 21 amends section 56B(3)(b) to provide where the category 2 licensee of a premises is applying for a licence of a new premises, the application need no longer relate to the same entitlement region as the old premises, but only the relevant local community area for the old premises. The clause also removes the definitions for ‘local community area’ and relevant local community in section 56B(4). These definitions are relocated to Schedule 2 by clause 31. The purpose is for these definitions to now apply both to sections 56A and 56B.

Clause 22 amends section 60(5) to provide that, where a category 2 licensee has two or more premises under their gaming machine licence, the head of power exists to prescribe under a regulation the maximum number of gaming machines allowable for an individual premises and the maximum number of gaming machines allowable for all of the premises.

Clause 23 amends section 63(3) to omit the requirement that the commissioner only approve an additional premises for a category 2 licensee if that additional premises is near the existing premises.

Clause 24 amends section 64(4)(b) to provide that, where a category 2 licensee applies for additional premises under their gaming machine licence premises, the head of power exists to prescribe under a regulation the maximum number of gaming machines allowable for an

individual premises and the maximum number of gaming machines allowable for all of the category 2 premises to which the licence relates.

Clause 25 amends section 68(2)(e) to omit the need for a category 2 gaming machine licence to provide information about the entitlement region in which in which the licensed premises are located.

Clause 26 amends section 85(4) to provide that, where a category 2 licensee has two or more premises under their gaming machine licence and applies for an increase in the approved number of gaming machines, the head of power exists to prescribe under a regulation the maximum number of gaming machines allowable for an individual premises and the maximum number of gaming machines allowable for all of the category 2 premises to which the licence relates.

Clause 27 amends section 109P to provide that where a category 2 licensee applies to the commissioner for approval to transfer their entitlements to another category 2 licensee, there is no requirement that the transferee licensed premises must be located in the same entitlement region in which the transferor licensed premises is located.

Clause 28 amends section 109W to provide that where a category 2 licensee applies to the commissioner for approval of a transfer of entitlements for the licensed premises for the use of the entitlements by the licensee at other category 2 licensed premises on a temporary basis, there is no requirement that the transferee licensed premises must be located in the same entitlement region in which the transferor licensed premises is located.

Clause 29 amends section 109ZD to provide that where a person purchases an entitlement at an authorised entitlement sale, there is no requirement that the licensed premises for which the entitlement is purchased are located in the entitlement region for which the authorised entitlements sale is conducted.

Clause 30 inserts a new transitional provision, Part 12, Division 19, to provide that where an additional premises application is made under section 61 of the Gaming Machine Act but not finally decided before the commencement, the commissioner must decide the application under section 63(3) as in force at the commencement of the transitional provision.

Clause 31 amends Schedule 2 (Dictionary) of the Gaming Machine Act to omit the definition of 'entitlement region', inserts the definitions of 'local community area' and 'relevant local community area' from section 56B(4) and amends an incorrect cross-reference in the definition of 'existing premises'.

## **Part 4 Amendment of *Interactive Gambling (Player Protection) Act 1998***

Clause 32 provides that Chapter 3, Part 4 amends the Interactive Gambling (Player Protection) Act.

Clause 33 amends section 263 to insert a regulation making power to allow fees to be imposed under the Interactive Gambling (Player Protection) Act.

## **Part 5 Amendment of *Keno Act 1996***

Clause 34 provides that Chapter 3, Part 5 amends the Keno Act.

Clause 35 omits section 77 to remove the need for a keno licensee to give a return to the chief executive listing the licensed and exempt keno employees currently employed by the licensee. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 36 omits section 90 to remove the need for a keno licensee to give a return to the chief executive listing the current keno agents of the licensee. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 37 omits section 94 to remove the need for a keno licensee to give a return to the chief executive listing the current keno subagents appointed by the keno agents of the licensee. The omission of this requirement is in line with the Government's red tape reduction agenda.

## **Part 6 Amendment of *Lotteries Act 1997***

Clause 38 provides that Chapter 3, Part 6 amends the Lotteries Act.

Clause 39 omits section 82, which required the lottery operator to report on the operator's current lottery agents and their places of operation. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 40 amends section 89(1) to omit the requirement that the lottery operator report to the chief executive on terminated agency agreements. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 41 omits section 90 to remove the need for the lottery operator to report on the termination of an agency agreement in circumstances where the chief executive has not requested the termination. The omission of this requirement is in line with the Government's red tape reduction agenda.

## **Part 7 Amendment of *Wagering Act 1998***

Clause 42 provides that Chapter 3, Part 7 amends the Wagering Act.

Clause 43 amends section 8 to clarify that the reference to a totalisator pool includes any pool top-up amount added by the operator. Clause 43 also inserts definitions for 'pool top-up amount' and 'minimum pool amount'.

Clause 44 omits section 133, to remove the requirement for an authority operator to report to the chief executive a list of licensed and unlicensed employees currently employed by the operator. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 45 omits section 142, to remove the requirement for a licence operator to report to the chief executive about a wagering agent's name and place of operation. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 46 omits sections 144 and 145, to remove the requirement for the licence operator to report to the chief executive about the operator's current wagering agents and any changes to an agent's place of operation. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 47 amends section 160(1) to omit the requirement that the licence operator report to the chief executive on terminated agency agreements. The omission of this requirement is in line with the Government's red tape reduction agenda.

Clause 48 omits section 161 to remove the need for the licence operator to report on the termination of an agency agreement in circumstances where the chief executive has not requested the termination. The omission of this requirement is in line with the Government's red tape reduction agenda.

## **Chapter 4      Amendment of *Reprints Act 1992***

Clause 49 provides that chapter 4 amends the *Reprints Act 1992*.

Clause 50 inserts a new chapter 4, division 8, comprising new sections 44A and 44B, into the *Reprints Act 1992*. The new division is headed 'Standardisation of structure'.

New section 44A inserts a power allowing the Parliamentary Counsel, when preparing a reprint of a law under section 4 of the Act, to bring the structure of the law into line with current legislative drafting practice.

The application of this provision is limited in subsection (1) to the circumstances of preparing a reprint of the law before the law is converted to eXtensible Markup Language (XML) for publication on the Queensland legislation website. The conversion of electronic versions of Queensland laws to XML is happening as part of the development of a new legislative drafting and publishing system for the Office of the Queensland Parliamentary Counsel under the eLegislation project.

Subsection (2) specifically allows for the omission or insertion of words in order to bring the structure of a law into line with current legislative drafting practice as long as the omission or insertion does not change the effect of the law. Examples following subsection (2) illustrate the types of structural changes to laws.

New section 44B provides that new chapter 4, division 8 expires on 31 December 2014. The expiry of this chapter reinforces that the provisions are being inserted for the specific purpose of facilitating the conversion of Queensland's electronic Statute Book to XML as part of the eLegislation project.

## **Chapter 5 Repeal of travel agents legislation**

### **Part 1 Preliminary**

Clause 51 provides definitions for the terms ‘commencement’, ‘former’, ‘pre-repeal matter’ and ‘repealed Act’ to assist with interpretation of the travel repeal provisions. These definitions are necessary as the Bill includes transitional and savings provisions which come into effect at commencement, allowing matters which arise before repeal (pre-repeal matters) to be dealt with after repeal.

### **Part 2 Repeal of *Travel Agents Act 1988***

Clause 52 repeals the *Travel Agents Act 1988*. The repeal of the *Travel Agents Act 1988* automatically repeals the *Travel Agents Regulation 1998*.

### **Part 3 Savings and transitional provisions for repeal of *Travel Agents Act 1988***

Clause 53 continues the effects of disqualification orders which disqualify the person from being involved in the direction, management or conduct of business as a travel agent, made prior to repeal of the Act, in the post repeal period. Clause 55 also preserves the rights of disqualified persons to appeal a disqualification to the Queensland Civil and Administrative Tribunal.

Clause 54 preserves rights of travel agents to appeal in the post repeal period, decisions made by the Board of Trustees for the Travel Compensation Fund to refuse or terminate their participation in the Travel Compensation Fund prior to repeal of the Act.

Clause 55 allows the continued operation of the account keeping obligations under the Act, in the post repeal period.

Clause 56 provides for the continued operation of the Travel Compensation Fund and the Travel Compensation Fund Substitution Trust Deed, which establishes the Travel Compensation Fund, in the post repeal period. This clause allows for the Trust Deed to be amended in the post repeal period. Any amendment will be published in the Queensland Government Gazette.

Clause 57 allows the Board of Trustees for the Travel Compensation Fund to determine claims for compensation against the Travel Compensation Fund, in respect of pre-repeal matters, in the post repeal period.

Clause 58 allows the Board of Trustees for the Travel Compensation Fund to continue to have rights by subrogation (whereby one person takes over rights of another against a third party) in relation to payments made to claimants, whether or not the claim or payment was made before, on or after repeal of the Act. This allows the Board of Trustees to recover against travel agents in respect of claims paid from the Travel Compensation Fund in relation to an act or omission against a claimant.

Clause 59 allows the Board of Trustees for the Travel Compensation Fund to be able to sue and be sued in the name of the Travel Compensation Fund in the post repeal period.

Clause 60 allows for the continued investigation, monitoring and enforcement of offences against the Act, arising pre-repeal, in the post repeal period.

Clause 61 allows for the continued effect of delegations and sub-delegations made prior to repeal, in the post repeal period.

Clause 62 allows proceedings for offences against the Act, arising pre-repeal, in the post repeal period. The clause applies to offences committed before repeal of the Act. The only exceptions will be for offences relating to contravention of a disqualification order and account keeping offences. Clause 53 continues the effect of disqualification orders made prior to repeal of the Act, in the post repeal period. Clause 55 requires that accounting records required to be kept prior to repeal of the Act must be retained during the post repeal period.

## **Part 4 Consequential and minor amendments of other legislation**

Clause 63 provides that Schedule 1 amends the legislation listed in Schedule 1.

## **Part 5 Expiry**

Clause 64 of the Bill provides that the savings and transitional provisions for repeal of the *Travel Agents Act 1988* expire on the date the Travel Compensation Fund is terminated under the Travel Compensation Fund Substitution Trust Deed. This is to ensure that no claims against the Travel Compensation Fund can outlive the actual life of the Travel Compensation Fund.

Under clause 27.1 of the Travel Compensation Fund Substitution Trust Deed, the Travel Compensation Fund will terminate on either 31 December 2015 or as soon after 30 June 2015 as the obligations under the Travel Compensation Fund are discharged, whichever occurs first.

## **Chapter 6 Consequential amendments of Construction and Tourism (Red Tape Reduction) and Other Legislation Amendment Act 2014**

### **Part 1 Amendments applicable before expiry of ch 5**

Clauses 65 to 80 are machinery provisions in effect retaining the savings and transitional provisions relating to the *Travel Agents Act 1988* in this Bill, in the post repeal period. Clause 65 provides that Chapter 6, part 1 will apply if, when Chapter 6 commences, all provisions in Chapters 2 to 4 have commenced and Chapter 5 has not expired. In the case of Chapters 2 to 4 having commenced and Chapter 5 not being expired, Chapter 6, part 1 will operate to remove the amending provisions of the Bill and renumber the remaining Chapter 5 provisions, transforming Chapter 5 into the *Travel Agents Repeal Act 2014*.

## **Part 2 Amendments applicable after expiry of ch 5**

Clauses 81 and 82 provide that Chapter 6, part 2 will apply if Chapter 5 expires before the last remaining uncommenced provision in Chapters 2 to 4 commence. This ensures all the provisions in the Bill are correctly and efficiently implemented, in particular to avoid, in the case of Chapter 5 expiring and Chapter 6 commencing, the creation of the *Travel Agents Repeal Act 2014* containing only one section being the short title of the Act.

## **Schedule 1 Consequential and minor amendments**

Schedule 1 includes consequential and minor amendments to the *Fair Trading Inspectors Act 2014*, the *Police Powers and Responsibilities Regulation 2012*, the *State Penalties Enforcement Regulation 2000* and the *Tourism Services Act 2003*.

These amendments are predominantly related to removing references to the *Travel Agents Act 1988*, from these Acts, due to the repeal of the *Travel Agents Act 1988*.