

AUSTRALIAN TOURIST COMMISSION ACT 1974

No. 82 of 1974

An Act to amend the *Australian Tourist Commission Act* 1967-1973.

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Australian Tourist Commission Act* 1974.¹

(2) The *Australian Tourist Commission Act* 1967-1973² is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the *Australian Tourist Commission Act* 1967-1974.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹

Title.

3. The title of the Principal Act is amended by omitting the words “, and travel in Australia, by People from other Countries” and substituting the words “by People from other Countries and of travel in Australia”.

Definitions.

4. Section 4 of the Principal Act is amended by omitting the definition of “voting member”.

Constitution
of the
Commission.

5. Section 6 of the Principal Act is amended—

(a) by omitting sub-section (1) and substituting the following sub-section:—

“(1) The Commission shall consist of nine members.”;

(b) by omitting from sub-section (3) the words “of the voting”;

(c) by omitting sub-sections (4) and (5) and substituting the following sub-sections:—

“(4) Two members shall be persons nominated by the Governments of all the States.

“(5) Of the remaining five members, at least one shall be an officer of the Australian Public Service.”; and

(d) by omitting from sub-sections (8) and (9) the words “Public Service of the Commonwealth” and substituting the words “Australian Public Service”.

6. Section 7 of the Principal Act is amended by omitting from sub-section (1) the word “voting”. Chairman.

7. Section 8 of the Principal Act is amended—

- (a) by omitting from sub-section (1) the word “voting” (wherever occurring); and
- (b) by omitting from sub-section (4) the word “voting”.

Deputy
Chairman.

8. Section 10 of the Principal Act is amended by omitting from sub-section (1) the words “voting member, or as a non-voting member, as the case requires” and substituting the word “member”. Acting
appoint-
ments.

9. Section 12 of the Principal Act is amended by omitting from sub-section (4) the word “voting”. Removal of
members.

10. (1) Section 13 of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-sections:— Remuner-
ation and
allowances.

“(1) A member shall be paid such remuneration as is determined by the Remuneration Tribunal.

“(1A) Subject to the *Remuneration Tribunals Act* 1973-1974, a member shall be paid such allowances as are prescribed.”.

(2) The amendment made by sub-section (1) does not affect the remuneration payable to a member before his remuneration is determined by the Remuneration Tribunal.

11. Section 14 of the Principal Act is amended—

- (a) by omitting from sub-section (5) the words “three voting”, and substituting the word “five”; and
- (b) by omitting from sub-section (6) the word “voting” (first occurring).

Meetings of
the
Commission.

12. Section 15 of the Principal Act is repealed and the following section substituted:—

“15. The Commission is established for the purpose of the encouragement— Purpose of
Com-
mission.

- (a) of visits to Australia by people from other countries; and
- (b) of travel in Australia, including travel by people from other countries.”.

13. Section 16 of the Principal Act is amended by omitting from paragraph (b) of sub-section (2) the words “and to travel in Australia” and substituting the words “and to encourage travel in Australia, including travel by people from other countries”. Powers.

General
Manager of
the Com-
mission.

14. (1) Section 18 of the Principal Act is amended by omitting sub-section (3) and substituting the following sub-sections:—

“(3) The General Manager shall be paid such remuneration as is determined by the Remuneration Tribunal.

“(4) Subject to the *Remuneration Tribunals Act* 1973-1974, the General Manager shall be paid such allowances as are prescribed.

“(5) Subject to sub-sections (3) and (4), the terms and conditions of employment of the General Manager are such as are, subject to the approval of the Minister, determined by the Commission.”.

(2) The amendment made by sub-section (1) does not affect the remuneration payable to the General Manager before his remuneration is determined by the Remuneration Tribunal.

15. Section 27 of the Principal Act is repealed and the following section substituted:—

Exemption
from
taxation.

“27. The Commission is not subject to taxation under a law of Australia, of a State or of a Territory other than Papua New Guinea.”.

Officers’
Rights
Declaration
Act to apply.

16. Section 28 of the Principal Act is amended—

- (a) by omitting from sub-section (1) the words “Public Service of the Commonwealth”, and substituting the words “Australian Public Service, or a person to whom the *Officers’ Rights Declaration Act* 1928-1973 applies,”; and
- (b) by omitting from paragraph (b) of sub-section (2) the words “Public Service of the Commonwealth”, and substituting the words “Australian Public Service”.

17. The Principal Act is amended by adding at the end thereof the following section:—

Regulations.

“30. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act.”.

Continu-
ation of
certain
appoint-
ments.

18. (1) A person who held office as a voting member, or as a non-voting member, of the Australian Tourist Commission immediately before the commencement of this Act holds office after the commencement of this Act as a member of that Commission for the remainder of the period for which he was appointed as a voting member or non-voting member, as the case may be, as if he had been appointed a member of that Commission under the Principal Act as amended by this Act.

(2) A person who held office as a voting member of the Australian Tourist Commission immediately before the commencement of this Act by virtue of having been appointed by the Governor-General from among persons referred to in sub-section 6 (3) of the Principal Act holds

office, by virtue of sub-section (1), as if he had been appointed in accordance with sub-section 6 (3) of the Principal Act as amended by this Act.

(3) A person who held office as a non-voting member of the Australian Tourist Commission immediately before the commencement of this Act holds office, by virtue of sub-section (1), as if he had been appointed in accordance with sub-section 6 (4) of the Principal Act as amended by this Act.

(4) A person who held office as Chairman or Deputy Chairman of the Australian Tourist Commission immediately before the commencement of this Act continues in office, after the commencement of this Act, for the remainder of the period for which he was appointed as if he had been appointed under the Principal Act as amended by this Act.

19. Notwithstanding the provisions of sub-section 14 (5) of the Principal Act as amended by this Act, until the vacancies in the membership of the Australian Tourist Commission resulting from the amendments of the Principal Act effected by this Act have been filled, at a meeting of the Commission, three members of the Commission, one being the Chairman or Deputy Chairman of the Commission, constitute a quorum.

Transitional provision.

20. The Principal Act is amended as set out in the Schedule.

Formal amendments.

SCHEDULE

Section 20

FORMAL AMENDMENTS

1. The following provisions of the Principal Act are amended by omitting the words “of this Act” and “of this section” :—

Sections 6 (3) and (6), 16 (1) and (4), and 28 (1).

2. The Principal Act is further amended as set out in the following table: —

Provision	Amendment
Section 25	(a) Omit “the first day of April”, substitute “1 April”.
	(b) Omit “first day of July”, substitute “1 July”.
Section 29 (1)	Omit “thirtieth day of June”, substitute “30 June”.

NOTES

- 1. Act No. 82, 1974; assented to 18 October 1974.
- 2. Act No. 27, 1967, as amended by No. 216, 1973 (as amended by No. 20, 1974).