



ANNO TRICESIMO QUINTO

# ELIZABETHAE II REGINAE

A.D. 1986

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No. 128 of 1986

**An Act to amend the Land Agents, Brokers and Valuers Act, 1973.**

*[Assented to 24 December 1986]*

The Parliament of South Australia enacts as follows:

Short title.

1. (1) This Act may be cited as the "Land Agents, Brokers and Valuers Act Amendment Act, 1986".

(2) The Land Agents, Brokers and Valuers Act, 1973, is in this Act referred to as "the principal Act".

Commencement.

2. (1) This Act shall come into operation on a day to be fixed by proclamation.

(2) The Governor may, in a proclamation fixing a day for this Act to come into operation, suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.

Amendment of  
s. 6—  
Interpretation.

3. Section 6 of the principal Act is amended—

(a) by striking out from subsection (1) the definition of "bank" and substituting the following definition:

"bank" means a body corporate that is authorized under the *Banking Act* 1959 of the Commonwealth to carry on the business of banking and includes the State Bank of South Australia;

(b) by striking out the definition of "date of settlement" from subsection (1) and substituting the following definition:

"date of settlement" in relation to a contract for the sale of land or a business means the day fixed by the contract for settlement or, if a day is not fixed by the contract for settlement, the day on which settlement takes place;

and

(c) by striking out from subsection (1) the definitions of "interest bearing trust security", "trust account" and "trust moneys".

4. Section 38 of the principal Act is repealed and the following sections are substituted: Repeal of s. 38 and substitution of new sections.

38. (1) A licensed agent shall not carry on business from a branch office unless the office is registered. Branch offices.

Penalty: \$1 000.

(2) A licensed agent may register a branch office by giving written notice of the address of the office to the Registrar.

(3) A licensed agent may cancel the registration of a branch office by giving written notice of cancellation to the Registrar.

38a. (1) The registered office and all branch offices from which the business of an agent is carried on must be managed by a licensed agent or a registered manager who has been nominated by the agent, by written notice to the Registrar, as the manager of that office. Management of registered office and branch offices.

(2) Subject to subsection (4), if subsection (1) is not complied with, the agent is guilty of an offence.

Penalty: \$1 000.

(3) The same person may not be nominated as the manager of more than one office.

(4) If the manager of an office—

(a) dies;

(b) ceases to be qualified to act as a manager;

(c) becomes unable to act as manager in consequence of illness or for any other reason;

or

(d) leaves the employment of the agent,

the manager must be replaced within 1 month or such longer period as may be allowed by the Tribunal and the agent is not guilty of an offence under subsection (2) by reason of not having a nominated manager of the office for that period.

5. Sections 42 and 43 of the principal Act are repealed. Repeal of ss. 42 and 43.

6. Part VIII of the principal Act is repealed and the following Part is substituted: Repeal of Part VIII and substitution of new Part.

#### PART VIII

#### TRUST ACCOUNTS AND THE AGENTS' INDEMNITY FUND

##### DIVISION I—PRELIMINARY

62. In this Part, unless the contrary intention appears— Interpretation.

“administrator” means a person appointed under this Part to administer a trust account:

“agent” includes a land broker and any other person who carries on business of a prescribed class:

“auditor” means a person registered as an auditor under the *Companies (South Australia) Code*.

“fiduciary default”, in relation to an agent, means any defalcation, misappropriation or misapplication of trust money in the charge of—

(a) the agent;

(b) a firm of which the agent is a member,

or

(c) a company of which the agent is a director,

whether committed by the agent, an employee of the agent or of the company or by any other person:

“the fund” means the Agents’ Indemnity Fund established under Division III:

“record” includes a record made by an electronic, electromagnetic, photographic or optical process:

“trust account” means an account in which trust money is deposited by an agent in pursuance of this Part:

“trust money” means money received by an agent, in the course of business as an agent, to which the agent is not wholly entitled both at law and in equity.

#### DIVISION II—TRUST ACCOUNTS

Trust money to  
be deposited in  
trust account.

63. (1) An agent shall, as soon as practicable after receiving trust money, deposit that money in an account (in the name of the agent) with a bank or a prescribed financial institution in respect of which interest at, or above, the prescribed rate is paid by the bank or other financial institution.

Penalty: \$5 000.

(2) An agent shall not pay any other money into the agents’ trust account.

Penalty: \$5 000.

(3) An agent shall not withdraw, or permit another person to withdraw, money from a trust account except in accordance with this Part.

Penalty: \$5 000.

Withdrawal of  
money from trust  
account.

64. An agent may withdraw money from a trust account—

(a) for payment to the person entitled to the money or for payment in accordance with the directions of that person;

(b) in satisfaction of a claim for commission, fees, costs or disbursements that the agent has against the person on behalf of whom the money is held;

(c) to satisfy the order of a court of competent jurisdiction against the person on behalf of whom the agent is holding the money;

(d) for payment into a court before which proceedings have been instituted in relation to the money;

(e) for the purpose of dealing with the money in accordance with the Unclaimed Moneys Act, 1891;

or

(f) for making any other payment authorized by law.

65. Interest that a bank or other financial institution is liable to pay in respect of trust money held in a trust account shall be paid by the bank or financial institution to the Commissioner on the prescribed days.

Payment of interest on trust accounts to the Commissioner.

66. (1) If the Tribunal is satisfied that an agent—

(a) is bankrupt or insolvent or has taken the benefit (as a debtor) of any law relating to bankrupt or insolvent debtors;

(b) has misappropriated or misapplied trust money or is guilty of a defalcation in relation to trust money;

(c) has operated on the trust account in such an irregular manner as to require immediate supervision;

(d) in the case of a natural person, is suffering from mental or physical incapacity preventing the agent from properly attending to the agents' affairs;

(e) has conducted business in an incompetent manner;

(f) has contravened or failed to comply with this Act;

(g) is not licensed as required by law;

(h) is dead, cannot be found or has ceased to carry on business as an agent;

or

(i) in the case of a body corporate, is being wound up, is under official management or is in receivership,

Appointment of administrator of trust account.

the Tribunal may, by order, appoint a person to administer the agents' trust account.

(2) The Tribunal may make an order under subsection (1) on the application of the Commissioner or a prescribed person or a person of a prescribed class.

(3) The applicant must, as soon as practicable after the Tribunal has made an order under subsection (1), serve a copy of the order on—

(a) the agent;

(b) all persons who are entitled (whether solely or jointly) to withdraw money from, or deal with money in, the account;

and

(c) the bank or other financial institution at which the account is held.

(4) A person who has been served with a copy of an order under subsection (3) (a) or (b) or who knows that an administrator has been appointed under subsection (1) shall not withdraw money from, or deal with money in, the trust account while the order is in force.

Penalty: \$5 000.

(5) A bank or other financial institution on which a copy of an order has been served under subsection (3) shall not, while the order is in force, accept any withdrawal of, or dealing with, money in the trust account unless the withdrawal or dealing is at the direction, or with the written approval, of the administrator.

Penalty: \$5 000.

(6) An order under this section remains in force for 12 months from the making of the order unless sooner terminated by the Tribunal or the Supreme Court and, subject to an order of the Supreme Court to the contrary, the Tribunal may, by subsequent order under this section, renew an order previously made or renewed under this section from the expiration of the previous order.

(7) An administrator—

(a) may require any person in a position to do so—

(i) to produce all books, papers, securities and other documents relating to the trust account;

(ii) to provide the administrator with information relevant to the operation of the trust account;

and

(iii) to furnish all authorities and orders to bankers, financial institutions and others that may be reasonably required for the operation of the trust account;

and

(b) may exercise such other powers as the Tribunal sets out in the order of appointment.

67. (1) An agent shall keep detailed records of all trust money received by the agent and of any disbursement of, or other dealing with, that money and shall compile detailed accounts of those receipts and disbursements that—

(a) accurately disclose the state of the trust account maintained by the agent;

(b) enable the receipt and disposition of trust money to be conveniently and properly audited;

and

(c) comply with all other prescribed requirements.

Penalty: \$5 000.

(2) In particular, the agent shall, in respect of the receipt of trust money—

(a) make available to the person making payment a receipt that sets out prescribed information in the prescribed form;

and

(b) make and retain a copy of the receipt as part of the agents' records.

Penalty: \$5 000.

(3) An agent shall, at the request of a person who has an interest in trust money, provide that person with a statement setting out details of dealings by the agent with the money.

Penalty: \$5 000.

(4) An agent shall keep the accounts and records referred to in this section for at least 5 years.

Penalty: \$5 000.

68. (1) An agent who maintains a trust account shall—

Audit of trust accounts.

(a) have the accounts and records kept by the agent under this Division audited by an auditor in respect of each audit period prescribed by regulation;

(b) submit a copy of the auditor's report to the Commissioner on or before the prescribed day or such later day as the Commissioner may allow.

Penalty: \$5 000.

(2) An agent who did not maintain a trust account at any time during a period prescribed under subsection (1) (a) shall make, and lodge with the Commissioner, a declaration in the prescribed form setting out the reasons for not maintaining a trust account during that period.

Penalty: \$5 000.

69. (1) The Commissioner may, at any time, appoint a person—

Appointment of examiner.

(a) to examine, either generally or in a particular case, the accounts and records kept pursuant to this Division (or a previous corresponding enactment) by an agent;

(b) to examine, either generally or in a particular case, the audit programme, working papers and other documents used or prepared by an auditor in the course of auditing the trust accounts of an agent;

and

(c) to confer with an auditor in relation to audits of the trust accounts of an agent.

(2) An examiner may, and shall if required by the Commissioner to do so, furnish the Commissioner with a confidential report as to the state of any accounts or records subject to examination by the examiner.

(3) The Commissioner shall, as soon as practicable, cause a copy of any report furnished by an examiner under subsection (2) to be given or sent by post to the agent.

(4) In this section—

“agent” includes a former agent.

70. (1) An auditor employed by an agent to make an audit of the trust accounts of the agent, or an examiner appointed under this Division, may require the agent or any other person in a position to do so—

Obtaining information for purposes of audit or examination.

(a) to produce all the accounts (including accounts that are not trust accounts) relating to the business of the agent and all books, papers, securities and other documents relating to those accounts;

and

(b) to provide any relevant information relating to the operation of the accounts.

(2) The manager or other principal officer of any bank or other financial institution with which an agent has deposited any money, whether in his or her own account or in any general or separate trust account, shall, upon being required to do so by an auditor or examiner employed or appointed to make an audit or examination under this Division, disclose every such account (including all deposit slips, cancelled cheques and other documents relating to the operation of the account) to the auditor or examiner.

Penalty: \$5 000.

(3) A person who is required by this section to produce documents to an auditor or examiner shall permit the auditor or examiner to make a copy of the whole, or any part, of those documents.

Penalty: \$5 000.

(4) In this section—

“account” includes any record required to be kept under this Division in relation to the receipt and disposition of trust money;

“agent” includes a former agent.

71. A bank or other financial institution with which a trust account has been established shall report any deficiency in that account to the Commissioner.

Penalty: \$1 000.

Banks, etc., to report deficiencies in trust accounts.

Confidentiality.

72. (1) An administrator, auditor or examiner shall not divulge any information that comes to his or her knowledge in the course of the administration of a trust account or the audit or examination of any accounts or records under this Act except—

(a) to the agent;

(b) to the Commissioner;

or

(c) as otherwise required by law.

Penalty: \$2 000.

(2) A person engaged in the administration of this Act, shall not divulge any information disclosed in a report furnished under this Part except—

(a) for the purpose of confidential consideration of the report by the Commissioner;

(b) as is otherwise necessary for the proper administration of this Act;

or

(c) as is otherwise permitted or required by law.

Penalty: \$2 000.

73. (1) Subject to subsection (2), a bank or other financial institution is not affected by notice of any specific trust to which money deposited in a trust account is subject, and is not bound to satisfy itself of the due application of that money.

Banks, etc., not affected by notice of trust.

(2) This section does not relieve a bank or other financial institution of liability for negligence.

74. A person shall not—

(a) refuse or fail to comply forthwith with a requirement of an administrator, auditor or examiner under this Division;

Failing to comply with requirement of administrators, etc.

(b) hinder, delay or obstruct the administration of a trust account or an audit or examination under this Division by altering or destroying relevant documents or by any other means.

Penalty: \$5 000.

#### DIVISION III—THE AGENTS' INDEMNITY FUND

75. (1) The Commissioner shall establish a fund to be entitled the "Agents' Indemnity Fund".

The Agents' Indemnity Fund.

(2) The Commissioner may invest money constituting, or forming part of, the fund in a manner prescribed by regulation.

(3) The fund shall comprise—

(a) the money standing to the credit of the Consolidated Interest Fund at the commencement of the Land Agents, Brokers and Valuers Act Amendment Act, 1986;

(b) interest paid by banks and other financial institutions to the Commissioner on trust accounts;

(c) money recovered by the Commissioner from an agent in relation to the agent's default;

(d) fines recovered as a result of disciplinary proceedings under Part IX;

(e) interest accruing from investment of the fund.

(4) Money standing to the credit of the fund will be applied as follows:

(a) in payment of the costs of administering the fund;

(b) in satisfaction of orders of the Tribunal to reimburse persons who have suffered loss by reason of the fiduciary default of an agent;

(c) in payment of insurance premiums under this Division;

(d) in payment to prescribed persons or bodies for prescribed education programmes conducted for the benefit of agents or members of the public;



(e) for any other purpose prescribed by this Act.

(5) Payments made under subsection (4) (d) must not exceed the prescribed limit.

Claims on the fund.

76. (1) Subject to this Division, a person who—

(a) suffers pecuniary loss as a result of the fiduciary default of an agent;

and

(b) has no reasonable prospect of recovering the full amount of that loss (otherwise than under this Division),

may, by application in the prescribed form to the Tribunal, claim compensation under this Division.

(2) The amount of a claim shall not exceed—

(a) the actual pecuniary loss suffered by the claimant in consequence of the fiduciary default;

less

(b) any amount that the claimant has received or may reasonably be expected to recover (otherwise than under this Division) in reduction of that loss.

(3) A person is not entitled to make a claim under this Division where—

(a) the agent was required by law to be licensed under this Act;

and

(b) in the opinion of the Tribunal, that person knew, or ought to have known, at the time of appointing or instructing the agent, that the agent was not licensed under this Act.

(4) If a valid claim has not been satisfied as provided by this Division at the expiration of 12 months from the day on which it was lodged with the Tribunal, it shall then, to the extent to which it has not been satisfied, be increased by interest at the prescribed rate calculated from the expiration of that period.

Limitation of claims.

76a. (1) The Commissioner may, by notice published in a newspaper circulating generally throughout the State, fix a day (not earlier than 3 months after the publication of the notice) on or before which claims in respect of a fiduciary default, or a series of fiduciary defaults, referred to in the notice, must be made.

(2) Where a notice is published under subsection (1), a claim that is not made within the time fixed by the notice shall be barred unless the Tribunal otherwise determines.

(3) No action in defamation shall lie in respect of the publication, in good faith, of a notice under this section.

Establishment of validity of claims.

76b. (1) Where a claim is made under this Division, the Tribunal shall, by order, determine—

(a) whether the claim is a valid claim;

and

(b) the amount payable under this Division in, or towards, satisfaction of the claim.

(2) The Tribunal shall, by notice in writing, inform the claimant of any determination made by it under subsection (1).

(3) A notice under subsection (2) must be served—

(a) personally or by post on the claimant or the claimant's personal representative;

or

(b) where the claimant is dead and has not left a personal representative known to the Tribunal, or where the whereabouts of the claimant are unknown—by publication in the *Gazette*.

(4) A claimant, or the personal representative of a claimant, who is aggrieved by a determination of the Tribunal under this section may appeal to the Supreme Court against the determination.

(5) Upon an appeal under subsection (4), the Supreme Court may reverse or vary the determination of the Tribunal and may make such further orders as it considers just in the circumstances.

(6) An appeal against a determination of the Tribunal under this section must be instituted within 3 months after the day on which notice of the determination is served under this section but the Court may, if satisfied that proper cause to do so exists, dispense with the requirement that the appeal be so instituted.

(7) In any proceedings under this section, evidence of an admission or confession is admissible to prove a fiduciary default, notwithstanding that the person by whom the admission or confession was made is not a party to the proceedings.

(8) A determination or order of the Tribunal or the Court under this section must be made on the balance of probabilities.

76c. (1) Subject to this section, where the Commissioner makes a payment to a claimant under this Division, the Commissioner is, to the extent of the payment, subrogated to the rights of the claimant against any person liable at law or in equity for the fiduciary default in respect of which the payment was made.

Rights of the  
Commissioner.

(2) This section does not confer upon the Commissioner any right to recover money from a person whose liability in respect of a fiduciary default does not arise from a wrongful or negligent act or omission on that person's part.

76d. Where all legal or equitable claims in respect of a fiduciary default committed by a partner or employee of an agent have been fully satisfied and—

Claims by agents.

(a) the agent has paid compensation to a person for pecuniary loss suffered in consequence of the fiduciary default;

and

(b) the Tribunal is satisfied that the agent has acted honestly and reasonably in all the circumstances of the case,

the Tribunal may, if satisfied that it is just and reasonable so to do, accept a claim under this Division from the agent in respect of that payment.

Insurance in respect of claims against fund.

76e. (1) The Commissioner may insure the fund to such extent as the Commissioner thinks fit against claims under this Division.

(2) The cost of the insurance shall be paid from the fund.

Insufficiency of fund.

76f. (1) Where the fund is insufficient to pay all outstanding amounts determined by the Tribunal to be payable from the fund, there shall be a proportionate reduction in the amounts to be paid out on the claims.

(2) The Commissioner may vary the proportions in which claims are to be paid out if, in the Commissioner's opinion, it is desirable to do so in order to avert or reduce hardship.

(3) Claims in respect of which payments are made under this section are discharged notwithstanding that they may not have been satisfied in full.

(4) The Commissioner may, with the approval of the Minister, make further payments to any person—

(a) whose claim has not been satisfied in full by reason of the operation of subsection (1), or for any other reason;

or

(b) whose claim is barred,

but any payment so made does not revive or reinstate a claim.

(5) The Commissioner may delay payment of a claim for any period (not exceeding 12 months) in order to allow time for other claims to be made, before the apportionment of payments under this section.

Accounts and audit.

76g. (1) The Commissioner must keep proper accounts of all money received, disbursed, invested and otherwise dealt with under this Division.

(2) The Auditor-General may at any time, and must at least once in every calendar year, audit the accounts referred to in subsection (1).

Amendment of s. 85—  
Disciplinary action.

7. Section 85 of the principal Act is amended by inserting after subsection (1) the following subsection:

(1a) A fine imposed under subsection (1) is payable to the Commissioner for the credit of the Agents' Indemnity Fund.

Amendment of s. 85a—  
Cause for disciplinary action.

8. Section 85a of the principal Act is amended by inserting after subsection (7) the following subsection:

(8) Notwithstanding any other provision of this section, the Tribunal shall not take disciplinary action against a person in relation to the act or default of another if that person could not reasonably be expected to have prevented that act or default.

Amendment of s. 88—  
Cooling off period.

9. Section 88 of the principal Act is amended—

(a) by inserting after “where” in paragraph (b) of the definition of “the prescribed time” in subsection (5) “(in the case of a contract that fixes a day for settlement of the sale)”;

and

(b) by striking out paragraph (c) of the definition of “the prescribed time” in subsection (5) and substituting the following paragraph:

(c) in any other case—the time at which settlement takes place.

10. Section 90 of the principal Act is amended—

(a) by striking out “and” between paragraphs (c) and (d) of subsection (1) and inserting after paragraph (d) the following word and paragraph:

Amendment of s. 90—  
Information to be supplied to purchaser before date of settlement.

and

(e) prescribed information as to insurance under Division III of Part IIIC of the Builders Licensing Act, 1967, in relation to a building on the land;

(b) by inserting before “particulars” in subsection (3) “prescribed”;

and

(c) by inserting before “particulars” in subsection (11) “prescribed”.

11. Section 91 of the principal Act is amended by striking out from paragraph (a) of subsection (1a) “fourteen days” and substituting “one month”.

Amendment of s. 91—  
Sale of small businesses.

12. Section 91a of the principal Act is amended—

(a) by striking out from paragraph (b) of subsection (4) “twenty-five” and substituting “10”;

Amendment of s. 91a—  
Cooling off period for sale of small business.

and

(b) by striking out from the definition of “the prescribed time” in subsection (7)—

(b) the date of settlement,

whichever first occurs

and substituting:

(b) the time at which settlement takes place,

whichever is the earlier.

13. The following section is inserted after section 96 of the principal Act.

Insertion of new s. 97.

97. The Tribunal may grant an application to be licensed or registered under this Act notwithstanding that the applicant has not passed the examinations or obtained the educational qualifications required by this Act if, in the opinion of the Tribunal, the educational qualifications that the applicant does have are sufficient to justify granting the application.

Grant of licence or registration to person without prescribed qualifications.

Amendment of  
s. 105c—  
Annual report.

**14.** Section 105c of the principal Act is amended by striking out “the consolidated interest fund” from subsection (2) and substituting “the Agents’ Indemnity Fund”.

Amendment of  
s. 107—  
Regulations

**15.** Section 107 of the principal Act is amended by striking out paragraphs (h), (i), (j) and (k) from subsection (1).

Insertion of  
schedule.

**16.** The principal Act is amended by inserting after section 107 the following schedule:

## SCHEDULE

*Transitional Provisions*

1. In this schedule—

“the 1985 amending Act” means the Land and Business Agents Act Amendment Act, 1985:

“the 1986 amending Act” means the Land Agents, Brokers and Valuers Act Amendment Act, 1986.

2. A licence in force under the repealed Land Valuers Licensing Act immediately before the commencement of the 1985 amending Act shall be deemed to be a licence granted and in force under Part VIIIA and shall, subject to this Act, continue in force.

3. A trustee security that was immediately before the commencement of the 1985 amending Act a trustee security approved by the Land and Business Agents Board shall be deemed to be a trustee security approved by the Commissioner under this Act as in force after that commencement.

4. A nomination lodged with the secretary to the Land and Business Agents Board and in force immediately before the commencement of the 1985 amending Act shall be deemed to be a nomination lodged with the Registrar under this Act as in force after that commencement.

5. An exemption, consent or approval granted, or a condition imposed, by the Land and Business Agents Board or the Land Brokers Licensing Board and in force immediately before the commencement of the 1985 amending Act shall be deemed to be an exemption, consent or approval granted, or condition imposed, by the Tribunal under the provisions of this Act as in force after that commencement.

6. A resolution of the Land and Business Agents Board under section 63a in force immediately before the commencement of the 1985 amending Act shall be deemed to be an order of the Tribunal under that section as in force after that commencement.

7. All the rights and liabilities of the Land and Business Agents Board in relation to the consolidated interest fund and the recovery or payment of moneys for or from that fund are upon the commencement of the 1985 amending Act transferred to and vested in the Commissioner.

8. An office that was a registered office or registered branch office under the repealed Land Agents Act, immediately before the commencement of this Act, shall, subject to this Act, continue as a registered office or registered branch office for the purposes of this Act.

9. A person registered as a salesman immediately before the commencement of this schedule shall, on that commencement, be deemed to have been registered as a sales representative.

10. Any period for which a person was registered as a salesman under this Act, as in force before the commencement of this schedule, shall be deemed to be a period of registration as a sales representative.

11. If, at the commencement of the 1986 amending Act, an agent holds trust money that is not in an account that complies with section 63 (1), the agent shall—

(a) transfer the money to an account that does comply with that section within 6 months after that commencement or within such longer period permitted by the Commissioner;

and

(b) pay the interest accruing during that period in respect of that money to the Commissioner for payment into the Agent's Indemnity Fund.

Penalty: \$5 000.

12. The provisions of Part VIII of the principal Act replaced by the 1986 amending Act shall remain in force after the commencement of that Act—

(a) in relation to the administration of trust money by a person appointed under section 63a of those provisions;

(b) in relation to claims against the Consolidated Interest Fund made before the commencement of that Act;

and

(c) as to the subrogation of the Commissioner to the rights of a person compensated under those provisions.

13. Money payable from the Consolidated Interest Fund is, after the commencement of the 1986 amending Act, payable from the Agents' Indemnity Fund.

## SCHEDULE

The principal Act is further amended as follows:

Section Amended	How Amended
Section 3	Section 3 is repealed.
Section 4	Section 4 is repealed.
Section 5	Section 5 is repealed.
Section 6 (1)—	
Definition of "agent"	After "his" insert "or her".
Definition of "business day"	Delete "within the meaning of the Holidays Act, 1910".
Definition of "licence"	Delete "of this Act" from paragraphs (a), (b) and (c).
Definition of "moneys"	Delete this definition and substitute: "money" includes an instrument for the payment of money that may be negotiated by a bank.
Definition of "registered manager"	Delete "of this Act".
Definition of "registered salesman"	Delete this definition and substitute: "registered sales representative" means a person registered as a sales representative under Part IV..
Definition of "salesman"	Delete "salesman" and substitute "sales representative".
Definition of "the Commissioner"	Delete "under the Prices Act, 1948".
Section 6 (2)	Delete "his" and substitute "legal".
Section 7 (3)	Delete ", upon the matter being referred to it by the Minister," and substitute ", at the request of the Minister,".
Section 8	Delete "shall be" and substitute "is".
Section 13 (1)	Delete this subsection and substitute: (1) A person shall not carry on business, or hold himself or herself out, as an agent unless licensed as an agent under this Act. Penalty: \$5 000.
Section 13 (2)	Delete this subsection and substitute: (2) A person required by this Act to be licensed as an agent is not entitled to any commission or other consideration in respect of services related to the acquisition or disposal of any land or business unless that person— (a) is, at the time of rendering the services, licensed as an agent; and (b) is authorised, in writing, to act as an agent by the person for whom the services are rendered or some person authorised to act on behalf of that person.
Section 13 (3)	Delete this subsection and substitute: (3) Any commission or other consideration paid or given to a person who is, by virtue of subsection (2), not entitled to it may be recovered from that person as a debt.
Section 13a	Delete this section and substitute: 13a. A person shall not act, or hold himself or herself out, as a hotel broker unless— (a) that person is licensed as an agent; and (b) the licence bears an endorsement, made in accordance with the regulations, authorizing that person to act as a hotel broker. Penalty: \$5 000.

Section Amended	How Amended
Section 14 (5)	Delete "within which objections must be lodged" and substitute "for lodging objections".
Section 15 (1)	Delete this subsection and substitute: (1) Subject to this Act, a person (not being a corporation) is entitled to be licensed as an agent if the Tribunal is satisfied that that person— (a) is of or above the age of 18 years; (b) is a fit and proper person to be licensed; (c) is neither bankrupt nor insolvent; and (d) is qualified to be licensed as an agent in accordance with subsection (2).
Section 15 (2)	Delete this subsection and substitute: (2) A person is qualified to be licensed as an agent if that person— (a) has been licensed as an agent or registered as a manager under this Act within 10 years before the date of the application to be licensed; or (b) (i) has, at some time within 10 years before the date of the application, been a licensed land broker; or (ii) has passed the prescribed examinations or obtained the prescribed educational qualifications, and, in addition to complying with subparagraph (i) or (ii) has been employed as a registered sales representative for a continuous period of 2 years within the 5 years preceding the date of the application or has had, in the opinion of the Tribunal, other adequate practical experience.
Section 16 (1)	Delete "shall be" and substitute "is".
Section 16 (2) (b)	Delete "or be" and substitute "as an agent or".
Section 16 (4) (a)	After "licensed" insert "as an agent".
Section 16 (4) (b)	After "licensed" insert "as an agent".
Section 16 (4) (c)	After "licensed" (first occurring) insert "as an agent".
Section 16 (4) (ca)	After "licensed" (first occurring) insert "as an agent". Delete "salesman" and substitute "sales representative". Delete "licensed or registered as a manager under this Act" and substitute "so licensed or registered".
Section 16 (4) (d)	After "licensed" insert "as an agent".
Section 17 (3)	Delete "to the licensed agent, require him to make good his default" and substitute ". require the agent to make good the default".
Section 17 (4)	Delete "his" and substitute "the". Delete "he" and substitute "the agent".
Section 17 (7)	Delete "his" and substitute "the".
Section 19	Delete "while the unlicensed person is carrying on business in accordance with the conditions imposed by the Tribunal he" and substitute "the unlicensed person, while carrying on business in accordance with the conditions imposed by the Tribunal,".
Heading to Part IV	Delete "SALESMEN" and substitute "SALES REPRESENTATIVES".
Section 21	Delete "salesman" wherever it occurs and substitute, in each case, "sales representative".
Section 22	Delete "salesman" wherever it occurs in subsections (1), (2) and (3) and substitute, in each case, "sales representative".



Section Amended	How Amended
Section 23 (1)	Delete this subsection and substitute: (1) A registered sales representative shall not, while employed by an agent, be in the employment, or hold himself or herself out as being in the employment, of another agent. Penalty: \$1 000.
Section 23 (2)	Delete “, or have in his service as a salesman,” and substitute “as a sales representative”.
Section 23 (3)	Delete “salesman” wherever it occurs and substitute, in each case, “sales representative”. Delete “his” and substitute “the agent’s”.
Section 24 (1)	Delete this subsection and substitute: (1) Notwithstanding any other provision of this Part, if the manager of a branch office of an approved stock and station agent is registered as a manager or a sales representative under this Act, a person employed by the stock and station agent to work from that branch office is not, by reason of anything done in the course of that employment, required to be registered as a sales representative under this Act.
Section 25 (1)	Delete “salesman” and substitute “sales representative”.
Section 25 (5)	Delete “within which objections must be lodged” and substitute “for lodging objections”.
Section 26 Qualifications for registration.	Delete this section and substitute: 26. Subject to this Act, a person is entitled to be registered as a sales representative if the Tribunal is satisfied that that person— (a) is a fit and proper person to be so registered; and (b) (i) was within 10 years before the date of the application for registration registered as a salesman or sales representative under this Act; or (ii) has passed the prescribed examinations or obtained the prescribed educational qualifications.
Section 27 (1)	Delete “salesman” and substitute “sales representative”.
Section 27 (2)	Delete “salesman” and substitute “sales representative”.
Section 27 (3)	Delete “salesman” (first occurring) and substitute “sales representative”. Delete “to the registered salesman, require him to make good his default” and substitute “, require the registered salesman to make good the default”.
Section 27 (4)	Delete “salesman” and substitute “sales representative”. Delete “his” and substitute “the”. Delete “he” and substitute “the sales representative”.
Section 27 (7)	Delete “salesman” and substitute “sales representative”. Delete “his” and substitute “the”.
Section 29 Employment of registered sales representative.	Delete this section and substitute: 29. (1) While a registered sales representative is not in the employment of an agent, the registration is of no force or effect. (2) A registered sales representative shall, within 14 days after commencing or ceasing to be employed by an agent, give to the Registrar notice in writing of the commencement or cessation of the employment together with the prescribed particulars. Penalty: \$500.
Section 30 (1)	Delete “of this section”.

Section Amended	How Amended
Section 30 (2)	Delete "of this section". Delete "his" and substitute "the agent's".
Section 30 (3) (b)	Delete "he" and substitute "the manager".
Section 30 (3) (d)	Delete "his" and substitute "a".
Section 30 (3)	Delete "it shall not be" and substitute "it is not".
Section 30 (4)	Delete "a person, named therein, does not have his" and substitute "a person named in the complaint does not have a".
Section 30 (5)	Delete "his" and substitute "the agent's".
Section 30 (7)	Delete this subsection and substitute: (7) A registered manager shall not, while employed by an agent, be in the employment, or hold himself or herself out as being in the employment, or act as a sales representative on behalf, of another agent. Penalty: \$1 000.
Section 31 (5)	Delete "within which objections must be lodged" and substitute "for lodging objections".
Section 32 (1)	Delete this subsection and substitute: (1) A person is entitled to be registered as a manager if the Tribunal is satisfied that that person— (a) is of or above the age of 18 years; (b) is a fit and proper person to be registered; (c) is neither bankrupt nor insolvent; and (d) is qualified to be registered as a manager in accordance with subsection (2).
Section 32 (2)	Delete this subsection and substitute: (2) A person is qualified to be registered as a manager if that person— (a) has been licensed as an agent or registered as a manager under this Act within 10 years before the date of the application to be registered; or (b) (i) has, at some time within 10 years before the date of the application, been a licensed land broker; or (ii) has passed the prescribed examinations or obtained the prescribed educational qualifications, and, in addition to complying with subparagraph (i) or (ii), has been employed as a registered sales representative for a continuous period of 2 years within the 5 years preceding the date of the application or has had, in the opinion of the Tribunal, other adequate practical experience.
Section 33 (3)	Delete "to the registered manager, require him to make good his default" and substitute ", require the manager to make good the default".
Section 33 (4)	Delete "his" and substitute "the". Delete "he" and substitute "the manager".
Section 33 (7)	Delete "his" and substitute "the".
Section 35 Employment of registered manager.	Delete this section and substitute: 35. (1) While a registered manager is not in the employment of an agent, the registration is of no force or effect. (2) A registered manager shall, within 14 days after commencing or ceasing to be employed by an agent, give to the Registrar notice of the commencement or cessation of employment together with the prescribed particulars. Penalty: \$500.

Section Amended	How Amended
Section 37 (1)	Delete this subsection and substitute: (1) A licensed agent shall not carry on business as such unless the agent has a registered office in the State. Penalty: \$1 000.
Section 37 (3)	Delete "situation" and substitute "address".
Section 39 (1)	Delete this subsection and substitute: (1) A licensed agent shall exhibit, and keep exhibited, at the registered office and at every registered branch office of the agent's business, in a prominent position so as to be easily read from outside the office, a notice stating— (a) the agent's name; (b) the fact that the person named is a licensed agent; (c) if the business is not carried on in the agent's name—the name in which it is carried on; and (d) in the case of a notice exhibited at a branch office—the address of the registered office. Penalty: \$1 000.
Section 39 (2)	Delete this subsection and substitute: (2) If there is any change in the name in which an agent's business is carried on, the agent shall, within 14 days after the new name is first used in connection with the business, give notice in writing to the Registrar of the change. Penalty: \$1 000.
Section 41	Delete subsections (1), (1a) and (2) and substitute: (1) An advertisement published by or on behalf of a licensed agent relating to the acquisition or disposal of land or a business must contain— (a) the name in which the agent carries on business; (b) a description of the agent as follows: (i) "licensed agent"; (ii) "licensed land and business agent"; (iii) "licensed land agent"; (iv) "licensed business agent"; (v) "licensed real estate agent"; (vi) "licensed real estate and business agent"; or (vii) any other description authorized by regulation; and (c) the address of the registered office, or a registered branch office, of the agent's business, and if such an advertisement does not contain those particulars, the agent is guilty of an offence. Penalty: \$1 000. (2) A registered manager or sales representative shall not publish, or cause or permit to be published, an advertisement relating to the acquisition or disposal of land or a business except in the name, and on behalf, of the licensed agent by whom he or she is employed. Penalty: \$1 000.
Section 44	Delete "thereof" and substitute "of it".
Section 45 (1)	Delete "he" and substitute "the agent".
Section 45 (2)	Delete "on his behalf".
Section 45 (4)	Delete "of this section".

Section Amended	How Amended
Section 46 (1)	Delete this subsection and substitute: (1) An agent must not have a direct or indirect interest (except in the agent's capacity as such) in any land or business that the agent is commissioned to sell.
Section 46 (2)	Delete this subsection and substitute: (2) Subject to subsection (2a), a registered manager, registered sales representative or other person in the employment of an agent must not have a direct or indirect interest (other than an interest that exists by virtue only of employment) in the purchase of any land or business that the agent is commissioned to sell.
Section 46 (2a)	Delete "salesman" and substitute "sales representative".
Section 46 (3)	Delete this subsection and substitute: (3) A person who has an interest in the purchase of any land or business in contravention of this section is guilty of an offence. Penalty: \$5 000 or imprisonment for 6 months. (3a) The court by which a person is convicted of an offence against subsection (3) may order the convicted person to pay to the principal any profit that the convicted person has made or is, in the opinion of the court, likely to make from any dealing with the land or business to which the offence relates.
Section 46 (4)	Delete "shall not be" and substitute "is not".
Section 47 (1)	Delete this subsection and substitute: (1) An agent shall not, in connection with the acquisition or disposal of any land or business, pay the whole or any proportion of the commission or other consideration to which the agent is entitled in relation to the transaction to any person except— (a) a registered manager or sales representative in the agent's employment; or (b) a licensed agent. Penalty: \$1 000.
Section 55 (1)	Delete this subsection and substitute: (1) Subject to subsection (2), a person shall not carry on business or hold himself or herself out as a land broker unless licensed under this Part. Penalty: \$5 000.
Section 55 (2)	Delete "the practice of his profession" and substitute "the course of legal practice".
Section 56 (5)	Delete "within which objections must be lodged" and substitute "for lodging objections".
Section 57 Entitlement to be licensed.	Delete this section and substitute: 57. Subject to this Act, a person is entitled to be licensed as a land broker if the Tribunal is satisfied that that person— (a) is over the age of 18 years; (b) is a fit and proper person to be licensed; and (c) has the prescribed qualifications.
Section 58 (3)	Delete "to the licensed land broker, require him to make good his default" and substitute "require the licensed land broker to make good the default".
Section 58 (4)	Delete "his" and substitute "the". Delete "he" and substitute "the licensed land broker".
Section 58 (7)	Delete "his" and substitute "the".

Section Amended	How Amended
Section 61 (1)	Delete this subsection and substitute: (1) Subject to subsection (1a), no person except a legal practitioner or a licensed land broker shall prepare, for fee or reward, an instrument relating to a dealing in land. Penalty: \$2 000.
Section 61 (1a)	Delete "his" from paragraphs (a) and (b) and substitute "that person's".
Section 61 (2)	Delete this subsection and substitute: (2) Subject to subsection (4), where an instrument relating to a dealing in land (other than a dealing in which the agent participates as purchaser or mortgagee of the land) is prepared by an agent, or a person who stands in a prescribed relationship to an agent, the agent and the person by whom the instrument is prepared are each guilty of an offence. Penalty: \$2 000.
Section 61 (3)	After "if" insert "that person".
Section 61 (3) (a)	Delete "he".
Section 61 (3) (b)	Delete "he".
Section 61 (3) (c)	Delete "he".
Section 61 (4)	Delete "of this section". After "where" insert "the legal practitioner or licensed land broker".
Section 61 (4) (a)	Delete "he".
Section 61 (4) (b)	Delete "he".
Section 61 (4) (c)	Delete "he".
Section 61 (5)	Delete this subsection and substitute: (5) The Tribunal may, on application by a legal practitioner or licensed land broker, exempt the applicant for such period and subject to such conditions as the Tribunal thinks fit from the provisions of subsection (2)— (a) where— (i) the applicant stands in a prescribed relationship to an agent solely by virtue of being an employee of a corporation that is an agent; and (ii) the applicant stood, on the first day of May, 1973, in a prescribed relationship to an agent who presently holds a controlling interest in the corporation by which the applicant is employed; or (b) where— (i) the applicant was licensed as a land broker or admitted and enrolled as a practitioner of the Supreme Court, or was qualified to be so licensed or admitted, on the first day of May, 1973; and (ii) the Tribunal is satisfied that it is desirable to grant the exemption in order that the local community in any part of the State may exercise, without undue inconvenience, an adequate choice between persons qualified and entitled to prepare instruments on their behalf.
Section 61 (8)	Delete "to him".

Section Amended	How Amended
Section 61 (9)	Delete "salesman" and substitute "sales representative".
Section 77 Land valuer must be licensed.	Delete this section and substitute: 77. A person shall not carry on business, or hold himself or herself out, as a land valuer unless licensed as a land valuer under this Act. Penalty: \$5 000.
Section 78 (5)	Delete "within which objections must be lodged" and substitute "for lodging objections".
Section 78 (8)	Delete "upon payment of the prescribed licence fee" and substitute "on making a declaration of impartiality in the prescribed form and paying the prescribed licence fee".
Section 78 (9)	Delete this subsection.
Section 79 Entitlement to be licensed as land valuer.	Delete this section and substitute: 79. Subject to this Act, a person is entitled to be licensed as a land valuer if the Tribunal is satisfied that that person— (a) is of or above the age of 18 years; (b) is a fit and proper person to be licensed; and (c) (i) has been licensed as a land valuer under this Part or the repealed Land Valuers Licensing Act within the 5 years immediately preceding the date of the application; or (ii) has the prescribed educational qualifications and has had within the 10 years immediately preceding the date of the application not less than 4 years satisfactory experience in the valuation of land.
Section 80 (3)	Delete "to the licensed land valuer, require him to make good his default" and substitute "require the licensed land valuer to make good the default".
Section 80 (4)	Delete "his" and substitute "the". Delete "he" and substitute "the licensed land valuer".
Section 80 (7)	Delete "his" and substitute "the".
Section 81 (3)	Delete "of moneys". Delete "by him".
Section 81 (4)	Delete "all moneys paid by him" and substitute "money paid by the party".
Section 82	Delete "shall be" and substitute "is".
Section 85a (1)	Delete "a licensed agent or former licensed agent" and substitute "a person who is or has been a licensed agent".
Section 85a (1) (b)	Delete "he" and substitute "that person".
Section 85a (1) (c) (i)	Delete "he" and substitute "the agent". Delete "his". Delete "its".
Section 85a (1) (c) (ii)	Delete "he" and substitute "the agent". Delete "or, being a corporation," and substitute "or the agent is a corporation and".
Section 85a (2) (b)	Delete "he" and substitute "that person".
Section 85a (2) (c) (i)	Delete "he" and substitute "that person". Delete "his".
Section 85a (2) (c) (ii)	Delete "he" and substitute "that person".
Section 85a (3)	Delete "salesman" and substitute "sales representative".

Section Amended	How Amended
Section 85a (3) (b)	Delete "he" and substitute "that person".
Section 85a (3) (c)	Delete this paragraph and substitute: (c) in the case of a person who is a registered manager or a registered sales representative—that person has ceased to be a fit and proper person to be so registered.
Section 85a (4)	Delete "a licensed land broker or former licensed land broker" and substitute "a person who is or has been a licensed land broker".
Section 85a (4) (b)	Delete "he" and substitute "that person".
Section 85a (4) (c)	Delete this paragraph and substitute: (c) in the case of a person who is a licensed land broker—that person has ceased to be a fit and proper person to hold a licence.
Section 85a (5)	Delete "a licensed land valuer or former licensed land valuer" and substitute "a person who is or has been a licensed land valuer".
Section 85a (5) (b)	Delete "he" and substitute "that person".
Section 85a (5) (c)	Delete this paragraph and substitute: (c) in the case of a person who is a licensed land valuer—that person has ceased to be a fit and proper person to hold a licence.
Section 85a (6)	Delete "operator or former operator" and substitute "a person who is or has been an operator". Delete "he" and substitute "that person".
Section 86 (2)	Delete this subsection and substitute: (2) Land is vacant for the purposes of this section if no house or building suitable for human occupation is built on it.
Section 86 (3) (a)	Delete "he or any" and substitute "that person or some".
Section 86 (3) (b)	Delete "he" and substitute "that person".
Section 86 (3)	Delete "shall be guilty of an offence and liable to a penalty not exceeding two thousand dollars or imprisonment for twelve months" and substitute: "is guilty of an offence." Penalty: \$2 000 or imprisonment for 12 months."
Section 86 (4)	Delete "therein" and substitute "in subdivided land". Delete "thereof" and substitute "of the contract".
Section 86 (5)	Delete this subsection and substitute: (5) A purchaser shall not be taken to have elected to affirm a contract that is voidable under subsection (4) by reason of any payment made in pursuance of the contract.
Section 86 (6)	Delete this subsection and substitute: (6) Where a contract that is voidable under this section is avoided, the purchaser may recover the money paid in pursuance of the contract.
Section 88 (1)	Delete "him" and substitute "the vendor". Delete "his" and substitute "an".
Section 88 (1a)	Delete this subsection and substitute: (1a) If a contract is rescinded under subsection (1), then subject to subsection (1b), the purchaser is, on rescission, entitled to the return of money paid under the contract.
Section 88 (1b)	Delete "moneys" and substitute "money".
Section 88 (2)	Delete "moneys" and substitute "money". Delete "shall be guilty of an offence and liable to a penalty not exceeding two thousand dollars" and substitute: "is guilty of an offence." Penalty: \$2 000."

Section Amended	How Amended
Section 88 (3)	Delete "moneys" first occurring and substitute "money". Delete "those moneys" and substitute "that money".
Section 89 (2)	Delete "moneys" and substitute "money". Delete "of this section".
Section 90 (1) (c)	Delete "his".
Section 90 (2) (a)	Delete "his" and substitute "the vendor's".
Section 90 (2) (b)	Delete "his" and substitute "the vendor's".
Section 90 (2aa)	Delete "his" and substitute "the prospective vendor's".
Section 90 (2a)	Delete "paragraph (c) of subsection (1) of this section" and substitute "subsection (1) (c)". Delete "he" and substitute "the person".
Section 90 (4)	Delete "of this section".
Section 90 (4a)	Delete "of this section".
Section 90 (4b)	Delete "his" from paragraphs (a) and (b) and substitute in each case "the agent's".
Section 90 (4b)	Delete "his" and substitute "the agent's".
Section 90 (5)	Delete this subsection and substitute: (5) Where a requirement of this section is not complied with by an agent or some person acting on the agent's behalf, the agent is guilty of an offence. Penalty: \$2 000. (5a) If an agent or some other person gives a certificate required by this section which is to the knowledge of the agent or other person false in a material particular, the agent or other person is guilty of an offence. Penalty: \$2 000.
Section 90 (7)	Delete "of this section".
Section 90 (7) (a)	Delete "his" and substitute "the".
Section 90 (8)	Delete "shall be" and substitute "is". Delete "of this section".
Section 90 (9)	Delete "of this section".
Section 90 (9b) (a)	Delete "he" and substitute "the auctioneer".
Section 90 (9b) (b)	Delete "he" and substitute "the auctioneer".
Section 90 (11)	Delete "such charge" and substitute "the charge".
Section 91 (1a) (a)	Delete "his" and substitute "the vendor's".
Section 91 (1b)	Delete "he" from paragraphs (a) and (b) and substitute in each case "the auctioneer".
Section 91 (3)	Delete "of this section".
Section 91 (4)	Delete "shall be" and substitute "is".
Section 91 (5)	Delete "such charge" and substitute "the charge".
Section 91a (1)	Delete "to him" and substitute "to the vendor". Delete "his" and substitute "an".
Section 91a (2)	Delete "any moneys paid by him" and substitute "money paid".
Section 91a (3)	Delete "moneys" and substitute "money".
Section 91a (4)	Delete "moneys" wherever it occurs and substitute in each case "money". Delete "shall be guilty of an offence and liable to a penalty not exceeding two thousand dollars" and substitute: "is guilty of an offence." Penalty: \$2 000."



Section Amended	How Amended
Section 91a (5)	Delete "moneys" where it occurs for the first and second time and substitute, in each case, "money". Delete "those moneys" and substitute "that money".
Section 92	Delete "shall be" and substitute "is".
Section 93	Delete "cause his officers to".
Section 94 (b)	Delete "doing so" and substitute "revocation".
Section 96 Prohibition against holding simultaneous authorities.	Delete this section and substitute: 96. A person is not entitled to be simultaneously licensed as an agent and registered as a manager or a sales representative or to be simultaneously registered both as a manager and as a sales representative.
Section 98 (1)	Delete this subsection and substitute: (1) A person who, in connection with the disposal of any land or business, or any interest in land or a business, makes a false representation for the purpose of inducing another person to acquire the land or business, or the interest, is guilty of an indictable offence. Penalty: \$10 000 or imprisonment for 12 months.
Section 98 (2)	Delete this subsection and substitute: (2) In proceedings for an offence against subsection (1) it is not necessary for the prosecution to establish that the defendant knew the representation to be false but it is a defence for the defendant to prove that he or she had reasonable ground to believe, and did believe, the representation to be true.
Section 99	Delete "he proves that the employee or agent was not acting in the course of his employment or agency" and substitute "it is proved that the employee or agent was not acting in the course of the employment or agency".
Section 100	Delete "he proves that he" and substitute "it is proved that that person".
Section 100a (1) (b)	Delete "he is convicted" and substitute "the conviction".
Section 101 (3)	Delete subsection (3) and substitute: (3) A prosecution for an offence against this Act shall not be commenced except by— (a) the Commissioner; (b) an authorized officer under the Prices Act, 1948; or (c) a person who has the consent of the Minister to commence the prosecution.
Section 101 (4)	Delete "that he has consented to the commencement of proceedings" and substitute "consent to a prosecution".
Section 103	Delete "shall prejudice" and substitute "prejudices".
Section 104	Delete ", whether made before or after the commencement of this Act,". Delete "shall prevent any party thereto" and substitute "prevents any party".
Section 105a (1) (b)	Delete this paragraph and substitute: (b) posted in an envelope addressed to the person— (i) at the person's last known address; or (ii) where the person is licensed or registered under this Act—at the person's address for service,.
Section 105a (1) (c)	Delete this paragraph and substitute: (c) where the person is licensed or registered under this Act—left for the person at the address for service with someone apparently over the age of 16 years.

Section Amended	How Amended
Section 105c (3)	Delete "his".
Section 106	Delete this section.
Section 107 (1)	Delete "all". Delete "he deems" and substitute "are".
Section 107 (1) (f)	Delete "such application" and substitute "such an application".
Section 107 (1) (ga)	Delete this paragraph and substitute: (h) make provision in relation to the granting or removal of a licence endorsement authorizing an agent to act as a hotel broker.
Section 107 (1) (o)	Delete "his services as an agent" and substitute "services rendered as an agent".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor