



**COMMERCIAL AND INQUIRY AGENTS AMENDMENT ACT  
1982**

**No. 104 of 1982**

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**AN ACT to amend the Commercial and Inquiry Agents Act 1974 for the purpose of making further provision with respect to the hearing of applications for licences and with respect to certain definitions and for other related purposes.**

**[Royal Assent 18 January 1983]**

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Commercial and Inquiry Agents Amendment Act 1982*. Short title.

Principal Act.

**2**—In this Act, the *Commercial and Inquiry Agents Act 1974\** is referred to as the Principal Act.

Amendment of section 2 of Principal Act (Interpretation).

**3**—Section 2 of the Principal Act is amended as follows:—

(a) by omitting the definition of “ officer ” and substituting the following definition:—

“ officer ”, in relation to a body corporate, means—

(a) in the case of a company formed or incorporated within Tasmania, a director, manager, or secretary of that company; and

(b) in the case of a recognized company, a recognized foreign company, or a registered foreign company, the State Manager of that company;

(b) by inserting the following definitions after the definition of “ provisional licence ”:—

“ recognized company ” has the meaning assigned to that expression by the *Companies (Tasmania) Code*;

“ recognized foreign company ” has the meaning assigned to that expression by the *Companies (Tasmania) Code*;

(c) by inserting the following definition after the definition of “ registered address ”:—

“ registered foreign company ” has the meaning assigned to that expression by the *Companies (Tasmania) Code*;

(d) by inserting the following definition after the definition of “ Security guard ”:—

“ State Manager ”, in relation to a body corporate which is a recognized company, a recognized foreign company, or a registered foreign company, means a person who has the control and management of the business carried on by that company in the State;

\* No. 88 of 1974. For this Act, as amended to 1st May 1979, see the continuing Reprint of Statutes.

4—Section 4 of the Principal Act is amended as follows:—

Amendment of  
section 4 of  
Principal Act  
(Grant and  
renewal of  
licences).

(a) by omitting from subsection (9) “ a person, who, for the time being, is a director, manager, or secretary of that body or has control of the management of its affairs ” and substituting “ an officer of that body ”;

(b) by omitting subsection (11) and substituting the following subsection:—

(11) A licence shall not be granted to a body corporate, and a licence held by a body corporate shall not be renewed, unless an officer of that body holds—

(a) in the case of a commercial agent’s licence, either a commercial agent’s licence or a commercial sub-agent’s licence; or

(b) in the case of any other licence, a licence of the same kind as the licence to be granted or renewed.

5—Section 6 of the Act is amended as follows:—

Amendment of  
section 6 of  
Principal Act  
(Hearing of  
applications  
for licences).

(a) by inserting in subsection (1) “ or a person authorized by the Commissioner of Police for that purpose ” after “ Police ”;

(b) by omitting from subsection (2) “ on the Commissioner of Police pursuant to subsection (1), the Commissioner ” and substituting “ under subsection (1), the Commissioner of Police ”;

(c) by omitting from subsection (2) (b) “ 14 days after receiving ” and substituting “ 28 days after the receipt of ”.

6—Section 32 (3) of the Principal Act is amended by omitting “ director, manager, or secretary ” and substituting “ officer ”.

Amendment of  
section 32 of  
Principal Act  
(Inspection  
of statutory  
records  
and other  
documents).

7—Section 42 (1) (b) of the Principal Act is amended by omitting “ an officer ” and substituting “ a person ”.

Amendment of  
section 42 of  
Principal Act  
(Exemptions).

