Question on Notice
No. 874
Asked on 6 June 2007

MR ELMES ASKED THE MINISTER FOR TOURISM, FAIR TRADING, WINE INDUSTRY DEVELOPMENT AND WOMEN (MRS KEECH)—

With respect to the *Tourism Services Act 2003*—

(1) How many enforcement operations have been conducted since 2005 and what are the details?

(2) How many breaches of the Act have been detected?

(3) How many fines have been issued?

(4) How many incidents have proceeded to prosecution?

(5) How many complaints has the Office of Fair Trading received regarding rogue operators?

ANSWER:

The *Tourism Services Act 2003* regulates the conduct of inbound tour operators and tour guides operating in the tourism industry and aims to ensure they operate in an ethical and professional way and in the best interests of clients.

The enforcement operations conducted by my Office of Fair Trading (OFT) relating to the practices of inbound tour operators and tour guides are generally undertaken proactively.

Since 2005, the OFT has undertaken 68 compliance activities. These compliance operations identified breaches of the Tourism Services Act, the *Fair Trading Act 1989* as well as breaches of legislation administered by Queensland Transport. These operations were also used to provide tourists with multi-lingual information brochures advising their consumer rights while holidaying in Queensland.

As a result of the enforcement operations undertaken by the OFT since 2005, 59 breaches have been detected regarding various offences under the *Tourism Services Act 2003*.

Appropriate enforcement action is determined by the OFT on a case by case basis. In respect of identified breaches of the *Tourism Services Act 2003* to date, warnings and enforceable undertakings have been utilised as appropriate enforcement action. The enforcement operations have also identified breaches of the *Fair Trading Act 1989,* resulting in enforceable undertakings.

To date, the OFT has received only one formal complaint in relation to a possible breach of the *Tourism Services Act 2003*.