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Form AS1

APPLICATION TO BECOME AN APPROVED TRAVEL BROKER

**TRAVEL AGENTS' ASSOCIATION OF
NEW ZEALAND**

Level 3
Tourism & Travel House
79 Boulcott Street
PO Box 1888
WELLINGTON 6140
DX SX10033

Phone: 04-496-4884
Fax: 04-499-0786
E-mail: info@taanz.org.nz

For your record (keep a copy of this form):

Date application sent to TAANZ:

/	/	
Day	Month	Year



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Approved Travel Broker Application

What is this form for?

If a person wishes to be engaged by a TAANZ member as an Approved Travel Broker they must complete this form and be approved by TAANZ and added to the Roll of Approved Travel Brokers.

The Rules relating to Approved Travel Brokers contained in the TAANZ Constitution are set out on pages 6-8 hereof. They must be fully understood and complied with by all Approved Travel Brokers.

What do I need to include with this form?

Payment of \$100 + GST (\$115.00) being the application fee.

- (1) Payment can be made direct into our bank account 06-0561-0125305-00. Please add payment reference
- (2) Send payment by cheque

What other fees are payable for Approved Travel Brokers?

Each TAANZ member is charged \$220 + GST annually for each Approved Travel Broker listed on the Roll of Approved Travel Brokers. This fee comprises a \$110 + GST annual administration fee and a \$110 + GST bonding levy.

What happens next?

Please send your application to info@taanz.org.nz

TAANZ will respond to the applicant within 5 working days, either approving the application and confirming that they have been added to the Roll of Approved Travel Brokers, or seeking further information.

*** Please note TAANZ will only process the application when payment has been received.**

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1 Name of Applicant:

2 Home Address of Applicant:

3 Business Email address of Applicant:

Mobile Phone of Applicant:

4 Experience in the Travel Industry (if any):

5 Travel Qualifications Held (if any): please provide scan copies where applicable

6 Other work experience (specify):

7 a) I have no criminal convictions either in New Zealand or elsewhere:

b) I have the following criminal convictions (specify):

(delete the option which does not apply)



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- 8** a) I have never been made a bankrupt;
b) I have been a bankrupt (provide details):

(delete the option which does not apply)

9 Have you been involved as a shareholder, director or manager of a TAAZ member which has defaulted in its duty as a travel agent in circumstances which gave rise to a successful claim on the Bonding Fund. Yes/No

If Yes provide details:

10 Are you aware of any pending creditors petition, insolvency proceedings or winding up petition against you or any company of which you are a director or shareholder? Yes/No

If Yes provide details:

11 Have you ever been refused an application for, or been disqualified from holding a licence to carry on a trade or profession under any Act, Ordinance, Regulation or By-Law? Yes/No

If Yes provide details:

12 Contract and Indemnity with TAAZ Full Member

Do you have a contract containing your indemnity with the TAAZ member? Yes/No

- Please note: 1) It is a requirement of TAAZ that you have an indemnity for application approval.
2) TAAZ and the Bonding Authority reserves the right to request this indemnity at any time.

13 Are you intending to operate from (please tick one of the following):

A home base?

A TAAZ approved location (Head office or branch office of a TAAZ member agent) ?

A business premise with public access? (If selected proceed to disclaimer)

Disclaimer:

In electing to operate from a business premise with public access I acknowledge, as part of this application, that I have read and understood, and will comply with all rules in respect of promotion and signage.

If the applicant, once his/her application has been approved intends to work for or be engaged by a TAAZ member please complete paragraphs 14 and 15.



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14 Name of TAANZ Full Member which will employ or contract the applicant

Registered Name of TAANZ Member:

Trading Name:

Street Address:

PO Box Number and Location:

Post Code:

DX No and Location:

Telephone:

Fax:

15 Date applicant intends to commence work for the Member:

 / /
Day Month Year

16 I attach my cheque for \$100 Application Fee + GST (\$115)

AGREEMENT TO ABIDE BY RULES AND CRITERIA FOR BEING AN APPROVED TRAVEL BROKER

Application is hereby made for inclusion on the roll of approved Travel Brokers maintained by TAANZ. In doing so the applicant acknowledges that he/she is fully conversant with the TAANZ Constitution and Rules (particularly Rule 12, a copy of which is annexed hereto), the Criteria for becoming and remaining an Approved Travel Broker, Conditions for engaging Approved Travel Brokers and the Code of Ethics and Practice set out in the TAANZ Directory and displayed on the TAANZ website. The applicant agrees to abide by the requirements specified in these documents.

Signed by the applicant:



Date

 / /
Day Month Year

Signed by the authorised person representing the approved TAANZ Full Member employing or contracting the applicant:



Date

 / /
Day Month Year

Print Name:

Approved Travel Broker Rules

TAANZ Constitution & Rules - Approved Travel Brokers (Travel Consultants)

Rules governing Approved Travel Brokers (as approved at the TAANZ AGM 9 September 2016)

[Extract from the TAANZ Constitution & Rules concerning Approved Travel Brokers]

TAANZ Approved Travel Brokers

12 (a) TAANZ shall establish a roll of TAANZ Approved Travel Brokers (Travel Brokers) on which it shall establish the names of those persons who have been granted the status of Approved Travel Brokers by the Board. The Roll shall also include the name of the TAANZ member by which or whom the Travel Broker is engaged.

(b) A TAANZ member which or who wishes to enter into a contract with a person pursuant to which that person is to provide services selling travel for and on behalf of the TAANZ member as an independent contractor (rather than as an employee) must ensure that the person so engaged is a TAANZ Approved Travel Broker. Any person who wishes to sell travel and related services to members of the public may apply to become a TAANZ Approved Travel Broker. Such person will need to complete and lodge with TAANZ an application in a form prepared by TAANZ and to meet and continue to comply with the provisions of these rules which apply to Travel Brokers and with the criteria and conditions established by TAANZ for being a Travel Broker.

(c) A TAANZ member which or who engages a Travel Broker must ensure that the Travel Broker complies with the following requirements:

(i) The name of the Travel Broker must be entered on, and remain on, the Roll of TAANZ Approved Travel Brokers.

(ii) The Travel Broker is not contracted to, and does not undertake work for, any other TAANZ member agent or non TAANZ travel agent. A Travel Broker is not permitted to work for, or be contracted to, more than one TAANZ member at any one time.

(iii) The Travel Broker does not enter into any arrangements with principals which would enable the Travel Broker to sell the products or services of such principals directly. The TAANZ member must ensure that every transaction implemented by a Travel Broker, and all documentation relating to such transactions, is channelled through the TAANZ member.

(iv) The Travel Broker does not issue travel documents to clients unless the cost of the same is charged directly by the supplier to the account of the TAANZ member. Travel documentation which is not charged directly to the TAANZ member's account is to be issued by the TAANZ member.

(v) The Travel Broker does not receive the purchase price, or any part thereof for the travel he or she may sell. The purchase price is to be paid directly to the TAANZ member represented by the Travel Broker. The only exception to this is when payment is made by the client being serviced by the Travel Broker to the TAANZ member's bank account, or, by crossed cheque made payable to the TAANZ member.

(vi) The Travel Broker must either work out of his or her home or out of an approved location of the TAANZ member. Where a Travel Broker wishes to work out of an office that is neither a currently approved location of the TAANZ member, nor located at the Travel Broker's home, the TAANZ member, in conjunction with the Travel Broker, must firstly apply to TAANZ to have the location in question approved as an approved location of the TAANZ member.

(vii) All signage and marketing collateral used by the TAANZ Broker, irrespective of the media in which such material is to appear, must identify that the Travel Broker is a Travel Broker for the TAANZ member. For the avoidance of doubt, the convention is to be: first name, surname, followed by, "travel broker", for the name of the TAANZ member. The use of the trading name of the TAANZ member is acceptable.

Should an issue arise as to whether the signage, advertising, marketing or any other public representation is in breach of this provision the matter shall be referred to the Chief Executive Officer of TAANZ who shall determine what, if any, changes need to be made. The TAANZ member shall accept the decision of the Chief Executive Officer of TAANZ and ensure that the Travel Broker makes the appropriate changes of adjustments.

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(viii) The Travel Broker complies with all conditions and criteria from time to time required to become and remain a TAANZ Approved Travel Broker.

(d) Travel Brokers may advertise their services and advise details of how they can be contacted at either their home or at the approved location of a TAANZ member that has engaged them.

(e) It is permissible for a TAANZ member to enter into a contract with a company, which company agrees to make the services of a particular Travel Broker available to the TAANZ member. The arrangement is only permissible where the company which contracts with the TAANZ member is a company controlled by the Travel Broker who is to provide the services for the TAANZ member, or by interests which are closely associated with that Travel Broker. In every case the TAANZ member shall ensure that the TAANZ member has an exclusive arrangement with the Travel Broker for the provision of services by the Travel Broker. Only natural persons can be Travel Brokers and the TAANZ member must ensure that its contractual arrangements take cognisance of this requirement.

(f) All TAANZ members who or which engage a Travel Broker as an independent contractor are required to accept that the security they provide to the TAANZ Bonding Authority covers all transactions handled by/implemented by the Travel Broker in the same way and to the same extent as the member would be responsible for the actions of the Broker if he or she were an employee of the member.

TAANZ approved locations: Branch Offices

12A (a) TAANZ members shall only operate from approved locations and shall meet and comply with the criteria specified from time to time in the Criteria for Membership relating to premises.

(b) TAANZ members who advertise themselves or otherwise hold themselves out to members of the public as having either:

(i) An office based at a location, or in a district which is different from the TAANZ member's approved location, from which the TAANZ member is capable of servicing the general or specific needs of members of the public; or

(ii) An employee, or a TAANZ Approved Travel Broker, who is capable of servicing the general or specific travel needs of the public at a location or in a district which is different from the TAANZ member's approved location, must establish an office at that location or in that district which must meet the criteria laid down by TAANZ from time to time for branch offices. Where applicable, the TAANZ member must pay such additional subscriptions as may be from time to time fixed for a branch office.

(c) By way of exception to this requirement to establish a branch office as set out in Rule 12A(b) hereof, a TAANZ member may service clients, or potential clients who are located in a district outside of that serviced by the TAANZ member's approved location, if the TAANZ member engages the services of a TAANZ Approved Travel Broker to do so provided that neither the TAANZ member, or the TAANZ Approved Travel Broker promotes or advertises itself/himself/herself or otherwise holds itself/himself/herself out to members of the public as having an office or base in that district from which the TAANZ member or TAANZ Approved Travel Broker is capable of servicing the general or specific travel needs of members of the public at that location or in that district. This prohibition does not prevent a TAANZ Approved Travel Broker from advertising his or her services or from providing details of how the TAANZ Approved Travel Broker can be contacted by phone, electronic communication or residence.

[Extract from the TAANZ Constitution & Rules concerning Approved Travel Brokers]

Approved Travel Broker Rules

CRITERIA FOR BECOMING AND REMAINING AN APPROVED TRAVEL BROKER

1. A person wishing to become an Approved Travel Broker shall complete and lodge with TAANZ an application. The application shall be on a form prepared by TAANZ. The applicant shall lodge the form together with an application fee, the amount of which shall be determined from time to time by the Board of Directors.
2. An applicant must demonstrate to the Board that the applicant is a fit and proper person to become an Approved Travel Broker. As such the applicant will be required to provide information as to the applicant's qualifications, work experience and character. An applicant will be required to disclose any criminal convictions.
3. There shall be no requirement that an applicant have qualifications or previous work experience in the travel industry.
4. The Board shall have absolute and unfettered discretion as to whether to approve or decline an application and as to whether to remove an Approved Travel Broker from the Roll of Approved Travel Brokers maintained by TAANZ.
5. Once an applicant has been approved by the TAANZ Board and the requisite fees have been paid the applicant shall be entered on the Roll of Approved Travel Brokers maintained by TAANZ.
6. The TAANZ Board may at any time remove an Approved Travel Broker from the Roll of Approved Travel Brokers maintained by TAANZ and shall do so if it receives information which in the Board's view establishes or may establish that an Approved Travel Broker is no longer a fit and proper person to be an Approved Travel Broker.
7. Any Approved Travel Broker who has had his/her name removed from the Roll of Approved Travel Brokers may within 30 days of being notified of the decision lodge with TAANZ an application to have that decision reviewed by the Board. An applicant for review shall lodge with his/her application the evidence or material which he or she wishes the Board to consider in reviewing its decision.



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CONDITIONS FOR ENGAGING APPROVED TRAVEL BROKERS

(i) Every TAANZ member who wishes to employ or engage a person as an Approved Travel Broker shall check with the TAANZ Secretariat to determine whether the person is currently entered on the Roll of Approved Travel Brokers maintained by TAANZ.

(ii) If the person is entered on the Roll of Approved Travel Brokers the TAANZ member wishing to employ or engage such person shall, before the Approved Travel Broker commences work for the TAANZ member, notify TAANZ of the date that the Approved Travel Broker is to commence work for the TAANZ member and shall pay in respect of such Approved Travel Broker an annual fee which shall be fixed from time to time by the Board of Directors.

(iii) If the person is not currently a person entered on the Roll of Approved Travel Brokers maintained by TAANZ the TAANZ member cannot employ or engage such person as an Approved Travel Broker. Where this situation arises every TAANZ member who wishes to employ or engage such person as an Approved Travel Broker shall, prior to employing or engaging such person, ensure that the person completes and lodges with TAANZ an application form for approval as an approved Travel Broker and that the application is approved.

(iv) Every TAANZ member shall notify the TAANZ Secretariat when an Approved Travel Broker's employment or engagement is terminated.



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