

THE NORTHERN TERRITORY OF AUSTRALIA

No. 41 of 1979

AN ACT

To provide for the licensing of commercial
and private agents

[Assented to 27 April 1979]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

PART I - PRELIMINARY

- | | |
|---|----------------|
| 1. This Act may be cited as the <u>Commercial and Private Agents Licensing Act 1979</u> . | Short title |
| 2. This Act shall come into operation on a date to be fixed by the Administrator by notice in the <u>Gazette</u> . | Commencement |
| 3. In this Act unless the contrary intention appears - | Interpretation |
| "agent" means a commercial agent, inquiry agent, process server or private bailiff licensed under this Act; | |
| "commercial agent" means a person who, for monetary or other consideration, performs any of the following functions: | |
| (a) ascertaining the whereabouts of, or repossessing any goods or chattels that are the subject of a hire purchase agreement or bill of sale; | |
| (b) collecting, or requesting the payment of, debts; | |
| (c) executing any legal process for the enforcement of any judgment or order of a court; | |
| (d) executing any distress for the recovery of rates, taxes or moneys; | |
| (e) obtaining evidence for the purpose of any legal proceedings; or | |

Commercial and Private Agents Licensing

- (f) searching for missing persons,
on behalf of any other person;

"Court" means the Local Court;

"document" includes book, record, register, account, paper and card;

"harassment" means any act or conduct that tends to intimidate, embarrass, ridicule or shame any person, and without limiting the generality of the foregoing, includes -

- (a) any act or omission (including the positioning of a vehicle) from which it might reasonably be inferred by a person visiting or passing any premises that an occupant of the premises is being visited, or is under surveillance by, an agent;
- (b) unduly frequent visiting of premises or communication with the occupants of premises; and
- (c) any suggestion made to, or intended to be communicated to, a debtor that if he fails to pay any debt action may be taken that would embarrass or shame him, or prejudice him in his employment;

"inquiry agent" means a person who, for monetary or other consideration, performs any of the following functions:

- (a) obtaining or providing information as to the personal character or actions of any person, or as to the business or occupation of any person;
- (b) obtaining evidence for the purpose of any legal proceedings; or
- (c) searching for missing persons,
on behalf of any other person;

"licence" means a licence under this Act;

"officer" in relation to a corporation, means any director, manager or secretary of the corporation;

"order" includes decision, direction or declaration;

"private bailiff" means a person who holds a licence as a private bailiff under this Act;

Commercial and Private Agents Licensing

"process server" means a person who, for monetary or other consideration, performs the function of serving any writ, summons or other legal process on behalf of any other person.

4. This Act shall not apply to - Application
- (a) a member of the Northern Territory or Commonwealth Police Force acting in accordance with his duties;
 - (b) an employee within the meaning of the Public Service Act while acting in the performance of his functions under that Act;
 - (c) an employee of the Crown or any instrumentality of the Crown while acting in the performance of his functions as such an employee;
 - (d) a legal practitioner acting in the ordinary course of his profession;
 - (e) a clerk of a legal practitioner while acting in the ordinary course of his employment as a clerk of the legal practitioner;
 - (f) an accountant while acting in the ordinary course of his profession;
 - (g) an officer of any Court while acting in the performance of his functions as an officer of that Court;
 - (h) a trustee company, building society, or friendly society or a person carrying on the business of insurance, insurance broking or banking, while acting in the ordinary course of business as such or an employee of any such company, society or person while acting in the ordinary course of his employment; or
 - (i) a person employed under a contract of service by a person who is not an agent while acting in the ordinary course of that employment.

PART II - LICENSING OF AGENTS

5. Subject to this part the Court may grant a licence to a person to be - Court may grant licences
- (a) a commercial agent;
 - (b) an inquiry agent;
 - (c) a process server; or
 - (d) a private bailiff.

Commercial and Private Agents Licensing

Offence to
act unless
licensed

6.(1) Subject to this section, a person shall not act as or hold himself out as being or perform or hold himself out as willing to perform any of the functions of -

- (a) a commercial agent;
- (b) an inquiry agent;
- (c) a process server; or
- (d) a private bailiff,

unless he is licensed under the appropriate category pursuant to this Act.

Penalty: \$500 or imprisonment for 3 months and the sum of \$10 for every day during which the offence continues.

(2) A person who, before the commencement of this Act, acted as a commercial agent, an inquiry agent, or a process server and who applies for a licence under this Act within one month of the date of commencement of this Act may continue to act as or hold himself out as being or perform or hold himself out as willing to perform that function until the determination of the application by him for that licence.

(3) For the purposes of this section, a person acts as or holds himself out as being or performs or holds himself out as willing to perform any of the functions of an agent whether he does so personally or through the agency or instrumentality of other persons.

(4) Where a person holds a licence under a law in force in a State or Territory which licence permits the person, either on his own behalf or as an employee of another person, to act as an agent, that person may after producing his licence to the Clerk of the Court, act as an agent in the capacity for which he is licensed as an employee of an agent licensed in the Territory for a period of one month from the date of production of his licence to the Clerk of the Court.

Application
for licence

7.(1) A person may apply for a licence in writing in the prescribed manner and form.

(2) An application under sub-section (1) shall contain the prescribed information verified by a statutory declaration made by the applicant or where the applicant is a corporation by the nominee of the corporation.

(3) The applicant shall furnish the Court with such further information verified, if the Court so requires, by statutory declaration, as the Court may require.

Commercial and Private Agents Licensing

(4) An application for a commercial agent's licence and a private bailiff's licence shall be accompanied by a bond and security as required by Part V.

8.(1) Subject to this Act, a person not being a corporation, is entitled to the grant of and to hold a licence of a particular category if he has satisfied the Court that -

Grant of
licence

- (a) he is over the age of 18 years;
- (b) he is a resident of the Territory;
- (c) he is a fit and proper person to hold a licence;
- (d) he is not bankrupt; and
- (e) he has not been convicted of an offence which warrants the refusal of the licence.

(2) Subject to this Act a corporation is entitled to hold a licence of a particular category if it has satisfied the Court that -

- (a) the officers of the corporation; and
- (b) any other person who in the opinion of the Court substantially controls or could substantially control the affairs of the corporation,

comply with the requirements of sub-section (1) and are fit and proper persons to manage, direct or control the affairs of a corporation holding a licence of that category.

9.(1) An applicant for a licence shall lodge an application referred to in section 7 with the Clerk of the Court having jurisdiction in the area where the applicant has his place of business or, where the applicant carries on business at more than one place, with the Clerk of the Court having jurisdiction at the principal place of his business in the Territory.

Application

(2) The applicant shall serve a copy of the application, signed by the Clerk of the Court, on the Commissioner of Police at least 28 days before the date set for the hearing of the application.

(3) The applicant shall serve a copy of the application, signed by the Clerk of the Court, on the Crown Solicitor at least 28 days before the date set for the hearing of the application.

(4) The Clerk of the Court shall cause notice of an original application for a licence together with the date of hearing of that application to be published in the Gazette at least 28 days before the date listed for hearing.

Commercial and Private Agents Licensing

Appointment
of nominee

10.(1) Where the applicant is a corporation it shall appoint a nominee.

(2) The nominee referred to in sub-section (1) shall be an officer of the company residing in the Territory who is in bona fide control of the business in the Territory.

(3) Where the applicant for a licence is a partnership, the partners shall appoint a nominee who shall be a partner if any partner resides in the Territory or the employee or agent for the partnership who resides in the Territory and who has bona fide control of the business in the Territory.

(4) All applications or documents required to be furnished by a corporation or partnership shall be signed by the nominee.

Objections

11.(1) The Commissioner of Police, the Crown Solicitor or any other person who wishes to object to an application shall -

(a) lodge with the Clerk of the Court a notice of his intention to object and the grounds of his objection at least 7 days prior to the hearing date; and

(b) cause a copy of the notice to be served personally or by post upon the applicant at least 7 days before the hearing date.

(2) The Court shall consider any objection made under this section when hearing the application for a licence.

(3) Any person who lodges an objection under this section may, after giving notice to the Court at least 3 days prior to the date set for the hearing of the application that he intends to appear at the hearing, appear at the hearing and give evidence and make submissions in relation to the grant of the licence.

(4) Objection may be made on any reasonable grounds including grounds that the applicant, or in the case of a corporation or firm, the nominee or any officer -

(a) is not of good character;

(b) is not over the age of 18 years;

(c) is bankrupt;

(d) has been guilty of harassing tactics;

(e) has been guilty of conduct which renders him unfit to hold a licence of the category for which he has applied;

Commercial and Private Agents Licensing

- (f) has contravened or failed to comply with a provision of this Act and the contravention or failure warrants a refusal of a licence;
- (g) has been convicted of an offence which warrants the refusal of a licence; or
- (h) is not capable of carrying out the duties of a licence holder.

12. An application shall be heard in open court unless the Magistrate hearing the application otherwise directs.

Application to be heard in open court

13. Where the application is for a renewal of a licence, the Court may -

Court may grant a licence

- (a) grant; or
- (b) refuse to grant,

a licence of the category applied for to the applicant.

14. The court may adjourn the hearing of an application from time to time as it sees fit.

Adjournment

15. Subject to this Act, the Clerk of the Court shall issue a licence to an applicant to whom the Court has granted that licence upon payment of the prescribed fee.

Issue of licence

PART III - DISCIPLINARY PROCEEDINGS

16.(1) The Court may summons an agent upon the complaint of the Commissioner of Police or the Crown Solicitor to show cause why his licence should not be cancelled or suspended and why he should not be disqualified either permanently or temporarily from holding a licence on the ground that -

Court may summons to show cause

- (a) the licence was improperly obtained;
- (b) the agent has been convicted of an offence against this Act or an offence against a law in force in any part of Australia, including the Territory, which conviction justifies the cancellation or suspension of his licence;
- (c) the agent has been engaging in harassing tactics;
- (d) the agent failed, without reasonable excuse, to obey an order of the Court or the Supreme Court; or
- (e) the agent wilfully failed to comply with a provision of this Act or of the Local Courts Act.

Commercial and Private Agents Licensing

(2) A copy of the summons showing the date set for the hearing of a complaint under sub-section (1) shall be served on the agent at least 7 days before the date set for hearing.

(3) The Court shall hear and determine a complaint referred to in sub-section (1) and may -

- (a) dismiss the complaint with or without a reprimand;
- (b) cancel the licence;
- (c) disqualify the agent from applying for a licence for such period as it thinks fit;
- (d) suspend the licence for such period as it thinks fit; or
- (e) make such other or further orders as it thinks fit.

(4) The Court may make orders under sub-section (3) notwithstanding the failure of the agent to appear in person or by representation by a legal practitioner.

(5) The Court may adjourn the hearing of a complaint under this section from time to time as it thinks fit.

(6) Upon the cancellation or suspension of a licence under this section the former agent shall deliver the licence to the Clerk of the Court within 7 days of the order of cancellation or suspension.

Penalty: \$200.

PART IV - APPEALS

Appeals

17.(1) Where the Court -

- (a) refuses to grant a licence; or
- (b) suspends or cancels a licence,

it shall state in writing the reason for the refusal, suspension or cancellation.

(2) A person who has a right of hearing at an application and who appeared at an application may appeal to the Supreme Court of the Northern Territory against a decision made under sub-section (1).

(3) An appeal under this section shall be in the nature of a rehearing.

(4) Where an appeal has been made to the Supreme Court, the Court may, if it thinks fit, upon the application of any party, defer the operation of an order pending the outcome of the appeal.

Commercial and Private Agents Licensing

PART V - BONDS FOR CERTAIN AGENTS

18.(1) Subject to this section a licence for a commercial agent or a private bailiff shall not be issued unless a bond in the prescribed form is lodged with the Clerk of the Court accompanied by such security for the satisfaction of the bond as may be prescribed.

Certain agents
to lodge bonds

(2) Where a licence for a commercial agent or a private bailiff is sought by an employee of a corporation that is issued with a licence, the employee is not required to lodge a bond in order to receive an employee's licence.

19.(1) Where the applicant or the holder of the licence is a corporation the bond shall be in the sum of \$2,000.

Grant of
bonds

(2) Where the applicant or the holder of the licence is a person other than a corporation who proposes to carry on or carries on the business of the commercial agent in partnership with another person the bond shall be in the sum of \$1,500.

(3) In any case not referred to in sub-section (1) or (2) the bond shall be in the sum of \$1,000.

(4) A sum recoverable under a bond required by this Act is not a penalty but is liquidated damages and shall be recoverable in full as a debt due jointly and severally by the licensee to the Crown unless performance of every condition of the bond is performed.

(5) A sum of money which is recovered under a bond in pursuance of this Act shall be paid to the Clerk of the Court who shall apply it -

- (a) in payment of any costs and expenses incurred in the recovery of the bond moneys;
- (b) in compensating any person who has sustained a loss by reason of the action of the person as a commercial agent or a private bailiff; and
- (c) in refunding the balance to the surety who provided the bond.

20.(1) If at any time during the currency of a commercial agent's licence or a private bailiff's licence the Court determines that the bond required by this Act is not adequately secured, the holder of the licence shall furnish such security as the Court may direct.

Court may
order
additional
security

(2) Where the Court makes a determination under sub-section (1) that the bond is not adequately secured the person who would otherwise be the holder of the licence shall not be licensed for the purpose of

Commercial and Private Agents Licensing

this Act until such time as security in accordance with the Court's order is provided.

Cessation of partnership

21.(1) Where an agent who has entered into a bond in order to carry on business under a partnership ceases to carry on business in partnership with another person, he shall, before commencing to carry on business in his own right, enter into a bond in the prescribed form in the sum of \$1,000.

(2) If an agent fails to enter into a bond in the prescribed form in the sum of \$1,000 within one month of ceasing to carry on business in partnership with another person, the licence for which he is required to enter into a bond shall lapse.

Return of security

22.(1) Where an agent ceases to carry on business, he, or any person who lodged security in support of his bond, may apply to the Court for the return of the security.

(2) The Court may refuse to order the return of the security where it is satisfied that the security is still or may be in the future required.

PART VI - TRUST ACCOUNTS AND PRESCRIBED RECORDS

Moneys held on trust

23.(1) Subject to section 23 of the Local Courts Act, all moneys received for or on behalf of a person by an agent shall be held by the agent exclusively for that person.

(2) All moneys received by an agent on behalf of any person shall be paid into and held in a trust account in a bank in the Northern Territory in the name of the agent.

(3) An agent shall pay into his trust account any moneys required to be paid into that trust account within 2 working days of receipt of those moneys.

(4) Where a private bailiff receives money from a person upon whom he has served a summons, the private bailiff shall immediately notify the Clerk of the Court of the receipt of that money.

(5) No moneys shall be paid out of an agent's trust account otherwise than to or as directed by the person on whose behalf the agent holds those moneys.

Penalty: \$2,000 or imprisonment for 12 months.

Moneys not liable for attachment

24.(1) Moneys held in an agent's trust account shall not be liable to be attached or taken in execution under an order or process of any court at the instance of any creditor other than a creditor of the person on whose behalf the moneys were received by the agent.

Commercial and Private Agents Licensing

(2) This section shall not be construed as preventing the removal of moneys from the trust account to satisfy a lawful claim or lien that the agent has upon those moneys.

25.(1) An agent shall keep or cause to be kept fully and correctly prescribed records and other prescribed documents in relation to the functions performed by him in his capacity as an agent.

Prescribed records

(2) An agent shall not destroy, falsify or mutilate any record or other document kept in pursuance of sub-section (1) or cause or permit any such record or other document to be destroyed, falsified or mutilated within the period of 5 years after it was made or to be removed from his possession during that period.

Penalty: \$500 or imprisonment for 6 months.

26.(1) All prescribed records and other prescribed documents of an agent or a person who has ceased to be an agent shall at all reasonable times be open to inspection by the Minister or a member of the Northern Territory Police Force or by a person duly authorized in writing by the Minister to inspect those records or those other documents.

Inspection of prescribed records

(2) The Minister, a member of the Police Force or a person so authorized by the Minister may require an agent or, where the agent is a corporation, the person who manages the business of the corporation conducted in pursuance of the licence, or in the absence of that person, any person having apparent control of the business -

(a) to produce for inspection all or any prescribed records and other prescribed documents; and

(b) to furnish such other documents in his custody or control as may be reasonably required for the purpose of ascertaining whether there has been any contravention of, or failure to comply with, this Act or any other Act or law in connexion with trust moneys.

(3) The Minister, a member of the Police Force, or a person authorized to do so may take any copies or extracts from or make any notes concerning any records or other documents subject to inspection.

(4) A person shall not -

(a) wilfully delay or obstruct any inspection under this section;

(b) wilfully mutilate or destroy, or in any way alter any record or other document to delay or obstruct any inspection under this section; or

Commercial and Private Agents Licensing

(c) on demand refuse or fail to comply with a requirement duly made of him under this section.

Penalty: \$500 or imprisonment for 6 months.

Restriction
on disposition
of moneys

27.(1) The Minister may by order in writing served upon a banker or other person having the custody or control of trust moneys affected by the provisions of this Part, restrict or prohibit any dealing in or disposition of those moneys.

(2) A person who acts in contravention of an order under sub-section (1) shall be guilty of an offence and liable to a penalty on conviction not exceeding \$1,000 or imprisonment for 6 months.

Investigation
of trust
accounts

28.(1) The Minister may after consideration of a report of an investigation into the trust account of an agent and on being satisfied that the agent has received moneys for or on behalf of a person and has not properly accounted for those moneys in his trust account may -

(a) by notice in writing to the manager or other principal officer of a bank with which the agent has deposited any money in a trust account in his capacity as an agent direct that no moneys be drawn from the trust account without the consent of the Minister until further notice;

(b) notify the Clerk of the Court having jurisdiction in the area where the agent has his principal place of business that he intends to apply to the Court to have the agent's licence suspended; and

(c) cause a copy of the application together with a notification of the date set by the Clerk of the Court for the hearing of the application to be served on the agent.

(2) The manager or other principal officer of a bank receiving a notice referred to in sub-section (1)(a) shall give effect to the direction of the Minister.

Suspension
of licences

29.(1) The Court shall hear and determine the application by the Minister to suspend the licence of the agent and shall make such orders as it thinks fit.

(2) Where the Court orders suspension of a licence of an agent under this section the Clerk of the Court shall cause a notice to be published in a newspaper circulating in the area where the agent carried on business in the Northern Territory fixing a date by which time any person having a claim against the trust account of the agent whose licence has been suspended shall lodge a claim form with the Clerk of the Court.

Commercial and Private Agents Licensing

(3) Any person who fails to claim within the time specified in the advertisement published under sub-section (2) shall not be entitled to share in the distribution of moneys payable from the trust account unless the Court otherwise directs.

(4) The Clerk of the Court or some other person appointed by the Minister shall admit or reject proof of claims made against moneys in the trust account and no action shall lie against the Clerk of the Court or a person so appointed for any decision made in good faith in relation to such claims.

(5) If the moneys standing to the credit of the trust account are insufficient to satisfy the amount of all admitted claims the Clerk of the Court shall make pro rata payments forthwith to the claimants and shall by notice in writing demand from the agent payment of the balance required to meet admitted claims.

(6) Where the agent is unable to meet payment of those claims within 28 days of service of a notice under sub-section (5) the Minister may call up the bond and any security lodged in support of the bond.

(7) The cost of administering the trust account in accordance with this section shall be a debt due by the agent and shall be recoverable in a court of competent jurisdiction.

PART VII - EMPLOYMENT, POWERS AND DUTIES
OF PRIVATE BAILIFFS

30.(1) A private bailiff may be employed by a person or a legal practitioner acting for a person who is entitled to the issue of a warrant of execution or arrest under the Local Courts Act to execute that warrant.

Employment
of private
bailiff

(2) Where a private bailiff is employed under sub-section (1) the person employing him shall inform the Clerk of the Court having jurisdiction in the area where the warrant was issued.

(3) The Clerk of the Court who is notified in accordance with sub-section (2) shall issue the warrant to the private bailiff so nominated.

31.(1) Where a person is entitled to the issue of a warrant of execution or arrest under the Local Courts Act and has not nominated a private bailiff, the Clerk of the Court may require the person to nominate a private bailiff to execute that warrant.

Nomination
of private
bailiff

(2) In the event that the Clerk of the Court requires a person to nominate a private bailiff under sub-section (1), the Clerk of the Court shall issue the warrant to the private bailiff.

Commercial and Private Agents Licensing

(3) Where a person fails to nominate a private bailiff after the Clerk of the Court has required the person to do so, the Clerk of the Court may appoint a private bailiff to execute the warrant.

Private
bailiff to
accept
warrant

32. A private bailiff shall not without reasonable excuse refuse to accept a warrant of execution or arrest issued by a Clerk of the Court to him.

Penalty: \$200.

Rights and
powers of
private
bailiff

33.(1) A private bailiff who executes a warrant in pursuance of this Act shall be entitled to the prescribed fee for execution of that warrant, such other amount as may be agreed between the private bailiff and the person employing him and any costs of execution allowed under the Local Courts Act.

(2) Subject to this section, where a private bailiff executes a warrant issued to him in accordance with this Part, he shall have all the powers, duties, privileges and obligations that he would have if he was appointed under the Local Courts Act as an assistant bailiff.

(3) Section 285 of the Local Courts Act shall not apply to a private bailiff.

(4) A private bailiff is not an employee of the Northern Territory within the meaning of section 7A of the Compensation (Australian Government Employees) Act 1971 of the Commonwealth.

PART VIII - GENERAL

Costs

34. In any proceedings under this Act the Court may make such orders as to costs as it thinks fit.

Copy of
licence

35. Where a licence is lost or destroyed a copy of the licence may be issued by the Clerk of the Court upon an application in the prescribed form and upon payment of the prescribed fee by the applicant to the Clerk of the Court.

Manager to
be licensed

36.(1) Where a corporation holds a licence of a particular category, the corporation shall employ a natural person who is a resident in the Territory and who holds a licence of the same category as that of the corporation to manage the business of the corporation.

(2) Where the business of a corporation is not managed as required by sub-section (1), the corporation shall, within 14 days or such longer period to be allowed by the Court, appoint a manager resident within the Territory to manage the business of the corporation conducted in pursuance of the licence.

(3) A corporation shall not carry on business as an agent during any period for which the corporation is in default under sub-section (2).

Commercial and Private Agents Licensing

37. A licence issued under this Act is not transferable. Licence not transferable

38. A person may hold a number of licences of different categories simultaneously. Multiple licences

39. An agent shall not employ a person to act as a commercial agent, an inquiry agent, a process server or a private bailiff unless the person so employed holds a licence of the category which applies to the work for which he is employed. Employee to be licensed

Penalty: \$500.

40. No person shall be entitled to sue for, recover or retain any commission, fee, gain or reward for any service performed by him as an agent unless at the time of performing that service he was a holder of a licence of the category under which he performed the service. Fees for agents

41. A licence does not confer upon any person any power or authority to act in contravention of, or in disregard of any law or rights or privileges guaranteed or arising under or protected by any law. Rights not affected by licence

42. An agent shall not -

- (a) suggest or imply that by virtue of his licence he may exercise any power or authority which in fact he could not exercise if this Act had not been passed; or
- (b) use or attempt to use his licence to exercise any power or authority which he could not exercise if this Act had not been passed.

Offence to exceed power

Penalty: \$500.

43. A commercial agent who takes possession of a motor vehicle that is subject to a hire purchase agreement, chattel mortgage or bill of sale - Commercial agent to report on motor vehicles

- (a) shall as soon as practicable after taking possession of the motor vehicle inform a member of the Police Force on duty at the Police Station nearest to the place where he took possession of the vehicle; and
- (b) within 24 hours after taking possession of the motor vehicle, deliver or send by post to the officer in charge of the Police Station nearest to the commercial agent's registered address, written particulars in duplicate of the motor vehicle including particulars of the registered number of the motor vehicle.

Penalty: \$500.

Commercial and Private Agents Licensing

Change of
address

44.(1) An agent shall notify the Clerk of the Court within 7 days of commencing business at an address details of that address.

(2) An agent shall notify the Clerk of the Court of -

(a) his principal place of business;

(b) an address to which all communications, letters, notices or other documents may be addressed; and

(c) details of the change of any address at which he carries on business.

Penalty: \$200.

Civil
remedies
not affected

45. Nothing in this Act shall affect any civil remedy that a person may have against an agent in respect of any matter.

Offence by
corporation

46.(1) Subject to this section, where an offence against a provision of this Act relating to an agent is committed by a corporation, then, in addition to any penalty to which the corporation is liable for that offence, the officers of the corporation shall be liable to the penalty provided by this Act in respect of the commission of that offence by an individual.

(2) It is a defence for an officer subject to a prosecution under sub-section (1) to establish that the offence was committed without his knowledge and that he used all due diligence to prevent the commission of the offence.

Regulations

47. The Administrator may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for the purpose of carrying out or giving effect to this Act.

