U.S. Department of Justice
Washington, DC 20530

Exhibit A
To Registration Statement
Under the Foreign Agents Registration Act of 1938, as amended

OMB No. 1105-0003

Privacy Act Statement. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, dissemination report, copy of political propaganda or other document or information filed with the Attorney General under this act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, D.C. One copy is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of such documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. Finally, the Attorney Genreral transmits an annual report to the Congress on the Administration of the Act which lists the names of all agents and the nature, sources and content of the political propaganda disseminated or distributed by them. This report is available to the public.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .49 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Criminal Division, U.S. Department of Justice, Washington, D.C. 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

Furnish this exhibit for EACH foreign principal listed in an initial statement and for EACH additional foreign principal acquired subsequently.

1. Name and address of registrant
New South Wales Tourism Commission
2121 Ave of the Stars #450 , Los Angeles CA 90067

2. Registration No.
4450

3. Name of foreign principal
New South Wales Tourism Commission
(Government of New South Wales)

4. Principal address of foreign principal
140 Phillip Street
Sydney NSW 2000, Australia

5. Indicate whether your foreign principal is one of the following type:

☒ Foreign government

☐ Foreign political party

☐ Foreign or ☐ domestic organization: If either, check one of the following:

☐ Partnership ☐ Committee

☐ Corporation ☐ Voluntary group

☐ Association ☐ Other (specify) _____

☐ Individual—State his nationality _____

6. If the foreign principal is a foreign government, state:
New South Wales Tourism Commission
a) Branch or agency represented by the registrant.
New South Wales Tourism Commission
b) Name and title of official with whom registrant deals.
Paul Crombie
General Manager

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INTERNAL SECURITY
SECTION
REGISTRATION

7. If the foreign principal is a foreign political party, state:

a) Principal address Not applicable

b) Name and title of official with whom registrant deals.

c) Principal aim

Formerly OBD-67

FORM CRM-157
SEP.88

8. If the foreign principal is not a foreign government or a foreign political party,

a) State the nature of the business or activity of this foreign principal

Not applicable

b) Is this foreign principal

Owned by a foreign government, foreign political party, or other foreign principal ..... Yes ☐ No ☐

Directed by a foreign government, foreign political party, or other foreign principal..... Yes ☐ No ☐

Controlled by a foreign government, foreign political party, or other foreign principal ..... Yes ☐ No ☐

Financed by a foreign government, foreign political party, or other foreign principal..... Yes ☐ No ☐

Subsidized in whole by a foreign government, foreign political party, or other foreign principal..... Yes ☐ No ☐

Subsidized in part by a foreign government, foreign political party, or other foreign principal..... Yes ☐ No ☐

Not applicable

9. Explain fully all items answered "Yes" in Item 8(b). *(If additional space is needed, a full insert page may be used.)*

Not applicable

10. If the foreign principal is an organization and is not owned or controlled by a foreign government, foreign political party or other foreign principal, state who owns and controls it.

Not applicable

Date of Exhibit A	Name and Title	Signature
December ~~20~~ 18, 1990	Fiona Stewart Sales Manager	Fiona J Stewart

U.S. Department of Justi
Washington, DC 20530

Exhibit B
To Registration Statement
Under the Foreign Agents Registration Act of 1938, as amended

OMB No. 1105-0007

INSTRUCTIONS: A registrant must furnish as an Exhibit B copies of each written agreement and the terms and conditions of each oral agreement with his foreign principal, including all modifications of such agreements; or, where no contract exists, a full statement of all the circumstances by reason of which the registrant is acting as an agent of a foreign principal. This form shall be filed in triplicate for each foreign principal named in the registration statement and must be signed by or on behalf of the registrant.

Privacy Act Statement. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, dissemination report, copy of political propaganda or other document or information filed with the Attorney General under this act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, D.C. One copy is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of such documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. Finally, the Attorney Genreral transmits an annual report to the Congress on the Administration of the Act which lists the names of all agents and the nature, sources and content of the political propaganda disseminated or distributed by them. This report is available to the public.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .33 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Criminal Division, U.S. Department of Justice, Washington, D.C. 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

Name of Registrant	Name of Foreign Principal
New South Wales Tourism Commission	New South Wales Tourism Commission (State Government of New South Wales)

Check Appropriate Boxes:

1. [ ] The agreement between the registrant and the above-named foreign principal is a formal written contract. If this box is checked, attach three copies of the contract to this exhibit.

2. [X] There is no formal written contract between the registrant and foreign principal. The agreement with the above-named foreign principal has resulted from an exchange of correspondence. If this box is checked, attach three copies of all pertinent correspondence, including a copy of any initial proposal which has been adopted by reference in such correspondence.

See Attachment #1 and Attachment #2

3. [ ] The agreement or understanding between the registrant and the foreign principal is the result of neither a formal written contract nor an exchange of correspondence between the parties. If this box is checked, give a complete description below of the terms and conditions of the oral agreement or understanding, its duration, the fees and the expenses, if any, to be received.

4. Describe fully the nature and method of performance of the above indicated agreement or understanding.

The New South Wales Tourism Commission (Australia) has opened an office in Los Angeles, California to assist in the promotion of tourism to New South Wales in the North American and Canadian marketplace. The North American office of the New South Wales Tourism Commission assists both consumers and travel agents with tourism inquiries and mails out tourism brochures (free of charge). The NSW Tourism Commission also conducts educational seminars for travel agents and seeks to publicize the State and its tourist attractions in North America.

5. Describe fully the activities the registrant engages in or proposes to engage in on behalf of the above foreign principal.

The New South Wales Tourism Commission runs an information office located in Los Angeles, California. The main functions of the office are as follows:

1. Responds to tourism inquiries from travel agents and the general public.
2. Assists travel agents and general public with travel plans.
3. Supplies informational brochures to travel agents and general public.
4. Advertizes in consumer and travel trade publications to promote tourism to New South Wales.
5. Conducts educational seminars to travel agents about New South Wales and its tourist attractions.
6. Attends travel trade shows and industry functions.
7. Liaises with airlines, tour operators and media to disseminate information about New South Wales and its tourist attractions.

6. Will the activities on behalf of the above foreign principal include political activities as defined in Section 1(o) of the Act?[1]
Yes [ ] No [X]

If yes, describe all such political activities indicating, among other things, the relations, interests or policies to be influenced together with the means to be employed to achieve this purpose.

Date of Exhibit B	Name and Title	Signature
December 18, 1990	Fiona Stewart Sales Manager	Fiona Stewart

[1]Political activity as defined in Section 1(o) of the Act means the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

ATTACHMENT #1 TO EXHIBIT B OF REGISTRATION STATEMENT.

TOURISM COMMISSION ACT, 1984, No. 46

NEW SOUTH WALES.

TABLE OF PROVISIONS.

PART I.—PRELIMINARY.

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2. Commencement.
3. Interpretation.

PART II.—THE TOURISM COMMISSION OF NEW SOUTH WALES.

4. Constitution of the Commission.
5. Functions of the General Manager.
6. Staff of the Commission.

PART III.—FUNCTIONS OF THE COMMISSION.

7. Objects of the Commission.
8. Powers of the Commission.
9. Grants, loans and guarantees—generally.
10. Terms of guarantees.
11. Acquisition of plant and machinery, etc.
12. Grants and loans.
13. Provision of services.

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14. Interest on loans and rental under leases.
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PART IV.—ACQUISITION OF LAND.

16. Acquisition of land.
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25. Disclosure of information.
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27. Annual report.
28. Shortened references to Commission.
29. Service of documents.
30. Authentication of certain documents.
31. Recovery of charges, etc., by Commission.
32. Proof of certain matters not required.
33. Proceedings for offences.
34. Regulations.
35. Repeals.
36. Savings and transitional provisions.

SCHEDULE 1.—PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION.
SCHEDULE 2.—PROVISIONS RELATING TO THE PROCEDURE OF THE COMMISSION.
SCHEDULE 3.—REPEALS.
SCHEDULE 4.—SAVINGS AND TRANSITIONAL PROVISIONS.

New South Wales

ANNO TRICESIMO TERTIO

ELIZABETHÆ II REGINÆ

* *

Act No. 46, 1984.

An Act to constitute the Tourism Commission of New South Wales and define its objects and functions; to repeal the Tourist Industry Development Act, 1976; and for other purposes. [Assented to, 13th June, 1984.]

See also Capital Debt Charges (Tourism Commission) Amendment Act, 1984; Government Guarantees (Tourism Commission) Amendment Act, 1984; Local Government (Tourism Commission) Amendment Act, 1984; Statutory and Other Offices Remuneration (Tourism Commission) Amendment Act, 1984.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the "Tourism Commission Act, 1984".

Commencement.

2. **(1)** Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Interpretation.

3. **(1)** In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

"Chairperson" means the Chairperson of the Commission:

"Commission" means the Tourism Commission of New South Wales constituted by this Act:

"council" has the same meaning as it has in the Local Government Act, 1919;

"Fund" means the Tourism Development Fund established under section 23;

"General Manager" means the General Manager of the Commission:

"member" means a member of the Commission:

"part-time member" means a member referred to in section 4 (4) (b);

"regulation" means a regulation made under this Act.

(2) In this Act, a reference to—

(a) a function includes a reference to a power, authority and duty;

(b) the exercise of a function includes, where the function is a duty, a reference to the performance of the duty; and

(c) facilitating the development of tourism includes a reference to developing tourism.

PART II.

THE TOURISM COMMISSION OF NEW SOUTH WALES.

Constitution of the Commission.

4. (1) There is hereby constituted a corporation under the corporate name of the "Tourism Commission of New South Wales".

(2) The Commission—

(a) shall have and may exercise the functions conferred or imposed on it by or under this or any other Act;

(b) shall, for the purposes of any Act, be deemed to be a statutory body representing the Crown; and

(c) shall, in the exercise of its functions (except in relation to the contents of a report or recommendation made by it to the Minister), be subject to the control and direction of the Minister.

(3) The Commission shall consist of not less than 5 nor more than 7 members who shall be appointed by the Governor.

(4) Of the members—

(a) one shall, in and by the instrument by which the member is appointed, be appointed as General Manager of the Commission; and

(b) the others shall, in and by the instruments by which the members are appointed, be appointed as part-time members.

(5) Schedule 1 has effect with respect to the members.

(6) Schedule 2 has effect with respect to the procedure of the Commission.

Functions of the General Manager.

5. The General Manager—

(a) is responsible, as the chief executive officer of the Commission, for the management of the affairs of the Commission subject to and in accordance with the policies and any directions of the Commission; and

(b) shall have and may exercise such other functions as are conferred or imposed on the General Manager by or under this or any other Act.

Staff of the Commission.

6. (1) Such staff as may be necessary to enable the Commission to exercise its functions shall be employed under the Public Service Act, 1979.

(2) For the purpose of exercising its functions, the Commission may, with—

(a) the approval of the Minister; and

(b) the approval of—

(i) the Minister administering a government department or administrative office; or

(ii) a statutory body,

and on such terms and conditions as may be approved by the Public Service Board, arrange for the use of the services of any staff or facilities of the department, office or body, as the case may be.

(3) The Commission may, for any purpose approved by the Minister and on such terms and conditions as may be approved by the Public Service Board, appoint, employ or engage any person considered by the Commission capable of providing services, information or advice required by the Commission in exercising its functions.

PART III.

FUNCTIONS OF THE COMMISSION.

Objects of the Commission.

7. (1) The principal object of the Commission is to achieve economic and social benefits for the people of New South Wales through the development of tourism.

(2) Without affecting the generality of subsection (1), the Commission shall aim—

(a) to promote travel to and within New South Wales; and

(b) to co-ordinate the development of ventures relating to tourism.

(3) The Commission shall determine the policies to be implemented by it in attaining its objects.

Powers of the Commission.

8. (1) The Commission may—

(a) construct, establish, maintain and operate tourist facilities, establish, maintain and conduct enterprises relating to tourism or enter into contracts, agreements or arrangements relating to any one or more of those activities;

(b) provide travel and information services relating to tourism and undertake research into tourism;

(c) market travel and related services;

(d) appoint persons to act as agents of the Commission in New South Wales or elsewhere;

(e) act as agent for persons engaged in the provision of travel and tourist facilities and related services;

(f) demand and receive fees, retainers or commissions—

(i) for acting as agent pursuant to the power conferred by paragraph (e);

(ii) for the provision or sale of travel or related services;

(iii) for the provision of tourist facilities or related services; or

(iv) for the provision of any other service by the Commission;

(g) borrow money and raise loans under and subject to the Public Authorities (Financial Accommodation) Act, 1981; and

(h) provide funds for the undertaking of feasibility studies and research relating to the construction, maintenance or improvement of tourist facilities.

(2) The Commission may agree to any condition that is not inconsistent with its objects being imposed on its acquisition of any property.

(3) Where, by gift inter vivos, devise or bequest, the Commission acquires property, it may retain the property in the form in which it is acquired, except as provided by any condition agreed to by the Commission under subsection (2) in relation to the property.

(4) The rule of law against remoteness of vesting does not apply to a condition to which the Commission has agreed under subsection (2).

(5) The Commission may exercise its functions within or outside New South Wales jointly or in association with any other person (including a corporation constituted otherwise than under an Act of the New South Wales Parliament) situated within New South Wales or elsewhere.

(6) Subject to this Act, the Commission shall have such functions, in addition to those specified elsewhere in this Act, as are reasonably necessary for the attainment of its objects.

Grants, loans and guarantees—generally.

9. **(1)** The Commission may, with the approval of the Minister—

(a) make a grant or loan; or

(b) execute a guarantee, either alone or jointly with some other person,

for the purpose of facilitating the development of tourism.

(2) Subject to section 14, the Commission may, in making a grant or loan, or in agreeing to enter into a guarantee, impose such conditions as, in the opinion of the Commission, are appropriate.

(3) In this section, "guarantee" means a guarantee of a debt the amount of which is ascertainable when the guarantee is executed.

Terms of guarantees.

10. **(1)** A guarantee executed by the Commission is not enforceable against the Commission until the creditor has exercised all the rights and remedies of the creditor under all other securities held by or for the creditor in respect of the debt guaranteed.

(2) The Commission may, as a condition of a guarantee, require the creditor to obtain, take and hold, or retain and hold, such securities for the payment of the principal debt and interest thereon as the Commission requires.

(3) The Commission may execute a guarantee notwithstanding that the debt guaranteed includes—

(a) any interest (including compound interest), charges and expenses chargeable by the creditor against the principal debtor; and

(b) the expenses of enforcing or obtaining or endeavouring to enforce or obtain payment of any amount guaranteed, that interest and those charges and expenses.

(4) Where the Commission executes a guarantee, any assignment or encumbrance of the guarantee by the creditor without the consent of the Commission has no force or effect.

(5) The Commission shall not execute a guarantee—

(a) for the repayment of any money expended or to be expended on—

(i) the acquisition of land, or land and buildings;

(ii) the construction, improvement or alteration of buildings;

(iii) the improvement of land otherwise than as referred to in subparagraph (ii); or

(iv) the acquisition of vehicles, vessels, plant, machinery or equipment,

if the amount guaranteed would exceed 90 per cent of—

(v) the estimated value, ascertained as directed by the Commission, of the land, or the land and buildings;

(vi) the estimated cost, so ascertained, of the works of construction, improvement or alteration;

(vii) the estimated cost, so ascertained, of the works of improvement; or

(viii) the estimated value, so ascertained, of the vehicles, vessels, plant, machinery or equipment,

as the case may be; or

(b) if the amount guaranteed would, together with the amounts of all other guarantees executed by the Commission and then in force, or agreed to by the Commission but not then executed, exceed such amount as may be determined from time to time by the Treasurer and notified to the Commission.

(6) The execution by the Commission of a guarantee referred to in this section is, in favour of the creditor, conclusive evidence that the requirements of this section with respect to the guarantee have been complied with.

Acquisition of plant and machinery, etc.

11. The Commission may purchase, lease or exchange, or otherwise acquire, plant, machinery or equipment for the purpose of making it available, on such terms and subject to such conditions as are determined by the Commission, to facilitate the development of tourism.

Grants and loans.

12. **(1)** The Commission may, with the approval of the Minister, enter into, and give effect to, an agreement with a council to make to the council a grant or loan for the purpose of—

(a) erecting on land vested in the council any building required to facilitate the development of tourism;

(b) altering or extending a building erected on land vested in the council to make it suitable to facilitate the development of tourism;

(c) erecting, on land vested in the council, dwelling houses for occupation by persons employed, or to be employed, on or about a project to facilitate the development of tourism;

(d) improving any land vested in the council to make it suitable for use as a site for a project to facilitate the development of tourism; or

(e) acquiring land for a purpose referred to in paragraph (a), (b), (c) or (d).

(2) The Commission may enter into, and give effect to, an agreement with a council for the construction, on land vested in the Commission or the council, or in the Commission and the council, of buildings suitable to facilitate the development of tourism and the sale, lease or exchange of any such land and buildings.

Provision of services.

13. **(1)** The Commission may enter into an agreement with any person with respect to the construction or improvement of roads, works for the supply of water, gas or electricity, or sewerage or drainage works, or other works, whether of the same or of a different kind, to serve any project, being a project to facilitate the development of tourism.

(2) An agreement under this section may provide for—

(a) the whole, or any specified part, of the cost of the roads or other works to be paid by the Commission; or

(b) a loan to be made by the Commission to meet the whole, or any specified part, of the cost of the roads or other works.

Interest on loans and rentals under leases.

14. **(1)** A loan made by the Commission shall be at the rate of interest for the time being fixed by the Treasurer generally for the purposes of this Part or, if the Treasurer so approves, at such rate of interest as may be fixed by the Treasurer in respect of that loan or without interest.

(2) The rental or other consideration to be received by the Commission in respect of a lease of real or personal property acquired for the purposes of this Part shall be fixed by the Commission so as to produce an amount per annum which represents not less than such percentage as the Minister may direct, in respect of that lease, or of leases of the class to which that lease belongs, of the value of the real or personal property leased.

Agency agreements with the State Bank.

15. The Commission may, for the purpose of exercising any function of the Commission, enter into an agreement or arrangement with the State Bank of New South Wales under section 19 of the State Bank Act, 1981.

PART IV.

ACQUISITION OF LAND.

Acquisition of land.

16. The Commission may—

(a) for the purpose of providing a site for a project, being a project to facilitate the development of tourism, or a site that, in the opinion of the Commission, is likely to be required for such a project; and

(b) with the approval of the Minister,

acquire land, including land previously appropriated or resumed for any purpose, by lease, purchase or exchange or by resumption or appropriation in accordance with this Part.

Resumption and appropriation.

17. **(1)** For the purposes of section 16. the Governor may, under the Public Works Act, 1912, resume any land, and appropriate any land vested in Her Majesty, or in any person in trust for Her Majesty.

(2) A resumption or appropriation under subsection (1) shall be deemed to be for an authorised work, and the Commission shall be deemed to be the Constructing Authority.

(3) Sections 34, 35, 36 and 37 of the Public Works Act, 1912, do not, but section 38 of that Act does, apply in respect of the expenditure on any works constructed under this Act.

Subdivision.

18. The Commission may cause a plan to be made of any land acquired by the Commission under this Part showing the proposed roads and reserves for public recreation or other public purposes, and the land to be set apart as sites for buildings or works.

Improvements and dedication.

19. **(1)** The Commission may—

(a) cause any work to be done on or in relation to any land acquired by the Commission pursuant to this Part for the purpose of improving it to make it suitable to be used as a site for a project to facilitate the development of tourism or for a dwelling house for occupation by a person employed or to be employed on or about any such project;

(b) dedicate by notification in the Gazette any such land as a reserve for public recreation or for other public purposes, and fence, plant and improve any such reserve, and by notification in the Gazette vest the reserve in the council of the area in which it is situated or in trustees; and

(c) set apart any such land as sites for buildings or works or for local government purposes.

(2) Where any reserve is vested under this section, the provisions of the Crown Lands Consolidation Act, 1913, apply to and in respect of the reserve in the same way as they apply to and in respect of land dedicated and vested under that Act.

Commission as Constructing Authority.

20. For the purposes of section 81 of the Public Works Act, 1912, the Commission shall be deemed to be a Constructing Authority.

Erection, alteration and extension of buildings.

21. (1) The Commission may cause to be erected, on land acquired by the Commission under this Part for the purpose referred to in section 16, buildings suitable to facilitate the development of tourism.

(2) The Commission may cause any building erected on land acquired by the Commission under this Part for the purpose referred to in section 16 to be altered or extended to make it suitable to facilitate the development of tourism.

Disposal of land.

22. (1) The Commission, with the approval of the Minister, may, in such manner and subject to such terms and conditions as in the opinion of the Commission are appropriate, sell, lease, exchange or otherwise deal with or dispose of any real or personal property that has been acquired by the Commission under this Part and grant easements or rights-of-way over any land or any part thereof that has been so acquired by the Commission.

(2) Any money received by the Commission in respect of any transaction that is entered into by the Commission under subsection (1) and that relates to any land acquired by the Commission for the purpose referred to in section 16 shall be paid into the Fund.

PART V.

FINANCE.

Tourism Development Fund.

23. **(1)** There shall be established and maintained in the Special Deposits Account in the Treasury a Tourism Development Fund into which shall be paid—

(a) from the Country Industries Assistance Fund in the Special Deposits Account in the Treasury such amounts as are from time to time agreed upon by the Minister and the Minister administering the State Development and Country Industries Assistance Act, 1966, the payment of which from that Fund is hereby authorised;

(b) any money appropriated by Parliament for the purposes of the Fund;

(c) money borrowed by the Commission;

(d) principal money repaid in respect of loans referred to in subsection (2) (d) and interest received in respect of any such loan;

(e) the proceeds of any transaction affecting real or personal property acquired with money from the Fund; and

(f) such fees or other amounts received by the Commission as may be determined by the Minister with the concurrence of the Treasurer.

(2) Money in the Fund (including money paid into the Fund pursuant to section 13B (3) (b) of the Totalizator (Off-course Betting) Act, 1964) may be expended by the Commission for the purpose of—

(a) discharging such commitments of the Country Industries Assistance Fund with respect to tourism as were outstanding immediately before the payment into the Fund of the amounts referred to in subsection (1) (a);

(b) paying such of the expenses of administering this Act as relate to the collection and expenditure of money in the Fund;

(c) promoting and assisting the development of tourism;

(d) making grants or loans in aid of projects to facilitate the development of tourism and becoming a member of a company where, in the opinion of the Minister, the company's objects provide principally for projects of that kind;

(e) repaying money borrowed by the Commission, paying interest on money so borrowed and paying the expenses of the Commission in borrowing money;

(f) discharging any liability of the Commission under a guarantee given by the Commission;

(g) paying any money for which the Commission is liable under the Capital Debt Charges Act, 1957;

(h) acquiring land pursuant to Part IV; and

(i) making any other payments that the Commission is, by or under this Act or the regulations, required or authorised to make from the Fund.

(3) The Commission shall, at such times as the Treasurer directs, pay to the Treasurer such part as the Treasurer specifies, when giving the direction, of money paid as interest on any transaction referred to in subsection (1) (e) or on loans made under subsection (2) (d), other than loans made from money borrowed by the Commission.

(4) There shall be paid, at such times as the Treasurer directs, from the Fund to the Treasurer for credit of the Consolided Fund such percentage of such income, or such classes or descriptions of income, received by the Commission as may be prescribed.

(5) In subsection (4), "income" includes, but is not limited to—

(a) rentals or other consideration in respect of leases; and

(b) fees or other revenue in respect of licences or agreements.

Financial year.

24. The financial year of the Commission shall be the year commencing on 1st July.

PART VI.

MISCELLANEOUS.

Disclosure of information.

25. A person shall not disclose any information obtained in connection with the administration or execution of this Act (or any other Act conferring or imposing functions on the Commission) unless that disclosure is made—

(a) with the consent of the person from whom the information was obtained;

(b) in connection with the administration or execution of this Act (or any such other Act);

(c) for the purposes of any legal proceedings arising out of this Act (or any such other Act) or of any report of any such proceedings;

(d) in accordance with a requirement made under the Ombudsman Act, 1974; or

(e) with other lawful excuse.

Penalty: $1,000.

Delegation.

26. **(1)** The Commission may, by instrument in writing, delegate to—

(a) the General Manager;

(b) a committee comprised of members, including the General Manager or a member nominated by the General Manager;

(c) an officer or temporary employee of the Commission;

(d) a person for the time being holding or acting in a specified position in the staff establishment of the Commission; or

(e) any person of whose services the Commission makes use pursuant to this or any other Act,

the exercise of such of the functions of the Commission (other than this power of delegation) as are specified in the instrument.

(2) A function the exercise of which has been delegated under this section may, while the delegation remains unrevoked, be exercised from time to time by the delegate in accordance with the terms of the delegation.

(3) Without limiting the operation of subsection (2), a function the exercise of which has been delegated under this section to the General Manager may, while the delegation remains unrevoked, be exercised from time to time in accordance with the terms of the delegation by—

(a) an officer or temporary employee of the Commission;

(b) a person for the time being holding or acting in a specified position in the staff establishment of the Commission; or

(c) any person of whose services the Commission makes use pursuant to this or any other Act,

as authorised by instrument in writing by the General Manager in that behalf either generally or in a particular case or class of cases.

(4) A delegation or authorisation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation or authorisation.

(5) Notwithstanding any delegation under this section, the Commission may continue to exercise any function delegated.

(6) Any act or thing done or suffered by a delegate acting in the exercise of a delegation under this section, or by a person duly authorised in that behalf by the General Manager under this section, has the same force and effect as it would have if it had been done or suffered by the Commission and shall be deemed to have been done or suffered by the Commission.

(7) The Commission may, by instrument in writing, revoke wholly or in part any delegation under this section, and the General Manager may, by instrument in writing, revoke wholly or in part any authorisation under this section.

(8) An instrument purporting to have been signed by a person in the capacity of delegate of the Commission, or as a person authorised under this section, shall in all courts and before all persons acting judicially be

received in evidence as if it were an instrument duly executed by the Commission and shall, until the contrary is proved, be deemed to be an instrument signed by a delegate of the Commission or by a person duly authorised under this section, as the case may be.

(9) In subsection (8), a reference to a delegate includes a reference to the chairperson of a committee to which the exercise of a function has been delegated under subsection (1).

Annual report.

27. **(1)** As soon as practicable after 30th June, but on or before 31st December, in each year, the Commission shall prepare and forward to the Minister a report of its work and activities for the 12 months ending on 30th June in that year.

(2) The Minister shall lay the report or cause it to be laid before both Houses of Parliament as soon as practicable after receiving the report.

Shortened references to Commission.

28. In any other Act, in any instrument made under any Act or in any other instrument of any kind, except in so far as the context or subject-matter otherwise indicates or requires, a reference to the "Tourism Commission" shall be read and construed as a reference to the Tourism Commission of New South Wales constituted by this Act.

Service of documents.

29. **(1)** A document may be served on the Commission by leaving it at, or by sending it by post to—

(a) the office of the Commission; or

(b) if it has more than one office—any one of its offices.

(2) Nothing in subsection (1) affects the operation of any provision of a law or of the rules of a court authorising a document to be served on the Commission in a manner not provided for by subsection (1).

Authentication of certain documents.

30. Every summons, process, demand, order, notice, statement, direction or document requiring authentication by the Commission may be sufficiently authenticated without the seal of the Commission if signed by the General Manager or by any officer or temporary employee of the Commission authorised to do so by the General Manager.

Recovery of charges, etc., by Commission.

31. Any charge, fee or money due to the Commission may be recovered by the Commission as a debt in a court of competent jurisdiction.

Proof of certain matters not required.

32. In any legal proceedings, no proof shall be required (until evidence is given to the contrary) of—

(a) the constitution of the Commission;

(b) any resolution of the Commission;

(c) the appointment of, or the holding of office by, any member; or

(d) the presence or nature of a quorum at any meeting of the Commission.

Proceedings for offences.

33. Proceedings for an offence against this Act may be taken before a court of petty sessions constituted by a stipendiary magistrate sitting alone.

Regulations.

34. **(1)** The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) A provision of a regulation may—

(a) apply generally or be limited in its application by reference to specified exceptions or factors;

(b) apply differently according to different factors of a specified kind; or

(c) authorise any matter or thing to be from time to time determined, applied or regulated by any specified person or body,

or may do any combination of those things.

Repeals.

35. Each Act specified in Schedule 3 is, to the extent specified in that Schedule in relation to that Act, repealed.

Savings and transitional provisions.

36. Schedule 4 has effect.

SCHEDULE 1.

(Sec. 4 (5).)

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION.

Age of members.

1. (1) A person of or above the age of 65 years is not eligible to be appointed as General Manager or to act in the office of General Manager.

(2) A person of or above the age of 70 years is not eligible to be appointed as a part-time member or to act in the office of a part-time member.

Chairperson of the Commission.

2. (1) Of the part-time members, one shall, in and by the relevant instrument of appointment as such a member, or by another instrument executed by the Governor, be appointed as Chairperson of the Commission.

SCHEDULE 1—*continued.*

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION—*continued.*

(2) The Governor may remove a part-time member from the office of Chairperson.

(3) A person who is a part-time member and Chairperson shall be deemed to have vacated office as Chairperson if the person—

(a) is removed from that office by the Governor under subclause (2);

(b) resigns that office by instrument in writing addressed to the Minister; or

(c) ceases to be a part-time member.

Acting members and acting Chairperson.

3. (1) The Governor may, from time to time, appoint a person to act in the office of a member during the illness or absence of the member, and the person, while so acting, shall have and may exercise all the functions of the member.

(2) The Governor may, from time to time, appoint a part-time member to act in the office of Chairperson during the illness or absence of the Chairperson, and the part-time member, while so acting, shall have and may exercise all the functions of the Chairperson.

(3) The Governor may remove any person from any office to which the person was appointed under subclause (1) or (2).

(4) A person while acting in the office of a member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the person.

(5) For the purposes of this clause—

(a) a vacancy in the office of a member or the Chairperson shall be deemed to be an absence from office of the member or Chairperson, as the case may be; and

(b) a part-time member shall be deemed to be absent from office as a part-time member during any period that the member acts in the office of the General Manager pursuant to an appointment under subclause (1).

(6) In subclause (2), clauses 9 and 10 and Schedule 2—

(a) a reference to a member or part-time member includes a reference to a person acting in the office of a member or part-time member;

SCHEDULE 1—*continued.*

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION—*continued.*

(b) a reference to the appointment of a member includes a reference to the appointment of a person to act in the office of a member: and

(c) a reference to the office of a member or part-time member includes a reference to the office of a person appointed to act in the office of a member or part-time member.

Term of office.

4. Subject to this Schedule, a member shall hold office—

(a) in the case of the General Manager—for such period not exceeding 7 years; or

(b) in the case of a part-time member—for such period not exceeding 5 years,

as may be specified in the instrument of appointment of the member, but is eligible (if otherwise qualified) for re-appointment.

General Manager to be full-time member.

5. The General Manager shall devote the whole of his or her time to the duties of the office of General Manager, except as permitted by this Act or except with the consent of the Minister (which consent the Minister is hereby authorised to give).

Remuneration.

6. (1) The General Manager is entitled to be paid—

(a) remuneration in accordance with the Statutory and Other Offices Remuneration Act, 1975; and

(b) such travelling and subsistence allowances as the Minister may from time to time determine in respect of the General Manager.

(2) A part-time member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the part-time member.

Filling of vacancy in office of member.

7. In the event of the office of any member becoming vacant a person shall, subject to this Act, be appointed to fill the vacancy.

SCHEDULE 1—*continued.*

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION—*continued.*

Casual vacancies.

8. (1) A member shall be deemed to have vacated office if the member—

(a) dies;

(b) being General Manager, absents himself or herself from duty for 14 days (whether or not wholly or partly consecutive) in any period of 12 months, except on leave granted by the Minister (which leave the Minister is hereby authorised to grant), unless the absence is occasioned by illness or other unavoidable cause;

(c) being a part-time member, absents himself or herself from 4 consecutive meetings of the Commission of which reasonable notice has been given to the member personally or in the ordinary course of post, except on leave granted by the Minister (which leave the Minister is hereby authorised to grant) or unless, before the expiration of 4 weeks after the last of those meetings, the member is excused by the Minister for being absent from those meetings;

(d) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit;

(e) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;

(f) is convicted in New South Wales of an offence which is punishable by imprisonment for 12 months or upwards, or is convicted elsewhere than in New South Wales of an offence which if committed in New South Wales would be an offence so punishable;

(g) being General Manager, engages in any paid employment outside the duties of the office of General Manager, except with the consent of the Minister (which consent the Minister is hereby authorised to give);

(h) resigns the office by instrument in writing addressed to the Minister;

(i) being—

(i) General Manager, attains the age of 65 years; or

(ii) a part-time member, attains the age of 70 years;

(j) is retired from office by the Governor under subclause (2); or

(k) is removed from office by the Governor under subclause (3), (4) or (5).

(2) The General Manager may, after attaining the age of 60 years and before attaining the age of 65 years, be retired from office by the Governor and, if so retired, is entitled to such compensation (if any) as the Statutory and Other Offices Remuneration Tribunal determines.

SCHEDULE 1—*continued.*

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION—*continued.*

(3) The Governor may remove the General Manager from office for incapacity, incompetence or misbehaviour.

(4) The Governor may remove a part-time member from office.

(5) Without affecting the generality of subclauses (3) and (4), the Governor may remove from office a member who contravenes the provisions of clause 9.

Disclosure of pecuniary interests.

9. (1) A member who has a direct or indirect pecuniary interest—

(a) in a matter that is being considered, or is about to be considered, at a meeting of the Commission; or

(b) in a thing being done or about to be done by the Commission,

shall, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Commission.

(2) A disclosure by a member at a meeting of the Commission that the member—

(a) is a member, or is in the employment, of a specified company or other body;

(b) is a partner, or is in the employment, of a specified person; or

(c) has some other specified interest relating to a specified company or other body or a specified person,

shall be deemed to be a sufficient disclosure of the nature of the interest in any matter or thing relating to that company or other body or to that person which may arise after the date of the disclosure.

(3) The Commission shall cause particulars of any discosure made under subclause (1) or (2) to be recorded in a book kept for the purpose and that book shall be open at all reasonable hours to the inspection of any person on payment of such fee as may be determined by the Commission from time to time.

(4) After a member has, or is deemed to have, disclosed the nature of an interest in any matter or thing pursuant to subclause (1) or (2), the member shall not, unless the Minister otherwise determines—

(a) be present during any deliberation of the Commission, or take part in any decision of the Commission, with respect to that matter; or

SCHEDULE 1—*continued.*

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION—*continued.*

(b) exercise any function under this Act with respect to that thing.

as the case may require.

(5) Notwithstanding that a member contravenes the provisions of this clause, that contravention does not invalidate any decision of the Commission or the exercise of any function under this Act.

(6) Nothing in this clause applies to or in respect of an interest of a member in a matter or thing which arises by reason only that the member is a member of any body concerned in the promotion of tourism.

(7) A reference in this clause to a meeting of the Commission includes a reference to a meeting of a committee of the Commission.

Effect of certain other Acts.

10. (1) The Public Service Act, 1979, does not apply to or in respect of the appointment of a member and a member is not, as a member, subject to that Act.

(2) Where by or under any other Act provision is made requiring a person who is the holder of an office specified therein to devote the whole of his or her time to the duties of that office, or prohibiting the person from engaging in employment outside the duties of that office, that provision shall not operate to disqualify the person from holding that office and also the office of a part-time member or from accepting and retaining any remuneration payable to the person under this Act as a part-time member.

(3) The office of a part-time member shall for the purposes of any Act be deemed not to be an office or place of profit under the Crown.

Preservation of rights of General Manager previously public servant, etc.

11. (1) In this clause—

"statutory body" means any body declared under clause 13 to be a statutory body for the purposes of this Schedule:

"superannuation scheme" means a scheme, fund or arrangement under which any superannuation or retirement benefits are provided and which is established by or under any Act.

SCHEDULE 1—*continued.*

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION—*continued.*

(2) Subject to subclause (3) and to the terms of appointment, where the General Manager was, immediately before being appointed as General Manager—

(a) an officer of the Public Service or a Teaching Service;

(b) a contributor to a superannuation scheme;

(c) an officer employed by a statutory body; or

(d) a person in respect of whom provision was made by any Act for the retention of any rights accrued or accruing to the person as an officer or employee,

he or she—

(e) shall retain any rights accrued or accruing to him or her as such an officer, contributor or person;

(f) may continue to contribute to any superannuation scheme to which he or she was a contributor immediately before being appointed as General Manager; and

(g) shall be entitled to receive any deferred or extended leave and any payment, pension or gratuity,

as if he or she had continued to be such an officer, contributor or person during his or her service as General Manager and—

(h) his or her service as General Manager shall be deemed to be service as an officer or employee for the purpose of any law under which those rights accrued or were accruing, under which he or she continues to contribute or by which that entitlement is conferred; and

(i) he or she shall be deemed to be an officer or employee, and the Commission shall be deemed to be the employer, for the purpose of the superannuation scheme to which he or she is entitled to contribute under this clause.

(3) If the General Manager would, but for this subclause, be entitled under subclause (2) to contribute to a superannuation scheme or to receive any payment, pension or gratuity under the scheme, he or she shall not be so entitled upon becoming (whether upon appointment as General Manager or at any later time while holding office as General Manager) a contributor to any other superannuation scheme, and the provisions of subclause (2) (i) cease to apply to or in respect of him or her and the Commission in any case where he or she becomes a contributor to any such other superannuation scheme.

(4) Subclause (3) does not prevent the payment to the General Manager upon his or her ceasing to be a contributor to a superannuation scheme of such amount as would have been payable to him or her if he or she had ceased, by reason of resignation, to be an officer or employee for the purposes of the scheme.

SCHEDULE 1—*continued.*

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION—*continued.*

(5) The General Manager shall not, in respect of the same period of service, be entitled to claim a benefit under this Act and another Act.

General Manager entitled to re-appointment to former employment in certain cases.

12. (1) In this clause, "statutory body" means any body declared under clause 13 to be a statutory body for the purposes of this Schedule.

(2) A person who—

(a) ceases to be General Manager by reason of the expiration of the period for which the person was appointed or by reason of resignation;

(b) was, immediately before being appointed as General Manager—

(i) an officer of the Public Service or a Teaching Service; or

(ii) an officer or employee of a statutory body; and

(c) has not attained the age at which the person would have been entitled to retire had the person continued to be such an officer or employee,

shall be entitled to be appointed to some position in the Public Service, the Teaching Service or the service of that statutory body, as the case may be, not lower in classification and salary than that which the person held immediately before being appointed as General Manager.

(3) Where subclause (2) does not apply to a person who—

(a) was, immediately before being appointed to a full-time office constituted by an Act, an officer or employee referred to in subclause (2) (b); and

(b) is after that appointment appointed as General Manager,

the person shall have such rights (if any) to appointment as such an officer or employee, in the event of ceasing to be General Manager, as are specified in the instrument of appointment as General Manager or as are agreed upon by the person and by or on behalf of the Government.

Declaration of statutory bodies.

13. The Governor may, by proclamation published in the Gazette, declare any body constituted by or under any Act to be a statutory body for the purposes of this Schedule.

SCHEDULE 1—*continued.*

PROVISIONS RELATING TO THE MEMBERS OF THE COMMISSION—*continued.*

Liability of members, etc.

14. No matter or thing done by the Commission, and no matter or thing done by any member or by any person acting under the direction of the Commission shall, if the matter or thing was done bona fide for the purposes of executing this or any other Act, subject a member or a person so acting personally to any action, liability, claim or demand whatever.

SCHEDULE 2.

(Sec. 4 (6).)

PROVISIONS RELATING TO THE PROCEDURE OF THE COMMISSION.

General procedure.

1. The procedure for the calling of meetings of the Commission and for the conduct of business at those meetings shall, subject to this Act, be as determined by the Commission.

Quorum.

2. A majority of the members shall form a quorum and any duly convened meeting of the Commission at which a quorum is present shall be competent to transact any business of the Commission and shall have and may exercise all the functions of the Commission.

Presiding member.

3. (1) The Chairperson or, in the absence of the Chairperson, another part-time member elected as chairperson for the meeting by the members present shall preside at a meeting of the Commission.

(2) The person acting as chairperson at any meeting of the Commission shall have a deliberative vote and, in the event of an equality of votes, shall have a second or casting vote.

SCHEDULE 2—*continued.*

PROVISIONS RELATING TO THE PROCEDURE OF THE COMMISSION—*continued.*

Voting.

4. A decision supported by a majority of the votes cast at a meeting of the Commission at which a quorum is present shall be the decision of the Commission.

Minutes.

5. The Commission shall cause full and accurate minutes to be kept of the proceedings of each meeting of the Commission.

SCHEDULE 3.

(Sec. 35.)

REPEALS.

Tourist Industry Development Act, 1976, No. 58—the whole Act.

Miscellaneous Acts (Financial Accommodation) Amendment Act, 1981, No. 83—so much of Schedule 1 as amends the Tourist Industry Development Act, 1976.

Tourist Industry Development (Amendment) Act, 1982, No. 172—the whole Act.

Tourist Industry Development (Amendment) Act, 1983, No. 74—the whole Act.

Tourist Industry Development (Further Amendment) Act, 1983, No. 141—the whole Act.

SCHEDULE 4.

(Sec. 36.)

SAVINGS AND TRANSITIONAL PROVISIONS.

Interpretation.

1. In this Schedule—

"appointed day" means the day appointed and notified under section 2 (2);

SCHEDULE 4—*continued.*

SAVINGS AND TRANSITIONAL PROVISIONS—*continued.*

"former Act" means the Tourist Industry Development Act, 1976:

"new corporation" means the Commission;

"old corporation" means the corporation constituted by section 5 of the Tourist Industry Development Act, 1976.

Continuity of corporation.

2. The new corporation is a continuation of, and the same legal entity as, the old corporation.

References to old corporation.

3. On and from the appointed day, a reference in any Act, in any instrument made under any Act or in any other instrument of any kind (enacted, made or executed before the appointed day) to the old corporation shall be read and construed as a reference to the new corporation.

Activities commenced by old corporation.

4. (1) Any act, matter or thing done or commenced to be done under a provision of the former Act or any other Act by or in relation to the old corporation before the appointed day shall be deemed to have been done or commenced to be done and, in the latter case, may be completed, under the corresponding provision of this Act or the provision of the other Act, as the case may be, by or in relation to the new corporation.

(2) Nothing in subclause (1) affects the operation of Schedule 2 to the Miscellaneous Acts (Financial Accommodation) Amendment Act, 1981, with respect to the old corporation.

First meeting of new corporation.

5. The Minister shall call the first meeting of the new corporation on or after the appointed day in such manner as the Minister thinks fit.

Disposition of former Fund.

6. The Tourist Industry Development Fund established under the former Act shall be deemed to have been established under section 23 as the Tourism Development Fund.

SCHEDULE 4—*continued.*

SAVINGS AND TRANSITIONAL PROVISIONS—*continued.*

Saving of certain amendments.

7. The repeal of the former Act by this Act does not affect the amendments made—

(a) to the Local Government Act, 1919, by section 30 of the former Act; or

(b) to the Government Guarantees Act, 1934, by section 31 of the former Act.

Regulations.

8. (1) The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of this Act.

(2) A provision made under subclause (1) may take effect as from the appointed day or a later day.

(3) To the extent to which a provision referred to in subclause (1) takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as—

(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication therein; or

(b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication therein.

(4) A provision made under subclause (1) shall, if the regulations under this clause so provide, have effect notwithstanding any other clause of this Schedule (clause 2 excepted).

In the name and on behalf of Her Majesty I assent to this Act.

J. A. ROWLAND,
Governor.

Government House,
Sydney, 13th June, 1984.

BY AUTHORITY
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1984

Premier of New South Wales
Australia

ATTACHMENT #2 TO EXHIBIT B OF REGISTRATION STATEMENT

Secretary of State - California,
1230 J Street,
Sacramento, California, 95814,
UNITED STATES OF AMERICA

31 MAR 1989

Dear Sir,

This letter will certify the Tourism Commission of New South Wales is seeking business registration in the State of California.

The Tourism Commission of New South Wales is a statutory authority of the State Government of New South Wales, Australia, and was formed by an Act of Parliament - The Tourism Commission Act - in 1984 (as amended in 1987).

The New South Wales Government maintained a New South Wales Government office in Los Angeles from 10th May, 1978 until 1st December, 1988. This office performed a trade, investment and tourism function. The recent closure of that office necessitates the Tourism Commission of New South Wales to open a tourism office in its own right.

The Commission is funded annually by the New South Wales State Government, and is a non-profit organisation.

The Commission's proposed office in Los Angeles is for the sole purpose of tourism promotion of New South Wales in the United States of America. It will not engage in the sale of travel services.

Yours sincerely,

N.F. GREENER,
PREMIER