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**REGISTRATION OF INTERESTS IN GOODS ACT 1986 -
REGULATION**

(Relating to the information to be recorded in the
Register of Interests in Goods)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Registration of Interests in Goods Act 1986, has been pleased to make the Regulation set forth hereunder.

G. B. PEACOCKE,
Minister for Business and Consumer Affairs.

Commencement

1. This Regulation commences on 29 January 1990.

Amendments

2. The Registration of Interests in Goods Regulation 1986 is amended:

(a) by inserting in clause 3 after the definition of "account customer" the following definition:

"account number" means the number allotted by the Commissioner to the account of an account customer;

(b) by inserting in clause 3 after the definition of "creditor's reference number" the following definition:

"registration number" includes a temporary permit number issued in respect of a motor vehicle under the Traffic Act 1909 or similar legislation of a participating State;

(c) by inserting after clause 3 the following clause:

Prime identifier

3A. For the purposes of the Act, the prime identifier for a motor vehicle is:

- (a) the chassis number if the vehicle was manufactured before 1 January 1989; or
- (b) in any other case - the vehicle identification number.

(d) by omitting clause 5 (2) and by inserting instead the following subclause:

(2) For the purposes of section 5 (3) of the Act, the following information is prescribed information:

- (a) information received from the Roads and Traffic Authority in relation to a motor vehicle whose registration has been cancelled under section 18C of the Traffic Act 1909 (which relates to cancellation of registration in default of payment of a fine or penalty);
- (b) information received from the Roads and Traffic Authority in relation to a motor vehicle whose registration is subject to an exemption or concession under the Traffic Act 1909;
- (c) information received from a participating State in relation to a cancellation similar to that referred to in paragraph (a), or an exemption or concession similar to that referred to in paragraph (b), effected or given under a law of the participating State.

(e) by omitting clause 6 (2) and by inserting instead the following subclause:

(2) For the purposes of section 6 (3) of the Act, the prescribed circumstances are:

- (a) the receipt by the Commissioner of information provided by the Roads and Traffic Authority; and
- (b) the receipt by the Commissioner of information provided by a department or authority of a participating State that has functions similar to those of the Roads and Traffic Authority in relation to the registration of motor vehicles.

- (f) by omitting clause 7(b);
- (g) by omitting clause 7 (d) and by inserting instead the following paragraph:
 - (d) the creditor's reference number and, if the creditor has been allotted an account number, the account number; and
- (h) by omitting clause 10 and by inserting instead the following clause:

Proceedings - prescribed officers

10. For the purposes of section 19 (1) (a) of the Act, a person who, in the Department of Business and Consumer Affairs, holds the office of:

- (a) Managing Director; or
- (b) Director, Commercial Division; or
- (c) Director, Compliance Division; or
- (d) Manager, Legal Branch,

is a prescribed officer.

EXPLANATORY NOTE

The object of this Regulation is to amend the Registration of Interests in Goods Regulation 1986:

- (a) as a consequence of the Registration of Interests in Goods (Amendment) Act 1989 and, in particular, to provide that the chassis number of a motor vehicle or the vehicle identification number is the prescribed "prime identifier" of the motor vehicle for the purposes of registering an interest; and
- (b) to make further provision in respect of the recording of information relating to motor vehicles on the Register of Encumbered Vehicles kept under the Act; and
- (c) as a consequence of the establishment of the Department of Business and Consumer Affairs.
