



New South Wales

Consumer Credit Administration Amendment (Transitional) Regulation 1996

under the
Consumer Credit Administration Act 1995

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Consumer Credit Administration Act 1995*.

FAYE LO PO' MP
Minister for Fair Trading

Explanatory note

The object of this Regulation is to insert transitional provisions in the *Consumer Credit Administration Regulation 1996*:

- (a) to allow any inquiry that the Commercial Tribunal may be holding under Part 2 of the *Credit (Administration) Act 1984* at the time that Act is repealed by the *Consumer Credit Administration Act 1995* to be continued and concluded as if the repeal had not occurred, and
- (b) to make further provision concerning appeals from certain decisions made under the repealed Act.

This Regulation is made under the *Consumer Credit Administration Act 1995*, and, in particular, under section 48 (the general regulation-making power) and clause 1 of Schedule 2 (Savings and transitional provisions) to that Act.

1996 No 537

Clause 1 Consumer Credit Administration Amendment (Transitional) Regulation 1996

Consumer Credit Administration Amendment (Transitional) Regulation 1996

1 Name of Regulation

This Regulation is the *Consumer Credit Administration Amendment (Transitional) Regulation 1996*.

2 Commencement

This Regulation commences on 1 November 1996.

3 Amendment of Consumer Credit Administration Regulation 1996

The *Consumer Credit Administration Regulation 1996* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

Part 3

Insert after Part 2:

Part 3 Transitional provisions

6 Continuation of inquiry under Part 2 of Credit (Administration) Act 1984

An inquiry that has been commenced, but not concluded, under Part 2 of the *Credit (Administration) Act 1984* before the repeal of that Act may be continued and concluded, and action may be taken under section 23 (8) of that Act in relation to the person the subject of the inquiry, as if that Act had not been repealed.

7 Disciplinary action arising out of continued inquiry

Clause 5 of Schedule 2 to the *Consumer Credit Administration Act 1995* applies to action taken under section 23 (8) of the *Credit (Administration) Act 1984* after the repeal of that Act (as referred to in clause 6 of this Regulation) in the same way as it applies to such action taken before that repeal.

8 Appeals

For the purposes only of an appeal against action taken under section 13 or section 23 (8) of the *Credit (Administration) Act 1984* (whether taken before or after the repeal of that Act):

- (a) section 24 of that Act continues to have effect as if that section had not been repealed, and
- (b) clauses 4 and 5 (2)–(7) of Schedule 2 to the *Consumer Credit Administration Act 1995* do not apply to a decision of the Tribunal.