



New South Wales

# Consumer Claims Regulation 1999

under the  
Consumer Claims Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Consumer Claims Act 1998*.

JW Shaw, QC MLC  
Minister for Fair Trading

## Explanatory note

The object of this Regulation is to impose limitations on the jurisdiction of the Fair Trading Tribunal in relation to consumer claims under the *Consumer Claims Act 1998* and to prescribe other matters necessary or ancillary to the operation of that Act.

This Regulation is made under sections 16 and 17 of the Act.

## Contents

---

	Page
1 Name of Regulation	2
2 Commencement	2
3 Definitions	2
4 Notes	2
5 Applications	2
6 Limitation on Tribunal's jurisdiction to make orders	2
7 List of unsatisfactory suppliers	2
8 Disputes concerning commission charged by certain licensed agents	3

---

## Consumer Claims Regulation 1999

### 1 Name of Regulation

This Regulation is the *Consumer Claims Regulation 1999*.

### 2 Commencement

This Regulation commences on 1 March 1999.

### 3 Definitions

In this Regulation:

*the Act* means the *Consumer Claims Act 1998*.

### 4 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

### 5 Applications

Applications under section 6 of the Act may be lodged in accordance with the *Fair Trading Tribunal Regulation 1999*.

### 6 Limitation on Tribunal's jurisdiction to make orders

In relation to claims arising under the Act (other than claims relating to commission fees charged by agents licensed under the *Property, Stock and Business Agents Act 1941*), the prescribed amount for the purposes of section 14 of the Act is \$25,000.

### 7 List of Unsatisfactory suppliers

- (1) For the purposes of section 16 (2) of the Act, the prescribed particulars are:
  - (a) the address at which the supplier carries on business, and
  - (b) the reason for inclusion of the supplier's name on the unsatisfactory suppliers list.

- (2) For the purposes of section 16 (2) (c) of the Act, the prescribed number of orders is 5 and the prescribed period is 12 months.
- (3) For the purposes of section 16 (4) of the Act:
  - (a) the prescribed period is 5 years, and
  - (b) the supplier's compliance with a specified order or specified orders of the Tribunal within the period notified to the supplier by the Director-General is a prescribed event, and
  - (c) that the supplier satisfy the Director-General that the unsatisfactory conduct of the supplier will be discontinued is a prescribed condition.

#### **8 Disputes concerning commission charged by certain licensed agents**

Claims relating to commission fees charged by agents licensed under the *Property, Stock and Business Agents Act 1941* are to be dealt with in the Commercial Division of the Tribunal.