



New South Wales

Uncollected Goods Regulation 2001

under the

Uncollected Goods Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Uncollected Goods Act 1995*.

BOB DEBUS, M.P.,

Attorney General

Explanatory note

The object of this Regulation is to replace, without substantial amendment, the *Uncollected Goods Regulation 1996*. That Regulation will be repealed on 1 September 2001 under section 10 (2) of the *Subordinate Legislation Act 1989*.

Section 6 (2) of the *Uncollected Goods Act 1995* provides that the Act is available as an alternative to other statutory means of disposal of particular uncollected goods except for the Acts specified in the subsection and any other Act or instrument prescribed by the regulations. Clause 5 of this Regulation prescribes certain Acts for the purposes of that subsection.

This Regulation also prescribes the manner in which an application may be made by a bailee to a Local Court for an order authorising the bailee to dispose of uncollected goods (clause 6).

Clauses 1–4 of this Regulation contain formal matters.

This Regulation is made under the *Uncollected Goods Act 1995* and, in particular, under sections 6 (When Act available for disposal of uncollected goods), 8 (Applications to Local Court for orders for disposal of uncollected goods) and 38 (the general regulation-making power).

This Regulation comprises or relates to matters of a machinery nature.

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Uncollected Goods Regulation 2001

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Uncollected Goods Regulation 2001

1 Name of Regulation

This Regulation is the *Uncollected Goods Regulation 2001*.

2 Commencement

This Regulation commences on 1 September 2001.

Note. This Regulation replaces the *Uncollected Goods Regulation 1996* which is repealed on 1 September 2001 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

In this Regulation:

the Act means the *Uncollected Goods Act 1995*.

4 Notes

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

5 Act not available as an alternative to certain Acts and instruments: section 6

For the purposes of section 6 (2) of the Act, the following Acts are prescribed:

Passenger Transport Act 1990

Residential Parks Act 1998

Residential Tenancies Act 1987

Retirement Villages Act 1999

Transport Administration Act 1988

Warehousemen's Liens Act 1935

6 Applications to Local Court for orders for disposal of uncollected goods: section 8

An application under section 8 (1) of the Act for an order authorising a bailee to dispose of uncollected goods must be made in Form 1 set out in Schedule 1.

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Clause 7 Uncollected Goods Regulation 2001

7 Saving

Any act, matter or thing that had effect under the *Uncollected Goods Regulation 1996* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

Schedule 1 Forms

(Clause 6)

Form 1 Application to dispose of uncollected goods

(Uncollected Goods Act 1995, section 8)

Applicant/Bailee Person with custody of the goods

Name

Address

Respondent/Bailor Person entitled to custody of the goods

Name

Address

Respondent/Third Party/Owner of Goods Any other person(s) claiming an interest in the goods

Name

Address

The applicant makes application to the

Local Court at

for an order to dispose of the following uncollected goods (Describe goods fully):

In cases where the goods or part of the goods are a motor vehicle—delete if not applicable:

I attach a certificate under section 31 of the *Uncollected Goods Act 1995* from the Commissioner of Police that the motor vehicle is not stolen and a certificate under section 8 of the *Registration of Interests in Goods Act 1986* in relation to that vehicle.

Applicant's signature

Dated

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Schedule 1 Forms

Fees paid	Amount	Date	Receipt	Number
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Notice of Listing

This application is listed before the Local Court at

Place

Day and Date

Time

If you do not attend on that day at that time the application may be dealt with in your absence.

Clerk of the Local Court

at

Dated

BY AUTHORITY