



New South Wales

# Uncollected Goods Regulation 2006

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 the *Uncollected Goods Regulation 2001*. That Regulation will be repealed on 1 September 2006 by section 10 (2) of the *Subordinate Legislation Act 1989*.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 4 of this Regulation prescribes certain Acts for the purposes of that subsection.

Unlike the *Uncollected Goods Regulation 2001*, this Regulation does not prescribe the form for an application by a bailee to a Local Court for an order authorising the bailee to dispose of uncollected goods. The relevant form is prescribed under the *Local Courts Act 1982*. However, this Regulation does make provision with respect to the completion of the relevant form for the purposes of such an application (clause 5).

Clauses 1–3 of this Regulation contain formal matters. Clause 6 is a savings provision.

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.

---

## Contents

	Page
1 Name of Regulation	3
2 Commencement	3
3 Definition	3
4 Act not available as an alternative to certain Acts: section 6	3
5 Applications to Local Court for orders for disposal of uncollected goods: section 8	4
6 Saving	4

## Uncollected Goods Regulation 2006

under the

Uncollected Goods Act 1995

### 1 Name of Regulation

This Regulation is the *Uncollected Goods Regulation 2006*.

### 2 Commencement

This Regulation commences on 1 September 2006.

**Note.** This Regulation replaces the *Uncollected Goods Regulation 2001* which is repealed on 1 September 2006 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definition

(1) In this Regulation:

*the Act* means the *Uncollected Goods Act 1995*.

(2) Notes included in this Regulation do not form part of this Regulation.

### 4 Act not available as an alternative to certain Acts: section 6

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

*Holiday Parks (Long-term Casual Occupation) Act 2002*

*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*

## 2006 No 426

Clause 5                      Uncollected Goods Regulation 2006

---

### 5    **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 nominate:

- (a) the bailor of the goods (that is, the person entitled to custody of the goods) as the respondent, and
- (b) any other person claiming an interest in the goods (such as an owner of the goods) as an additional party.

**Note.** The form in which the application is to be made is prescribed under section 40 of the *Local Courts Act 1982*. For the procedure relating to the application, see Part 6 of that Act (which contains section 40).

### 6    **Saving**

Any act, matter or thing that had effect under the *Uncollected Goods Regulation 2001* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

BY AUTHORITY

---