



New South Wales

Registration of Interests in Goods Amendment (Prescribed Information) Regulation 2009

under the

Registration of Interests in Goods Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Registration of Interests in Goods Act 1986*.

VIRGINIA JUDGE, MP
Minister for Fair Trading

Explanatory note

The object of this Regulation is to provide for additional information to be recorded in the Register of Encumbered Vehicles (known as REVS) in relation to motor vehicles and boats. That additional information includes details of any motor vehicles or boats that are the subject of a freezing notice, a forfeiture order or a restraining order issued or made under the *Confiscation of Proceeds of Crime Act 1989* or of a restraining order made under the *Criminal Assets Recovery Act 1990*. Such information is provided for advisory purposes only and does not operate to create a registrable interest in the relevant motor vehicle or boat.

This Regulation is made under the *Registration of Interests in Goods Act 1986*, including sections 5 (3) and 21 (the general regulation-making power).

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Clause 1 Regulation 2009

**Registration of Interests in Goods Amendment
(Prescribed Information) Regulation 2009**

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Registration of Interests in Goods Act 1986

1 Name of Regulation

This Regulation is the *Registration of Interests in Goods Amendment (Prescribed Information) Regulation 2009*.

2 Commencement

This Regulation takes effect on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Registration of Interests in Goods Regulation 2004

[1] Clause 6 Prescribed information relating to motor vehicles

Insert after clause 6 (3) (k):

- (l) information received from the Commissioner of Police, the Commissioner for the Police Integrity Commission, the Commissioner for the Independent Commission Against Corruption, the Director of Public Prosecutions or the Public Trustee that a motor vehicle is the subject of:
 - (i) a forfeiture order made under section 18 of the *Confiscation of Proceeds of Crime Act 1989* that is in force, or
 - (ii) a freezing notice issued under section 42C of the *Confiscation of Proceeds of Crime Act 1989* that is in force, or
 - (iii) a restraining order made under section 43 of the *Confiscation of Proceeds of Crime Act 1989* that is in force,
- (m) information received from the Commissioner of Police, the Commissioner for the New South Wales Crime Commission, the Director of Public Prosecutions or the Public Trustee that a motor vehicle is the subject of a restraining order made under section 10 of the *Criminal Assets Recovery Act 1990* that is in force.

[2] Clause 12 Prescribed information relating to boats

Insert after clause 12 (3) (d):

- (e) information received from the Commissioner of Police, the Commissioner for the Police Integrity Commission, the Commissioner for the Independent Commission Against Corruption, the Director of Public Prosecutions or the Public Trustee that a boat is the subject of:
 - (i) a forfeiture order made under section 18 of the *Confiscation of Proceeds of Crime Act 1989* that is in force, or
 - (ii) a freezing notice issued under section 42C of the *Confiscation of Proceeds of Crime Act 1989* that is in force, or
 - (iii) a restraining order made under section 43 of the *Confiscation of Proceeds of Crime Act 1989* that is in force,

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- (f) information received from the Commissioner of Police, the Commissioner for the New South Wales Crime Commission, the Director of Public Prosecutions or the Public Trustee that a boat is the subject of a restraining order made under section 10 of the *Criminal Assets Recovery Act 1990* that is in force.