



New South Wales

# Uncollected Goods Regulation 2011

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*.

GREG SMITH, MP  
Attorney General

## Explanatory note

The object of this Regulation is to remake, with minor amendments, the provisions of the *Uncollected Goods Regulation 2006*, which is repealed on 1 September 2011 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) the particular goods to which the provisions of the *Uncollected Goods Act 1995* do not apply,
- (b) the making of applications for orders for the disposal of uncollected goods,
- (c) savings and formal matters.

This Regulation is made under the *Uncollected Goods Act 1995*, including sections 6, 8 and 38 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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## Uncollected Goods Regulation 2011

under the

Uncollected Goods Act 1995

### 1 Name of Regulation

This Regulation is the *Uncollected Goods Regulation 2011*.

### 2 Commencement

This Regulation commences on 1 September 2011 and is required to be published on the NSW legislation website.

**Note.** This Regulation replaces the *Uncollected Goods Regulation 2006* which is repealed on 1 September 2011 by section 10 (2) of the *Subordinate Legislation Act 1989*.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

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 2010*

*Retirement Villages Act 1999*

*Transport Administration Act 1988*

*Warehousemen's Liens Act 1935*

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### 5    **Applications to Local Court for orders for disposal of uncollected goods**

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 approved under section 72 of the *Local Court Act 2007*. For the procedure relating to the application, see Part 4 of that Act.

### 6    **Savings**

Any act, matter or thing that, immediately before the repeal of the *Uncollected Goods Regulation 2006*, had effect under that Regulation, continues to have effect under this Regulation.