



New South Wales

Consumer Claims Regulation 2014

under the

Consumer Claims Act 1998

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

STUART AYRES, MP
Minister for Fair Trading

Explanatory note

The object of this Regulation is to repeal and remake, without substantial alteration, the *Consumer Claims Regulation 2007* which would otherwise be repealed on 1 September 2014 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation prescribes monetary limitations on the jurisdiction of the Civil and Administrative Tribunal in respect of consumer claims within the meaning of the *Consumer Claims Act 1998*. These limitations range from \$25,000 to \$40,000, depending on the date that an application for determination of a claim is made under that Act.

This Regulation is made under the *Consumer Claims Act 1998*, including sections 14 and 17 (the general regulation-making power).

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

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1 Name of Regulation

This Regulation is the *Consumer Claims Regulation 2014*.

2 Commencement

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

3 Definition

(1) In this Regulation:

the Act means the *Consumer Claims Act 1998*.

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

4 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 2002*), the prescribed amounts for the purposes of section 14 (1), (2) and (2A) of the Act are:

- (a) \$25,000 in respect of an application for determination of a claim made, but not finally determined, before 1 September 2007, and
- (b) \$30,000 in respect of an application for determination of a claim made, but not finally determined, on or after 1 September 2007 but before the commencement of this Regulation, and
- (c) \$40,000 in any other case.

Note. The jurisdictional limit set out in this clause does not apply in relation to a consumer claim arising from the supply of a new motor vehicle that is used substantially for private purposes (see section 14 (3) of the Act).

5 Repeal and savings provision

(1) The *Consumer Claims Regulation 2007* is repealed.

(2) Any act, matter or thing that, immediately before the repeal of the *Consumer Claims Regulation 2007*, had effect under that Regulation continues to have effect under this Regulation.