



New South Wales

Pawnbrokers and Second-hand Dealers Amendment (Exemption) Regulation 2015

under the

Pawnbrokers and Second-hand Dealers Act 1996

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Pawnbrokers and Second-hand Dealers Act 1996*.

MATTHEW MASON-COX, MLC
Minister for Fair Trading

Explanatory note

The object of this Regulation is to exempt Brightstar Logistics Pty Limited, which is a licensed second-hand dealer under the *Pawnbrokers and Second-hand Dealers Act 1996*, from the operation of provisions of that Act that require a licensee:

- (a) to obtain documentary evidence of the identity of the person by whom goods are being offered for sale or pawn, and
- (b) to keep records of transactions about second-hand goods and pawned goods and to furnish particulars of those records to the Commissioner of Police, and
- (c) to retain second-hand goods purchased or received for a period of 14 days.

The exemption will operate only in relation to second-hand phones obtained from Telstra Corporation Limited under its New Phone Feeling program.

This Regulation is made under the *Pawnbrokers and Second-hand Dealers Act 1996*, including section 43 (the general regulation-making power), in particular section 43 (1) (i).

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1 Name of Regulation

This Regulation is the *Pawnbrokers and Second-hand Dealers Amendment (Exemption) Regulation 2015*.

2 Commencement

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

3 Amendment of Pawnbrokers and Second-hand Dealers Regulation 2008

Clause 37A Specific exemptions from certain requirements

Insert at the end of the clause:

- (2) Brightstar Logistics Pty Limited is exempted from the operation of the following requirements of the Act in relation to second-hand phones obtained from Telstra Corporation Limited under its New Phone Feeling program:
 - (a) section 15 (1) and (1A) of the Act, to the extent that they require a licensee to obtain documentary evidence of the identity of the person by whom goods are being offered,
 - (b) section 16 (1) and (5A) of the Act, to the extent that they require a licensee to keep records of transactions and furnish particulars of the records to the Commissioner of Police,
 - (c) section 21 of the Act, to the extent that it requires a licensee to retain second-hand goods purchased or received for a period of 14 days.