



New South Wales

Pawnbrokers and Second-hand Dealers Amendment (Exemption) Regulation (No 2) 2019

under the

Pawnbrokers and Second-hand Dealers Act 1996

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

KEVIN ANDERSON, MP
Minister for Better Regulation and Innovation

Explanatory note

The object of this Regulation is to exempt Kingfisher Mobile Australia Pty Limited from the operation of certain provisions of the *Pawnbrokers and Second-hand Dealers Act 1996* (including provisions requiring licensees to obtain evidence of identity and keep records of transactions) in relation to mobile phones or tablet computers it obtains from customers of Telstra Corporation Limited under certain programs.

This Regulation is made under section 43 (the general regulation-making power) of the *Pawnbrokers and Second-hand Dealers Act 1996*.

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1 Name of Regulation

This Regulation is the *Pawnbrokers and Second-hand Dealers Amendment (Exemption) Regulation (No 2) 2019*.

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 2015

Clause 39 Specific exemptions from certain requirements

Insert after clause 39 (6):

- (7) Kingfisher Mobile Australia Pty Limited is exempted from the operation of the following provisions of the Act in relation to goods that are mobile phones or tablet computers obtained from Telstra Corporation Limited under its Telstra Stay Connected program, Telstra Swap Assure program, Telstra New Phone Feeling program or Telstra New Tablet 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 the 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 for the acquisition or disposal of the goods and furnish particulars of the records to the Commissioner of Police,
 - (c) section 21 (1) of the Act.