



New South Wales

# **Pawnbrokers and Second-hand Dealers Amendment (Exemption) Regulation 2019**

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*.

MATT KEAN, MP  
Minister for Innovation and Better Regulation

## **Explanatory note**

The object of this Regulation is to exempt Assurant Services Australia Pty Limited from the operation of certain provisions of the *Pawnbrokers and Second-hand Dealers Act 1996* in relation to mobile phones or tablet computers it obtains under an agreement with Optus Mobile Pty Limited.

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

## **Pawnbrokers and Second-hand Dealers Amendment (Exemption) Regulation 2019**

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Pawnbrokers and Second-hand Dealers Act 1996

### **1 Name of Regulation**

This Regulation is the *Pawnbrokers and Second-hand Dealers Amendment (Exemption) Regulation 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 (5):

- (6) Assurant Services 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 Optus Mobile Pty Limited under the Mobile Device Sale Agreement dated 27 September 2017 between Assurant Services Australia Pty Limited and Optus Mobile Pty Limited:
  - (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.