



New South Wales

Fair Trading Amendment Regulation 2023

under the

Fair Trading Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Fair Trading Act 1987*.

ANOULACK CHANTHIVONG, MP
Minister for Better Regulation and Fair Trading

Explanatory note

The objects of this regulation are—

- (a) to allow for the waiver or refund, in whole or in part, of licence fees payable by commercial agents where the payment of the full fee would cause financial hardship or there are other special circumstances justifying the waiver or refund, and
- (b) to reduce the fixed component of the licence fee payable by commercial agents.

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1 Name of regulation

This regulation is the *Fair Trading Amendment Regulation 2023*.

2 Commencement

This regulation commences on 1 July 2023.

Schedule 1 Amendment of Fair Trading Regulation 2019

[1] Clause 11I Fees for commercial agent licences—Act, s 60E(5)

Insert after clause 11I(3)—

(4) The Secretary may waive or refund, in whole or in part, a fee payable or paid under the Act or this regulation if the Secretary is satisfied it is appropriate because—

- (a) the person who must pay, or has paid, the fee is suffering financial hardship, or
- (b) special circumstances exist.

Examples of special circumstances— circumstances involving a natural disaster or recovery from a natural disaster

[2] Schedule 2 Fees

Omit Part 1. Insert instead—

Part 1 Fees payable

Item	Column 1	Column 2	Column 3	Column 4
	Type of fee	Fixed component—in fee units	Processing component—in fee units	Total—in fee units
1	Application for grant of licence by individual—			
	(a) for 1 year	2.39	1.11	3.50
	(b) for 3 years	5.79	1.11	6.90
	(c) for 5 years	8.99	1.11	10.10
2	Application for grant of licence by corporation—			
	(a) for 1 year	7.29	3.50	10.79
	(b) for 3 years	14.49	3.50	17.99
	(c) for 5 years	29.79	3.50	33.29
3	Application for renewal or restoration of licence by individual—			
	(a) for 1 year	2.45	0.55	3.00
	(b) for 3 years	5.85	0.55	6.40
	(c) for 5 years	9.94	0.55	10.49
4	Application for renewal or restoration of licence by corporation—			
	(a) for 1 year	7.48	1.67	9.15
	(b) for 3 years	17.83	1.67	19.50
	(c) for 5 years	29.97	1.67	31.64
5	Application for replacement of licence	0.49	nil	0.49