



New South Wales

Fair Trading Amendment (Cash Loan Machines) Bill 2019

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to prohibit cash loan machines from being installed or kept on any premises. A cash loan machine is a machine used:

- (a) to approve a small amount credit contract between a user of the machine and a credit provider, and
- (b) for the withdrawal of cash by the user under that contract.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act 3 months after the date of assent to the proposed Act.

Clause 3 amends the *Fair Trading Act 1987* to give effect to the object set out in the Overview.



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New South Wales

Fair Trading Amendment (Cash Loan Machines) Bill 2019

No. , 2019

A Bill for

An Act to amend the *Fair Trading Act 1987* to prohibit cash loan machines from being installed or kept on premises.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Fair Trading Amendment (Cash Loan Machines) Act 2019</i> .	3
2 Commencement	4
This Act commences 3 months after the date of assent to this Act.	5
3 Amendment of Fair Trading Act 1987 No 68	6
(1) Part 4C	7
Insert after Part 4B:	8
Part 4C Cash loan machines	9
580 Prohibition on cash loan machines	10
(1) A person must not cause or permit a cash loan machine to be installed or kept on any premises.	11
Maximum penalty: 100 penalty units.	12
(2) In this section:	13
<i>cash loan machine</i> means a machine used:	14
(a) to approve a small amount credit contract between a user of the machine and a credit provider, and	15
(b) for the withdrawal of cash by the user under that contract.	16
<i>credit provider</i> has the same meaning as in section 204 of the <i>National Credit Code</i> .	17
<i>National Credit Code</i> means the Code set out in Schedule 1 to the <i>National Consumer Credit Protection Act 2009</i> of the Commonwealth.	18
<i>premises</i> includes a hotel, club or other premises licensed under the <i>Liquor Act 2007</i> or the <i>Casino Control Act 1992</i> .	19
<i>small amount credit contract</i> has the same meaning as in the <i>National Consumer Credit Protection Act 2009</i> of the Commonwealth.	20
(2) Section 61 Interpretation	21
Insert “, Part 4C” after “Part 4B” in the definition of <i>local contravention</i> in section 61 (1).	22
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