

Act No. 207

**CREDIT (CONSUMER CLAIMS TRIBUNALS)  
AMENDMENT BILL 1987**

NEW SOUTH WALES



**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

This Bill is cognate with the Consumer Claims Tribunals Bill 1987.

The object of this Bill is to amend the Credit Act 1984 as a consequence of the enactment of the proposed Consumer Claims Tribunals Act 1987 so as to provide for the transfer of proceedings from the Commercial Tribunal to a consumer claims tribunal and vice versa.

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Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on the same day as the proposed Consumer Claims Tribunals Act 1987 commences.

Clause 3 is a formal provision giving effect to the Schedule of amendments to the Principal Act.

Schedule 1 (1) inserts into section 5 (1) of the Principal Act (Definitions) a definition of "consumer claims tribunal".

Schedule 1 (2) amends section 6 of the Principal Act (which relates to the jurisdiction under the Principal Act of courts and the Commercial Tribunal) by inserting proposed subsections (5) and (6).

Proposed subsection (5) will enable proceedings instituted in, or before, a consumer claims tribunal to be transferred to the Commercial Tribunal if the matter under determination is one in which both tribunals have jurisdiction and the parties agree to, or the consumer claims tribunal directs, the transfer of the proceedings.

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Proposed subsection (6) will enable the proceedings to be transferred from the Commercial Tribunal to a consumer claims tribunal.

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