

Electronic Transactions Regulation 2001

[2001-949]



New South Wales

Status Information

Currency of version

Historical version for 7 December 2001 to 31 August 2002 (accessed 7 July 2024 at 3:23)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Authorisation

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File last modified 11 December 2001

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Electronic Transactions Regulation 2001



New South Wales

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electronic Transactions Act 2000*.

BOB DEBUS, M.P., Attorney General

1 Name of Regulation

This Regulation is the *Electronic Transactions Regulation 2001*.

2 Commencement

This Regulation commences on 7 December 2001.

3 Definitions

In this Regulation:

judicial body means court or tribunal, and includes any other body or person exercising judicial or quasi-judicial functions.

the Act means the *Electronic Transactions Act 2000*.

4 Certain laws excluded from section 7 (1) of the Act

Section 7 (1) of the Act does not apply to the following laws of this jurisdiction:

Consumer Credit (New South Wales) Code

Consumer Credit (New South Wales) Regulations

Conveyancing Act 1919, section 23C

Election Funding Act 1981, and any regulations under that Act

Freedom of Information Act 1989, and any regulations under that Act

Legal Profession Act 1987, and any regulations under that Act

Local Government Act 1993, Chapter 10, and any regulations under that Act with

respect to the matters dealt with in that Chapter

Parliamentary Electorates and Elections Act 1912, and any regulations under that Act

Any other Act or regulation that makes provision for the conduct of polls or elections by the Electoral Commissioner, to the extent only to which it makes such provision.

5 Certain requirements excluded from Division 2 of Part 2 of the Act

Division 2 of Part 2 of the Act does not apply to the following requirements and classes of requirements:

- (a) any requirement under a law of this jurisdiction for a person to lodge or file a document with a judicial body in connection with legal proceedings,
- (b) any requirement under a law of this jurisdiction for a person to sign a document to be lodged or filed with a judicial body in connection with legal proceedings,
- (c) any requirement under a law of this jurisdiction for a person to produce a document:
 - (i) to a judicial body in connection with legal proceedings, or
 - (ii) to a party to legal proceedings in connection with those proceedings,
- (d) any requirement under a law of this jurisdiction for a person to retain a document:
 - (i) that has been lodged or filed with, or produced to, a judicial body in connection with legal proceedings, or
 - (ii) that has been admitted in evidence in any legal proceedings held before a judicial body, or
 - (iii) that has been issued by a judicial body in connection with any legal proceedings,
- (e) any requirement under a law of this jurisdiction for a document to be served personally or by post,
- (f) any requirement under a law of this jurisdiction for a document to be verified, authenticated, attested or witnessed under the signature of a person other than the author of the document.

6 Certain permissions excluded from Division 2 of Part 2 of the Act

Division 2 of Part 2 of the Act does not apply to the following permissions and classes of permissions:

- (a) any permission under a law of this jurisdiction for a person to lodge or file a document with a judicial body in connection with legal proceedings,
- (b) any permission under a law of this jurisdiction for a person to sign a document to be

- lodged or filed with a judicial body in connection with legal proceedings,
- (c) any permission under a law of this jurisdiction for a person to produce a document:
 - (i) to a judicial body in connection with legal proceedings, or
 - (ii) to a party to legal proceedings in connection with those proceedings,
 - (d) any permission under a law of this jurisdiction for a person to retain a document:
 - (i) that has been lodged or filed with, or produced to, a judicial body in connection with legal proceedings, or
 - (ii) that has been admitted in evidence in any legal proceedings held before a judicial body, or
 - (iii) that has been issued by a judicial body in connection with any legal proceedings,
 - (e) any permission under a law of this jurisdiction for a document to be served personally or by post,
 - (f) any permission under a law of this jurisdiction for a document to be verified, authenticated, attested or witnessed under the signature of a person other than the author of the document.

7 Certain laws excluded from Division 2 of Part 2 of the Act

Division 2 of Part 2 of the Act does not apply to the following laws of this jurisdiction:

Consumer Credit (New South Wales) Code

Consumer Credit (New South Wales) Regulations

Conveyancing Act 1919, section 23C

Election Funding Act 1981, and any regulations under that Act

Freedom of Information Act 1989, and any regulations under that Act

Legal Profession Act 1987, and any regulations under that Act

Local Government Act 1993, Chapter 10, and any regulations under that Act with respect to the matters dealt with in that Chapter

Parliamentary Electorates and Elections Act 1912, and any regulations under that Act

Any other Act or regulation that makes provision for the conduct of polls or elections by the Electoral Commissioner, to the extent only to which it makes such provision.