



Australian Capital Territory

# **Fair Trading Regulation 1995**

**SL1995-1**

made under the

**Fair Trading Act 1992**

**Republication No 5**

**Effective: 7 October 2005 – 22 December 2005**

Republication date: 7 October 2005

Last amendment made by SL2005-27

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Fair Trading Regulation 1995*, made under the *Fair Trading Act 1992* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 7 October 2005. It also includes any amendment, repeal or expiry affecting the republished law to 7 October 2005.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

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made under the

**Fair Trading Act 1992**

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R5  
07/10/05

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Australian Capital Territory

# Fair Trading Regulation 1995

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**1 Name of regulation**

This regulation is the *Fair Trading Regulation 1995*.

**3 Definitions for regulation**

In this regulation:

*Note* A definition applies except so far as the contrary intention appears (see Legislation Act, s 155).

*approved*, in relation to an amendment to a code of practice, means approved by the Minister under the Act, section 35.

*approved code of practice* means a code of practice that is approved under the Act, section 34 (1) (b).

**4 Approved codes of practice prescribed**

- (1) For the Act, section 34 (Regulations—codes of practice), the following approved codes of practice are prescribed:
  - (a) the Fitness Industry Code of Practice—June 2005;
  - (b) the Motor Vehicle Service and Repair Industry Code of Practice;
  - (c) the Retirement Villages Industry Code of Practice.
- (2) Each approved code of practice mentioned in subsection (1) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

This regulation was originally the *Fair Trading Regulations*. It was renamed by the *Fair Trading Regulations (Amendment)* SL1999-9, s 3 and under the *Legislation Act 2001*.

#### **Fair Trading Regulation 1995 No 1**

notified 6 January 1995 (Gaz 1995 No S6)  
commenced 6 January 1995 (s 2)

as amended by

#### **Fair Trading Regulations (Amendment) 1997 No 37**

notified 9 December 1997 (Gaz 1997 No S400)  
commenced 9 December 1997 (s 1)

#### **Fair Trading Regulations (Amendment) 1998 No 3**

notified 16 January 1998 (Gaz 1998 No S48)  
commenced 16 January 1998 (s 1)

#### **Fair Trading Regulations (Amendment) 1998 No 12**

notified 7 May 1998 (Gaz 1998 No S119)  
commenced 7 May 1998 (s 1)

#### **Fair Trading Regulations (Amendment) 1998 No 13**

notified 11 May 1998 (Gaz 1998 No S127)  
commenced 11 May 1998 (s 1)

#### **Fair Trading Regulations (Amendment) 1999 No 9**

notified 1 July 1999 (Gaz 1999 No S39)  
commenced 1 July 1999 (s 1)

#### **Fair Trading Regulations (Amendment) 1999 No 11**

notified 14 July 1999 (Gaz 1999 No 28)  
commenced 14 July 1999 (s 1)

#### **Fair Trading Regulations Amendment 1999 No 27**

notified 3 November 1999 (Gaz 1999 No 44)  
commenced 3 November 1999 (s 1)



**Legislation (Consequential Amendments) Act 2001 No 44 pt 138**

notified 26 July 2001 (Gaz 2001 No 30)  
 s 1, s 2 commenced 26 July 2001 (IA s 10B)  
 pt 138 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

**Security Industry Act 2003 A2003-4 sch 1 pt 1.3**

notified LR 3 March 2003  
 s 1, s 2 commenced 3 March 2003 (LA s 75 (1))  
 sch 1 pt 1.3 commenced 3 September 2003 (s 2 and LA s 79)

**Fair Trading Amendment Regulation 2005 SL2005-27**

notified LR 6 October 2005  
 s 1, s 2 commenced 6 October 2005 (LA s 75 (1))  
 remainder commenced 7 October 2005 (s 2)

**4 Amendment history****Name of regulation**

s 1 am 1999 No 9 s 3; R4 LA

**Commencement**

s 2 om Act 2001 No 44 amdt 1.1583

**Definitions for regulation**

s 3 def **approved** ins 1998 No 13 s 3  
 def **the Act** om Act 2001 No 44 amdt 1.1584

**Approved codes of practice prescribed**

s 4 hdg sub 2001 No 44 amdt 1.1585  
 s 4 sub 1997 No 37 s 3  
 am 1998 No 3 s 3; 1998 No 12 s 3; 1999 No 9 s 4; 1999 No 27 s 3; Act 2001 No 44 amdt 1.1585, amdt 1.1586; A2003-4 amdt 1.6; SL2005-27 s 4

**Approved codes of practice—amendments**

s 4A renum as s 5

**Approved codes of practice—amendments**

s 5 hdg (prev s 4A hdg) sub 2001 No 44 amdt 1.1587  
 s 5 orig s 5 am 1998 No 13 s 5  
 om 1999 No 11 s 4  
 (prev s 4A) ins 1998 No 13 s 4  
 am 1999 No 11 s 3; Act 2001 No 44 amdt 1.1587, amdt 1.1588  
 renum R1 LA (see 2001 No 44 amdt 1.1589)  
 sub A2003-4 amdt 1.7  
 om SL2005-27 s 5

## Endnotes

5 Earlier republications

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### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	31 January 1998
2	A2001-44	12 September 2001
3	A2003-4	3 September 2003
4	A2003-4	1 November 2004

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