



Australian Capital Territory

# **Consumer Credit Regulations 1996 No 24**

made under the

**Consumer Credit Act 1995**

## **Republication No 1**

Republication date: 9 July 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Consumer Credit Regulations 1996*, made under the *Consumer Credit Act 1995*, as in force on 9 July 2002. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

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 includes 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.

Amendments incorporated to  
12 September 2001



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# Consumer Credit Regulations 1996

made under the

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# Consumer Credit Regulations 1996

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## **1 Name of regulations**

These regulations are the *Consumer Credit Regulations 1996*.

## **4 Transfer of proceedings**

- (1) If proceedings are instituted in, or are before, a court in a matter for the determination of which the credit tribunal and the court each have jurisdiction, the proceedings shall—

- (a) if all the parties to the proceedings so agree; or
- (b) if the court on its own initiative or on the application of a party so directs;

be transferred to the credit tribunal and shall continue before the credit tribunal as if they had been instituted there.

- (2) If proceedings are instituted in, or are before, the credit tribunal in a matter for the determination of which the credit tribunal and a court each have jurisdiction, the proceedings shall—

- (a) if all the parties so agree; or
- (b) if the credit tribunal on its own initiative or on the application of a party so directs;

be transferred to the court in accordance with the rules of the court or, if the court is not empowered to make those rules, as prescribed, and shall continue before the court as if they had been instituted in the court.

## **5 Maximum annual percentage rate**

For the Act, section 10 (1), the prescribed maximum annual percentage rate is 48% per annum for all classes of credit contracts to which the Consumer Credit (Australian Capital Territory) Code applies.

## 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.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

### 2 Abbreviation key

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

## Endnotes

3 Legislation history

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### 3 Legislation history

The *Consumer Credit Regulations 1996* were originally the *Consumer Credit Regulations*. They were renamed under the *Legislation Act 2001*.

#### **Consumer Credit Regulations 1996 SL No 24**

notified 1 November 1996

commenced 1 November 1996 (reg 2)

as amended by

#### **Legislation (Consequential Amendments) Act 2001 No 44 pt 76**

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 76 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

### 4 Amendment history

#### **Name of regulations**

reg 1 hdg am R1 LA

reg 1 am R1 LA

#### **Commencement**

reg 2 om Act 2001 No 44 amdt 1.805

#### **Interpretation**

reg 3 om Act 2001 No 44 amdt 1.805

def **the Act** om Act 2001 No 44 amdt 1.805



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