



Australian Capital Territory

Consumer Credit (Administration) Regulation 1996

SL1996-25

made under the

Consumer Credit (Administration) Act 1996

Republication No 3

Effective: 17 December 2009 – 6 October 2010

Republication date: 17 December 2009

Last amendment made by A2009-49

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Consumer Credit (Administration) Regulation 1996*, made under the *Consumer Credit (Administration) Act 1996* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 17 December 2009. It also includes any amendment, repeal or expiry affecting the republished law to 17 December 2009.

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):

- 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

At the republication date, the value of a penalty unit for an offence against this law is \$110 for an individual and \$550 for a corporation (see *Legislation Act 2001*, s 133).



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R3
17/12/09

Consumer Credit (Administration) Regulation 1996
Effective: 17/12/09-06/10/10

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Australian Capital Territory

Consumer Credit (Administration) Regulation 1996

made under the

Consumer Credit (Administration) Act 1996

1 Name of regulation

This regulation is the *Consumer Credit (Administration) Regulation 1996*.

4 Commissions

- (1) For the Act, section 35 (2), the prescribed maximum commission is—
 - (a) an amount not exceeding 2% of so much of the amount negotiated or obtained as does not exceed \$5 000 and, if the amount negotiated or obtained exceeds \$5 000, an additional amount not exceeding 1.5% of so much of that amount as exceeds \$5 000; or
 - (b) \$6.50;whichever is the greater.
- (2) For the Act, section 35 (5) (b), the prescribed rate is 18% per annum.

5 Registration of undertakings

For the Act, section 106 (1) (a), the following particulars are prescribed:

- (a) for an undertaking given by an individual—
 - (i) the name and, if applicable, the business name of the person; and
 - (ii) the person's home address, business address, telephone number and fax number; and
 - (iii) a copy of the undertaking;

- (b) for an undertaking given by a corporation—
 - (i) its Australian Company Number (ACN) under the Corporations Act; and
 - (ii) the address of the registered office and the telephone number and fax number of the corporation; and
 - (iii) a copy of the undertaking.

Endnotes

1 About the endnotes

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 |

3 Legislation history

This regulation was originally the *Consumer Credit (Administration) Regulations*. It was renamed under the *Legislation Act 2001*.

Consumer Credit (Administration) Regulation 1996 SL No 25

notified 1 November 1996 (Gaz 1996 No S289)

commenced 1 November 1996 (s 2)

as amended by

Legislation (Consequential Amendments) Act 2001 No 44 pt 78

notified 26 July 2001 (Gaz 2001 No 30)

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

pt 78 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Statute Law Amendment Act 2009 (No 2) A2009-49 sch 3 pt 3.13

notified LR 26 November 2009

s 1, s 2 commenced 26 November 2009 (LA s 75 (1))

sch 3 pt 3.13 commenced 17 December 2009 (s 2)

4 Amendment history

Name of regulation

s 1 am R1 LA; R2 LA

Commencement

s 2 om Act 2001 No 44 amdt 1.844

Interpretation

s 3 om Act 2001 No 44 amdt 1.844

Registration of undertakings

s 5 am Act 2001 No 44 amdt 1.845; A2009-49 amdt 3.30

Endnotes

5 Earlier republications

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. Electronic and printed versions of an authorised republication are identical.

| Republication No and date | Effective | Last amendment made by | Republication for |
|----------------------------------|----------------------------|-------------------------------|---|
| R1 9 July 2002 | 9 July 2002– 2 Nov 2004 | A2001-44 | new regulation |
| R2 3 Nov 2004 | 3 Nov 2004– 16 Dec 2009 | A2001-44 | includes editorial amendments under Legislation Act |

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