



AUSTRALIAN CAPITAL TERRITORY

Uncollected Goods (Consequential Provisions) Act 1996

No. 87 of 1996

**An Act to amend certain laws and to make certain
transitional arrangements in consequence of the enactment
of the *Uncollected Goods Act 1996***

[Notified in ACT Gazette S328: 20 December 1996]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

PART I—PRELIMINARY

Short title

1. This Act may be cited as the *Uncollected Goods (Consequential Provisions) Act 1996*.

Commencement

2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on the day on which section 3 of the *Uncollected Goods Act 1996* commences.

PART II—CONSEQUENTIAL PROVISIONS

Amendment of the *Auctioneers Act 1959*

3. Section 4 of the *Auctioneers Act 1959* is amended—
- (a) by adding at the end of paragraph (2) (b) “or”; and
 - (b) by omitting paragraph (2) (c).

Amendment of the *Mercantile Law Act 1962*

4. (1) Section 22 of the *Mercantile Law Act 1962* is amended—
- (a) by omitting from subsection (1) all the words after “charges,” and substituting “issue a notice of intention to sell the goods”; and
 - (b) by omitting subsection (4).
- (2) Sections 23, 24, 25, 26 and 27 of the *Mercantile Law Act 1962* are repealed.

Amendment of the *Protection of Lands Act 1937*

5. Sections 9, 10, 11, 12, 13, 14, 15 and 16 of the *Protection of Lands Act 1937* are repealed.

Amendment of the *Public Baths and Public Bathing Act 1956*

6. Part IV of the *Public Baths and Public Bathing Act 1956* is repealed.

PART III—TRANSITIONAL PROVISIONS

Interpretation

7. In this Part, unless the contrary intention appears—
- “commencement day” means the day on which section 3 of the *Uncollected Goods Act 1996* commences;
- “new scheme Act” means the *Uncollected Goods Act 1996*;
- “old scheme Act” means—
- (a) the Finance Regulations as in force immediately before the commencement day;
 - (b) the *Mercantile Law Act 1962* as in force immediately before the commencement day;
 - (c) the Protection of Lands Act; or
 - (d) the Public Baths Act;
- “Protection of Lands Act” means the *Protection of Lands Act 1937* as in force immediately before the commencement day;

“Public Baths Act” means the *Public Baths and Public Bathing Act 1956* as in force immediately before the commencement day.

Goods held by possessors before commencement

8. (1) Subject to subsection (2), a person in possession of goods immediately before the commencement day may, on or after that day, take action in relation to those goods under—

- (a) the new scheme Act; or
- (b) an old scheme Act as if the amendments effected by Part II were not in force.

(2) Where a person takes any action under the new scheme Act in relation to goods described in subsection (1), paragraph (1) (b) ceases to apply in relation to those goods.

Retention areas

9. A declaration that was in force under section 9 of the Protection of Lands Act immediately before the commencement day shall, on and after that day, be taken to be a declaration under section 17 of the new scheme Act.

Lost Property Register

10. A Lost Property Register that was being kept under section 24 of the Public Baths Act immediately before the commencement day shall, on and after that day, be taken to be a lost property register under section 10 of the new scheme Act.

[Presentation speech made in Assembly on 29 August 1996]