

1996  
THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Attorney-General)

**Uncollected Goods (Consequential  
Provisions) Bill 1996**

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**A BILL  
FOR**

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

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

**PART I—PRELIMINARY**

**Short title**

- 5     **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***

5        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—

- 10        (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(2) Sections 23, 24, 25, 26 and 27 of the *Mercantile Law Act 1962* are repealed.

15        **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 Sections 9, 10, 11, 12, 13, 14, 15 and 16 of the *Protection of Lands Act 1937* are repealed.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 Part IV of the *Public Baths and Public Bathing Act 1956* is repealed.

20        **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;

25        “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
- 30

(d) the Public Baths Act;

“Protection of Lands Act” means the *Protection of Lands Act 1937* as in force immediately before the commencement day;

5 “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—

10 (a) the new scheme Act; or

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

15 (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**

20 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**

25 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.