



AUSTRALIAN CAPITAL TERRITORY

Fair Trading (Amendment) Act 1996

No. 9 of 1996

An Act to amend the *Fair Trading Act 1992*

[Notified in ACT Gazette S59: 10 April 1996]

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

Short title

1. This Act may be cited as the *Fair Trading (Amendment) Act 1996*.

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) Section 4 commences on a day fixed by the Minister by notice in the *Gazette*.

(3) If section 4 has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that section, by force of this subsection, commences on the first day after the end of that period.

Principal Act

3. In this Act, “Principal Act” means the *Fair Trading Act 1992*.¹

Insertion

4. After section 28 of the Principal Act the following section is inserted:

Cash card use disclosure

“28A. (1) A cash card provider shall not disclose to any person particulars of the use of a cash card where those particulars identify or tend to identify the user.

“(2) Subsection (1) does not apply where—

- (a) the user consents to the disclosure; or
- (b) the disclosure is required by a court or is otherwise authorised or required by or under a law in force in the Territory.

“(3) In this section—

‘cash card’ means a card that—

- (a) is, or is intended to be, electronically encoded with a monetary value; and
- (b) once encoded, can be used to pay for goods or services up to the value encoded;

‘provider’, in relation to a cash card, means a person who provides cash cards in the course of a business carried on by him or her.”.

NOTE**Principal Act**

1. Reprinted as at 31 January 1994. See also Act No. 26, 1994.

[Presentation speech made in Assembly on 21 February 1996]

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