



Australian Capital Territory

Door-to-Door Trading Regulation 2009 (repealed)

SL2009-49

made under the

Door-to-Door Trading Act 1991

Republication No 2

Effective: 1 January 2011

Republication date: 1 January 2011

As repealed by A2010-54 s 4 (1)

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Door-to-Door Trading Regulation 2009* (repealed), made under the *Door-to-Door Trading Act 1991*, including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes). It also includes any commencement, amendment, repeal or expiry affecting the republished law to 1 January 2011.

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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01/01/11

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1 Name of regulation

This regulation is the *Door-to-Door Trading Regulation 2009*.

3 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

4 Exempted contracts—Act, s 4 (4) (b)

A contract mentioned in schedule 1, column 2 is exempt—

- (a) from the operation of a provision of the Act mentioned in column 3; and
- (b) subject to the conditions (if any) mentioned in column 4.

5 Contracts declared not to be prescribed contracts—Act, s 6 (3) (d)

A contract mentioned in schedule 2, column 2 is declared not to be a prescribed contract.

Schedule 1 Exempted contracts

(see s 4)

column 1 item	column 2 contract	column 3 provision(s) of Act not applying	column 4 conditions of exemption
1	A contract to provide landline telephone services to a consumer	8	The contract does not terminate, or transfer any obligations arising under, an existing contract to provide landline telephone services to the consumer by a provider of the services that is not a party to the contract
2	<p>A contract that—</p> <p>(a) provides a consumer with an ongoing entitlement to purchase particular goods or services; and</p> <p>(b) does not, apart from any consideration payable by the consumer to enter into the contract, require the consumer to purchase any goods or services—</p> <p style="padding-left: 40px;">(i) as a precondition to entering into the contract; or</p> <p style="padding-left: 40px;">(ii) as a result of entering into the contract</p>	8	

Schedule 2 Contracts declared not to be prescribed contracts

(see s 5)

column 1 item	column 2 contract
1	A contract for the supply of a classified advertisement published— <ul style="list-style-type: none"> (a) in the print media or on the internet; and (b) only once
2	If a contract for the supply of services, and any goods associated with those services, exists between a consumer and a dealer (an <i>existing contract</i>)—a contract between the consumer and the dealer for— <ul style="list-style-type: none"> (a) the renewed supply of the same services, and any goods associated with those services, supplied under the existing contract; or (b) the supply of similar services, and any goods associated with those services, to the services supplied under the existing contract
3	If a contract for the supply of services exists between a consumer and a dealer (an <i>existing contract</i>) and is a contract to which this Act applies—any of the following contracts between the consumer and the dealer: <ul style="list-style-type: none"> (a) a contract that modifies the existing contract in a way that results in only a minor increase in any amount the consumer is required to pay under the existing contract; (b) a contract— <ul style="list-style-type: none"> (i) for the supply of services that are related, or complementary, to services that are already being supplied to the consumer by the dealer under the existing contract (an <i>associated contract</i>); and (ii) that does not require the consumer to pay an amount for services supplied under the associated contract that is more than the amount paid for services supplied under the existing contract; (c) a contract that modifies the associated contract in a way that results in only a minor increase in the amount the consumer is required to pay under the associated contract

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

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

Door-to-Door Trading Regulation 2009 SL2009-49

notified LR 13 October 2009

s 1, s 2 commenced 13 October 2009 (LA s 75 (1))

remainder commenced 14 October 2009 (s 2)

as repealed by

Fair Trading (Australian Consumer Law) Amendment Act 2010 A2010-54 s 4

notified LR 16 December 2010

s 1, s 2 commenced 16 December 2010 (LA s 75 (1))

s 4 commenced 1 January 2011 (s 2 (1))

4 Amendment history

Commencement

s 2 from LA s 89 (4)

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 14 Oct 2009	14 Oct 2009– 31 Dec 2010	not amended	new regulation

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