

Queensland



ANNO OCTAVO

ELIZABETHAE SECUNDAE REGINAE.

No. 34.

An Act to Amend "The Cash Orders and Hire-purchase Agreements Regulation Act of 1946," in certain particulars.

[ASSENTED TO 10TH NOVEMBER, 1959.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. (1.) This Act may be cited as "*The Cash Orders Regulation Act Amendment Act of 1959.*"

Principal Act.

(2.) "*The Cash Orders and Hire-purchase Agreements Regulation Act of 1946,*" is in this Act referred to as the Principal Act.

Collective title.

(3.) The Principal Act and this Act may be collectively cited as "*The Cash Orders Regulation Acts, 1946 to 1959.*"

2. (1.) This Act shall come into operation on the day on which **The Hire-purchase Act of 1959*” comes into operation. Commencement of Act.

(2.) Notwithstanding anything to the contrary in this Act, the provisions of the Principal Act shall continue to have operation and effect in relation to hire-purchase agreements, and agreements made in connection with hire-purchase agreements entered into before the commencement of this Act as if this Act had not come into operation. Saving.

3. The long title of the Principal Act is amended by repealing therein the words “and to Amend “*The Hire-purchase Agreement Acts, 1933 to 1943,*” in certain particulars”. Amendment of long title.

4. Section one of the Principal Act is amended by repealing therein the words “and *Hire-purchase Agreements*”. Amendment of s. 1.

5. Section three of the Principal Act is amended by repealing therein the words and figures “PART III.—AMENDMENTS OF “THE HIRE-PURCHASE AGREEMENT ACTS, 1933 TO 1943””;”. Amendment of s. 3.

6. Subsection one of section four of the Principal Act is amended by repealing therein the words and figures ““*The Hire-purchase Agreement Acts, 1933 to 1943*” (as amended by this Act) and also under”. Amendment of s. 4 (1).

7. Section six of the Principal Act is amended by repealing in subsection one thereof the words “of one pound” and by inserting, in lieu of those repealed words, the words “as prescribed”. Amendment of s. 6.

8. Section thirteen of the Principal Act is amended by repealing therein the words “ten pounds”, where those words twice occur, and by inserting, in lieu of those repealed words where so repealed, the words “twenty pounds”. Amendment of s. 13.

* Commenced 1 Jan. 1960 (See Proc. pubd. Gaz. 14 Nov. 1959, p. 1805).

Repeal of
Part III.

9. The Principal Act is amended—

(i.) By repealing the headnote, being the words and figures “PART III.—HIRE-PURCHASE AGREEMENTS.”, appearing before section twenty thereof; and

(ii.) By repealing sections twenty to twenty-six (both inclusive) of the Principal Act.

Amendments
of s. 27.

10. Section twenty-seven of the Principal Act is amended—

(i.) By repealing in subsection one thereof the words ““*The Hire-purchase Agreements Acts, 1933 to 1946*” and/or “*The Cash Orders and Hire-purchase Agreements Regulation Act of 1946,*” or to which any provision of such Acts” and by inserting, in lieu of those repealed words, the words “this Act or to which any provision of this Act”; and

(ii.) By repealing in subsection three thereof the words “such aforesaid Acts referred to in this section” and by inserting, in lieu of those repealed words, the words “this Act”.

Amendment
of s. 28.

11. Section twenty-eight of the Principal Act is amended by repealing therein the words “the aforesaid Acts referred to in section twenty-eight of”.

Amendment
of s. 29.

12. Section twenty-nine of the Principal Act is amended by repealing therein the words “the aforesaid Acts referred to in section twenty-seven of”.

Amendment
of s. 30.

13. Section thirty of the Principal Act is amended by repealing therein the words “the aforesaid Acts referred to in section twenty-seven of”.

Repeal of
. 31.

14. (1.) Section thirty-one of the Principal Act is repealed.

(2.) Notwithstanding the repeal of the said section thirty-one of the Principal Act, the provisions of the repealed section shall continue to have operation and effect in relation to the hirer under a hire-purchase agreement entered into before the commencement as if the repealed section had not been so repealed.

15. Section thirty-two of the Principal Act is amended— Amendments
of s. 32.

(a) By repealing therein the words “or of “*The Hire-purchase Agreement Acts, 1933 to 1946,*”; and

(b) By repealing therein the words “under either such Act” and by inserting, in lieu of those repealed words, the words “made under this Act”.

16. The Principal Act is amended by adding thereto New s. 33.
the following section :—

“[33.] (1.) The Governor in Council may from Regulations.
time to time make regulations, not inconsistent with this Act, prescribing all matters and things which by this Act are required or permitted to be prescribed and without limiting the generality of the foregoing provision of this subsection prescribing fees payable under this Act (which fees may differ with respect to different matters or thing or classes of matter or thing) and the matters and things and classes of matter or thing in respect of which such fees shall be paid, and prescribing the persons by whom and the places and times where and when such fees shall be paid.

(2.) (a) Every regulation made under this Act shall— Publication
of regula-
tions, &c.

- (i.) Be published in the *Gazette* ;
- (ii.) Upon publication in the *Gazette*, be judicially noticed and such publication shall be conclusive evidence of the matters contained therein ;
- (iii.) Take effect from the date of such publication, unless, in the case of any such regulation, a later date is specified in that or any other regulation for its commencement when in such event it shall take effect from that later date ; and
- (iv.) Be laid before the Legislative Assembly within fourteen sitting days after such publication if the Legislative Assembly is in session, and if not, then within fourteen sitting days after the commencement of the next session.

(b) If the Legislative Assembly passes a resolution of which notice has been given at any time within fourteen sitting days after any such regulation has been laid before it disallowing such regulation or part thereof, that regulation or part shall thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime or to the making of a further regulation."
