

Version No. 033**Disposal of Uncollected Goods Act 1961****Act No. 6815/1961**

Version incorporating amendments as at 1 June 2001

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Disposal of Uncollected Goods Act 1961

Act No. 6815/1961

Version incorporating amendments as at 1 June 2001

An Act to authorize the Disposal of Goods accepted in the Course of a Business for Repair or other Treatment but not redelivered and for Purposes connected therewith.

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

1. Short title and commencement

This Act may be cited as the **Disposal of Uncollected Goods Act 1961** and shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the Government Gazette.

2. Right of bailees to sell goods accepted for repair or other treatment but not redelivered

- (1) This Act shall apply in relation to the bailment of any goods accepted (whether before or after the commencement of this Act) by the bailee, in the course of a business for repair or other treatment on the terms (express or implied) that they will be redelivered to the bailor or in accordance with the bailor's directions when the repair or other treatment has been carried out and on payment to the bailee of such charges as may be agreed between the parties or as may be reasonable.

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- (2) Where goods accepted as aforesaid are ready for redelivery but the bailor fails both—
- (a) to pay or tender to the bailee his charges in relation to the goods; and
 - (b) to take delivery of the goods or, if the terms of the bailment so provide, to give directions as to their delivery—

the bailee shall, subject to the provisions of any agreement between him and the bailor and to the following provisions of this Act, be entitled, while the failure continues, and if he had not notice before doing the work upon the goods that the goods are comprised in a hire-purchase agreement which contains a provision prohibiting the creation of a lien by the hirer on the goods, to sell the goods.

3. Bailee to comply with certain provisions to be entitled to sell goods

- (1) The bailee shall not be entitled by virtue of the last preceding section to sell goods accepted by him for repair or other treatment unless the following provisions are complied with, that is to say—
 - (a) at all premises used or appropriated by the bailee for accepting for repair or other treatment goods of the class to which the goods accepted belong, there is, at the time of the acceptance (whether or not the goods are accepted at any such premises), conspicuously displayed in the part of the premises so used or appropriated a notice indicating that the acceptance by the bailee of goods of that class for repair or other treatment is subject to the provisions of this Act and that this Act confers on the bailee a right of sale exercisable in certain

S. 3(1)(a)
amended by
No. 8246
s. 2(a)(i).

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circumstances after an interval of not less than one month from the date on which the goods are ready for redelivery or the date on which the bailor is informed is the date when they will be ready for redelivery (whichever is the later);

- (b) after the date on which the goods are ready for redelivery or the date on which the bailor is informed is the date when they will be ready for redelivery (whichever is the later) the bailee—

S. 3(1)(b)
substituted by
No. 8246
s. 2(a)(ii).

- (i) gives to the bailor and to every other person he actually knows has or claims an interest in the goods a notice, being a notice complying with the requirements of sub-section (5), that the goods are ready for redelivery; and
- (ii) publishes in a newspaper published in Melbourne and circulating throughout Victoria and in the district in which are situated the premises where the goods were accepted for repair or other treatment a notice of his intention to sell the goods (and such notice may include other goods intended to be sold by the bailor under this Act).

* * * * *

S. 3(1)(c)
repealed by
No. 8246
s. 2(a)(iii).

- (1A) The bailee shall not be entitled to sell the goods of a bailor—

S. 3(1A)
inserted by
No. 8246
s. 2(b).

- (a) in a lot in which goods not accepted by him from the bailor are included; and

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S. 3(2)
amended by
No. 8246
s. 2(c).

- (b) otherwise than by public auction or to dispose of them otherwise than by sale unless such other sale or such disposal is authorized by this Act or unless the bailee certifies that in his opinion the best price cannot be obtained by a sale by public auction or the goods have no commercial value (whichever case applies) and gives reasons for that opinion.
- (2) Where, at any time before the goods are sold, a dispute arises between the bailor and the bailee by reason of the bailor's refusal to pay the sum which the bailee claims to be due to him by way of his charges in relation to the goods, or to take delivery thereof or give directions as to their delivery, on the ground that the charges are excessive or that the bailor is not satisfied that the repair or other treatment of the goods has been properly carried out, the bailee's right to sell the goods shall be suspended until the dispute is determined.
- (3) Without prejudice to any other mode of determining a dispute, it shall be treated for the purposes of this Act as having been determined if the bailee, at any time after the dispute has arisen, gives to the bailor a notice (hereafter in this Act referred to as a "notice to treat the dispute as determined")—
- (a) stating that unless, within the period of one month beginning with the date of the giving of the notice, the bailor objects thereto, the dispute will be treated for the purposes of this Act as having been determined; and

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(b) in other respects complying with the requirements of sub-section (5) of this section—

and within the said period of one month the bailor does not object to the notice; and where the dispute is so treated as having been determined, the date on which it shall be so treated as having been determined shall be the date of the giving of the notice.

(4) Where a dispute in relation to any goods is determined (whether by virtue of the last preceding sub-section or otherwise) sub-section (1) of this section shall have effect in relation to those goods as if for the reference in paragraph (b) thereof to the date of the giving of the notice that the goods are ready for redelivery there were substituted a reference to the date on which the dispute is determined.

S. 3(4)
amended by
No. 8246
s. 2(d).

(5) A notice required or authorized by this section to be given by the bailee to the bailor shall contain—

S. 3(5)
substituted by
No. 8246
s. 2(e).

(a) a sufficient description of the goods;

(b) the sum which the bailee claims to be due to him by way of his charges in relation to the goods;

S. 3(5)(b)
amended by
No. 9059
s. 2(1)(Sch.
item 14).

(c) a statement that if the bailor fails within the period of one month beginning with the date of the giving of the notice both to pay the said sum and to take delivery of the goods or give directions as to their delivery the bailee is entitled to sell the goods in accordance with the provisions of this Act without any further notice being given to the bailor.

s. 3A

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s. 3A
inserted by
No. 8246 s. 3.

3A. Alternative procedure where value of goods is less than \$20

- (1) Where in respect of goods accepted by a bailee in the course of a business for repair or other treatment the bailee certifies that the goods are of a value not exceeding \$20, then, instead of complying with paragraph (b) of sub-section (1) of section 3, the bailee may send an account for the payment of his charges to the bailor at the address given by the bailor to the bailee.
- (2) Where a second account has also been sent to the bailor not earlier than 14 days after the sending of the first account the bailee shall be entitled to sell the goods by virtue of section 2 or to dispose of them in any other way he considers appropriate if after six months beginning with the date of the sending of the first account his charges remain unpaid and the bailor has not taken delivery of the goods or given directions as to their delivery.
- (3) Where at any time before the goods referred to in sub-section (1) are sold or disposed of a dispute of a nature described in sub-section (2) of section 3 arises between the bailor and the bailee, then the provisions of sub-sections (2) and (3) of that section shall with all modifications that are necessary extend and apply to that dispute, and without affecting the generality of the foregoing, in particular with the modification that where the dispute is treated as having been determined the date on which it is so treated as having been determined shall be the date of the sending of the first account.

3B. Procedure where sufficient particulars of name and address of bailor are not available**S. 3B**
inserted by
No. 8246 s. 3.

Where in respect of goods accepted by a bailee in the course of a business for repair or other treatment the bailee does not have sufficient particulars of the name and address of the bailor in order to give to the bailor a notice that the goods are ready for redelivery, then the bailee shall be entitled to sell the goods by virtue of section 2 after the expiration of a period of six months after the goods are ready for redelivery if without giving the notice to the bailor that the goods are so ready for redelivery he complies with the other provisions of section 3.

4. Notice

- (1) In this Act "**notice**" means a notice in writing.
- (2) A notice required or authorized by this Act to be given by a bailee may be given either—
 - (a) by posting it to or delivering it personally to the bailor or other person having or claiming an interest in the goods; or
 - (b) by leaving it at that person's last or most usual place of abode or business with some other person apparently an inmate thereof or employed thereat and apparently not less than sixteen years of age.

5. Records

- (1) Where goods are sold by virtue of the provisions of this Act, any amount by which the gross proceeds of the sale exceed the charges of the bailee in relation to the goods shall be recoverable by the bailor from the bailee and any amount by which the said charges exceed the gross proceeds of the sale shall be recoverable by the bailee from the bailor.

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S. 5(2)
substituted by
No. 8246 s. 4.

- (2) Where goods are sold or disposed of by virtue of the provisions of this Act the bailee shall, before the expiration of the period of seven days beginning with the date of the sale of the goods, prepare a record in relation to the goods containing the following particulars—
- (a) a sufficient description of the goods;
 - (b) the date on which the goods were accepted for repair or other treatment;
 - (c) the date on which notice was given that the goods are ready for redelivery and the names and addresses of the persons to whom notice was so given, or the dates on which the two accounts were sent pursuant to section 3A and the name and address of the person to whom they were sent (whichever case applies);
 - (d) the method, date and place of sale or disposal;
 - (e) where the goods are sold by public auction, the name and principal place of business of the auctioneer;
 - (f) where the goods are sold other than by public auction or are disposed of other than by sale—
 - (i) the reason for the action so taken;
 - (ii) the name and address of the person or institution to whom the goods are sold or disposed of (if applicable); and
 - (iii) the market value of the goods and the gross amount that the bailee believes the goods would have fetched if sold by public auction.
 - (g) the amount of the gross proceeds of any sale; and
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(h) a statement of each item of the charges of the bailee in relation to the goods and the transaction to which each item relates—

and shall, during the period of six years beginning with the date on which the record is prepared, keep the record together with any certificate made or copy of any notice or account given pursuant to this Act in respect of the goods, and shall at any reasonable time during the said period of six years, if so requested by or on behalf of the bailor, produce the record and the certificate or copy for inspection by the bailor, any person nominated by him in that behalf, or any person having or claiming an interest in the goods.

(3) Any person who fails to comply with the provisions of the last preceding sub-section or who produces a document kept for the purposes thereof which is to his knowledge false in a material particular shall be liable on summary conviction to a penalty not exceeding \$200 or to imprisonment for a term not exceeding three months or both.

6. Supplemental provisions

(1) References in this Act to goods accepted by a bailee in the course of a business for repair or other treatment—

(a) shall, in relation to goods of any class, be construed as references to goods of that class accepted by him for repair or other treatment in the course of a business consisting of or comprising the acceptance by him of goods of that class for repair or other treatment (whether or not the repair or other treatment is effected by him) wholly or mainly from persons who deliver to him, otherwise than in the course of a business, goods of that class for repair or other treatment;

S. 6(1)
substituted by
No. 8246 s. 5.

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- (b) shall include references to goods being accepted for examination in order to ascertain the cost of repair and to give a quotation of that cost of repair to the bailor, and in such a case the date on which the goods are deemed ready for re-delivery shall be the date on which the quotation of the cost of repair is ready to be given to the bailor or the date on which the bailor is informed is the date when it will be so ready (whichever is the later).
- (2) References in this Act to the charges of the bailee in relation to any goods shall, subject to the provisions of any agreement between the bailor and the bailee, be construed as references to the amount agreed between them as the charge for the repair or other treatment of the goods or, if no amount has been so agreed, a reasonable charge therefor and, in a case where the goods have been sold, the following additional amounts that is to say—
- (a) a reasonable charge for storing the goods during the period beginning with the date of the giving of the notice that the goods are ready for redelivery, or, where there has been a dispute between the bailor and bailee, the date on which the dispute was determined, and ending with the date of the sale;
- (b) any costs of or in connexion with the sale; and
- (c) the cost, if any, of insuring the goods.
- (3) References in this Act to a bailor or bailee of goods shall, as respects a period during which his rights and obligations in relation to the goods are vested in any other person, be construed as references to that other person.
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s. 6A

- (4) The powers conferred on a bailee by this Act shall be in addition to and not in derogation of any powers exercisable by him independently of this Act.

6A. Damaged motor vehicles

S. 6A
inserted by
No. 7181 s. 2.

- (1) Where any motor vehicle within the meaning of the **Road Safety Act 1986** which is damaged is lawfully removed and stored by a tow truck operator in the course of his business such operator, subject to the provisions of sub-section (4) of this section, shall in respect of that motor vehicle be deemed for the purposes of this Act to be the bailee of goods accepted for repair or other treatment pursuant to section two of this Act.

S. 6A(1)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

- (2) In construing any provision of this Act wherever any reference (however expressed) occurs—

- (a) to the date or to any action taken subsequent to the date on which goods are ready for redelivery the reference with respect to such damaged motor vehicle shall be construed as a reference to the date or to any action taken subsequent to the date on which such motor vehicle was received by the bailee;

S. 6A(2)(a)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

- (b) to the charges due to a bailee the reference with respect to such damaged motor vehicle shall be construed as a reference including the reasonable expenses for towing and storage.

S. 6A(2)(b)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

- (3) In construing any provision of this Act any reference to "the commencement of this Act" shall with respect to such damaged motor vehicle be deemed to be a reference to the commencement of the **Disposal of Uncollected Goods (Damaged Motor Cars) Act 1964**.

S. 6A(3)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

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S. 6A(4)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

- (4) Nothing in this section shall be construed as conferring a right on any person to retain possession of such motor vehicle on the ground of non-payment for repairs done to that motor vehicle when such repairs were carried out without lawful written authority.

7. Special provisions applicable to certain cases of goods accepted before the commencement of this Act

- (1) Where the bailee of goods accepted before the commencement of this Act for repair or other treatment does not at the commencement of this Act know any address of the bailor, the bailee shall not be disentitled to sell the goods by reason only that paragraphs (b) and (c) of sub-section (1) of section three of this Act are not complied with, if the following provisions are complied with, that is to say—
- (a) within the period of one month beginning with the commencement of this Act, the bailee inserts in a newspaper published in Melbourne and circulating throughout Victoria and in the district in which the premises where the goods were accepted for repair or other treatment are situated a notice complying with the requirements of sub-section (3) of this section; and
- (b) at all premises used or appropriated by the bailee after the commencement of this Act for accepting for repair or other treatment goods of the class to which the goods so accepted belong, there is, throughout the period of nine months immediately following the said period of one month or throughout that portion of the said period of nine months during which the premises are so used or appropriated a notice indicating that in the

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case of goods of that class accepted before the commencement of this Act for repair or other treatment this Act confers on the bailee a right of sale exercisable in certain circumstances after an interval of not less than ten months from the commencement of this Act—

but the bailee shall not be entitled to sell the goods before the expiration of the period of ten months beginning with the commencement of this Act.

- (2) Where any goods are sold by virtue of the fact that the foregoing provisions of this section have been complied with, the foregoing sections of this Act shall have effect in relation to the goods subject to the following modifications that is to say—
 - (a) for any reference in sub-section (2) of section five to a copy of the notice of the bailee's intention to sell the goods there shall be substituted a reference to a statement of the name and issue of the newspaper in which the notice under paragraph (a) of sub-section (1) of this section was published; and
 - (b) for the reference in paragraph (a) of sub-section (2) of section six to the giving of the notice that the goods are ready for redelivery there shall be substituted a reference to the publication of the notice under paragraph (a) of sub-section (1) of this section.
- (3) A notice under paragraph (a) of sub-section (1) of this section in relation to any goods must contain—
 - (a) a sufficient description of the class to which the goods belong;
 - (b) the name under which the bailee carries on the business consisting of or comprising the acceptance of goods of that class for repair

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- or other treatment and the address of the bailee's principal place of business or, where the bailee is a company, the registered office of the company, and if the name or the address have changed during the nine months immediately preceding the date of the publication of the notice, the last such name or, as the case may be, the last such address preceding the change thereof; and
- (c) a statement that if the bailor of the goods fails within the period of ten months beginning with the commencement of this Act both to pay the sum which the bailee claims to be due to him by way of his charges in relation to the goods and to take delivery of the goods or give directions as to their delivery they are liable to be sold in accordance with the provisions of this Act.
- (4) Where the bailee of goods accepted before the commencement of this Act for repair or other treatment does not at the commencement of this Act know any address of the bailor and at any time during the period of ten months beginning with the commencement of this Act a dispute arises between the bailor and the bailee by reason of either or both of the matters mentioned in subsection (2) of section three of this Act, the foregoing provisions of this section shall not apply in relation to the goods, but the foregoing sections of this Act shall apply in relation thereto as they apply in a case where a dispute arises between the bailor and the bailee before the giving of the notice of the bailee's intention to sell the goods.

8. Buyer of goods sold pursuant to this Act to acquire a good title

- (1) The buyer of any goods sold by a bailee in the exercise or purported exercise of his powers under this Act shall acquire a good title to the goods provided he buys them in good faith and without notice—
 - (a) of any defect or want of title in the bailor; and
 - (b) of any failure by the bailee to comply with any of the provisions of this Act.
- (2) Upon any proceedings by or against the bailee in respect of any goods sold pursuant to the provisions of this Act the burden of proving that the provisions of this Act relating to the sale of those goods have been complied with shall be upon the bailee.

9. Rights of actual owner of goods sold under this Act

Where the bailor of any goods is not the owner thereof and the goods are sold by the bailee in the exercise or purported exercise of his powers under this Act without notice by the bailee to the owner the owner shall not be entitled to the return of the goods but shall have the same rights in respect of the proceeds of the sale of the goods as he would have had in respect of the goods if the property therein had not passed to the buyer by virtue of the provisions of this Act.

10. Special provisions applicable to sales of motor vehicles

- (1) Where the bailee of any motor vehicle within the meaning of the **Road Safety Act 1986** intends to sell the motor vehicle pursuant to the provisions of this Act he shall, not less than one month prior to the intended sale, give notice in writing of such intention to the Chief Commissioner of Police

S. 10(1)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

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together with particulars of the make, model type, colour, registration number, chassis number (when applicable), body number (when applicable), and engine number of the motor vehicle and how and when it came into the possession of the bailee.

- (2) Upon receipt of any such notice and particulars the Chief Commissioner shall cause a search to be made of the records in his custody and shall forward to the bailee a certificate as to whether or not the motor vehicle referred to is for the time being recorded as stolen.
- (3) Any bailee of a motor vehicle who sells such motor vehicle pursuant to the provisions of this Act without having first obtained from the Chief Commissioner of Police a certificate that the motor vehicle is not recorded for the time being as stolen shall be liable upon summary conviction to a penalty of not more than \$200 or to imprisonment for a term not exceeding three months or both.
- (4) In any proceedings arising out of the sale of a motor vehicle pursuant to the provisions of this Act a certificate purporting to be signed by the Chief Commissioner of Police to the effect that any motor vehicle was or was not at any time stated in such certificate recorded as being stolen shall be prima facie evidence of the facts stated therein.

11. Disposal of proceeds after deduction of bailee's charges

- (1) Where, after goods have been sold pursuant to the provisions of this Act and the bailee has deducted his charges in respect of the repair or other treatment of those goods, there remains a surplus of moneys in the hands of the bailee, the bailee shall within fourteen days after the sale pay such moneys into an authorised deposit-taking

S. 10(2)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

S. 10(3)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

S. 10(4)
amended by
No. 127/1986
s. 102(Sch. 4
item 7).

S. 11(1)
amended by
No. 11/2001
s. 3(Sch.
item 21.1).

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s. 11

institution to the credit of an account to be opened by him for that purpose.

- (2) Any such moneys which have not been paid by the bailee to the bailor or to the previous owner of the goods (as the case may be) within twelve months after being so credited shall within fourteen days after the expiration of such period be paid by the bailee together with any interest thereon to the Registrar of Unclaimed Moneys¹ to be placed to the credit of the Consolidated Fund².
- S. 11(2) amended by Nos 70/1993 s. 14(Sch. item 2), 18/1994 s. 66(Sch. 2 item 5(a)).
- (3) Any moneys (including interest) so paid to the Registrar of Unclaimed Moneys³ shall be deemed to be unclaimed moneys paid to the Registrar of Unclaimed Moneys pursuant to Part II of the **Unclaimed Moneys Act 1962** and the provisions of Part II of that Act relating to unclaimed moneys so paid shall with such adaptations as are necessary apply accordingly.
- S. 11(3) inserted by No. 6879 s. 2(Sch. 1 Pt 2 item 2), amended by No. 18/1994 s. 66(Sch. 2 item 5(b)).
- (4) Any bailee who fails to pay any moneys into an authorised deposit-taking institution or to the Registrar of Unclaimed Moneys⁴ pursuant to subsections (1) and (2) of this section respectively shall be liable to a penalty of not more than \$100 and thereafter to a further penalty of not less than \$10 and not more than \$20 for every day during which that failure continues.
- S. 11(4) inserted by No. 6879 s. 2(Sch. 1 Pt 2 item 2), amended by Nos 18/1994 s. 66(Sch. 2 item 5(b)), 11/2001 s. 3(Sch. item 21.1).
- (5) In this section—
- "authorised deposit-taking institution"** has the same meaning as in the Banking Act 1959 of the Commonwealth.
- S. 11(5) inserted by No. 11/2001 s. 3(Sch. item 21.2).

S. 12
inserted by
No. 8246 s. 6.

12. Bailee to keep records in certain cases where entitlement to sell is not obtained under the Act

Where there is a bailment of goods accepted by a bailee in the course of a business for repair or other treatment on the terms set out in sub-section (1) of section 2, and the goods are sold or disposed of by the bailee for non-payment of his charges and the failure of the bailor to take or give directions for delivery of the goods under an entitlement other than one obtained by virtue of the provisions of this Act, the provisions of sub-sections (2) and (3) of section 5 shall with such modifications as are necessary extend and apply as if the goods were sold by virtue of the provisions of this Act.

S. 13
inserted by
No. 8246 s. 6.

13. Power of court to re-open certain transactions

- (1) Where in respect of any sale of goods under this Act it appears to a court that because of the method of sale or disposal of or the price obtained for the goods the transaction is unfair to the bailor or is otherwise such that a Court of Equity would give relief the court may re-open the transaction and take an account between the parties thereto.
- (2) The court re-opening any transaction under this section may, notwithstanding any statement or settlement of accounts or any agreement purporting to effect a settlement between the bailee and the bailor—
 - (a) re-open any account already taken between the parties;
 - (b) determine whether the sum obtained from a sale other than a sale by public auction is or could reasonably be the best price for the goods;

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- (c) determine the amount of the sale price which should reasonably be returned to the bailor by the bailee; and
 - (d) give judgment for any party for such amount as the court thinks fit having regard to any relief that the court determines is due to the bailor.
- (3) Proceedings may be instituted in any court by the bailor for the purpose of obtaining relief under this section.

14. Application of provisions of Fair Trading Act 1999

Part 10 of the **Fair Trading Act 1999** (except section 121) extends and applies (with any necessary modifications) to this Act as if any reference in that Part to the **Fair Trading Act 1999** were a reference to this Act.

S. 14
inserted by
No. 17/1999
s. 29.

ENDNOTES

1. General Information

The **Disposal of Uncollected Goods Act 1961** was assented to on 12 December 1961 and came into operation on 1 May 1962: Government Gazette 18 April 1962 page 1401.

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Endnotes

2. Table of Amendments

This Version incorporates amendments made to the **Disposal of Uncollected Goods Act 1961** by Acts and subordinate instruments.

Unclaimed Moneys Act 1962, No. 6879/1962

Assent Date: 2.5.62
Commencement Date: 1.7.62: Government Gazette 13.6.62 p. 1990
Current State: All of Act in operation

Disposal of Uncollected Goods (Damaged Motor Cars) Act 1964, No. 7181/1964

Assent Date: 24.11.64
Commencement Date: 1.6.66: Government Gazette 1.6.66 p. 1988
Current State: All of Act in operation

Disposal of Uncollected Goods (Amendment) Act 1972, No. 8246/1972

Assent Date: 6.4.72
Commencement Date: 1.6.72: Government Gazette 24.5.72 p. 1677
Current State: All of Act in operation

Statute Law Revision Act 1977, No. 9059/1977

Assent Date: 29.11.77
Commencement Date: 29.11.77: subject to s. 2(2)
Current State: All of Act in operation

Road Safety Act 1986, No. 127/1986

Assent Date: 23.12.86
Commencement Date: S. 102 on 1.3.87: Government Gazette 25.2.87 p. 445;
 Sch. 4 item 7 on 1.7.87: Special Gazette (No. 27)
 25.6.87 p. 41
Current State: This information relates only to the provision/s
 amending the **Disposal of Uncollected Goods Act 1961**

Unclaimed Moneys (Amendment) Act 1993, No. 70/1993

Assent Date: 5.10.93
Commencement Date: 5.10.93
Current State: All of Act in operation

Financial Management Act 1994, No. 18/1994

Assent Date: 10.5.94
Commencement Date: Pt 1 (ss 1–8), ss 60, 61 on 10.5.94: s. 2(1); rest of Act
 on 1.7.94: s. 2(2)
Current State: All of Act in operation

Fair Trading (Inspectors Powers and Other Amendments) Act 1999, No. 17/1999

Assent Date: 18.5.99
Commencement Date: S. 29 on 1.9.99: Government Gazette 19.8.99 p. 1901
Current State: This information relates only to the provision/s
 amending the **Disposal of Uncollected Goods Act 1961**

Endnotes

Disposal of Uncollected Goods Act 1961

Act No. 6815/1961

**Statute Law Amendment (Authorised Deposit-taking Institutions) Act 2001,
No. 11/2001**

Assent Date: 8.5.01
Commencement Date: S. 3(Sch. item 21) on 1.6.01: s. 2(2)
Current State: This information relates only to the provision/s
amending the **Disposal of Uncollected Goods Act
1961**

3. Explanatory Details

¹ S. 11(2): Section 63 of the **Financial Management Act 1994**, No. 18/1994 reads as follows:

63. References to receiver of revenue

A reference in an Act or in regulations under an Act to a receiver of revenue is to be taken to be a reference to a person, or persons included in a class of persons, declared by order of the Minister published in the Government Gazette to be an officer whose duty it is to receive payment of fees by way of money or otherwise to collect public money.

² S. 11(2): Section 15 of the **Unclaimed Moneys (Amendment) Act 1993**, No. 70/1993 reads as follows:

15. Transitional provisions

- (1) The Unclaimed Moneys Fund is abolished and all money standing to the credit of that Fund immediately before the commencement of this Act is, by force of this sub-section, credited to the Consolidated Fund.
- (2) Any reference to the Unclaimed Moneys Fund in any Act or subordinate instrument within the meaning of the **Interpretation of Legislation Act 1984** or in any agreement, instrument, deed or other document whatsoever shall, so far as it relates to any period after the commencement of this Act and if not inconsistent with the context or subject-matter, be construed as a reference to the Consolidated Fund.

³ S. 11(3): See note 1.

⁴ S. 11(4): See note 1.