



National Consumer Credit Protection (Fees) Amendment Regulations 2010 (No. 1)¹

Select Legislative Instrument 2010 No. 106

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *National Consumer Credit Protection (Fees) Act 2009*.

Dated 20 May 2010

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

CHRIS BOWEN
Minister for Financial Services, Superannuation and Corporate
Law

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1 Name of Regulations

These Regulations are the *National Consumer Credit Protection (Fees) Amendment Regulations 2010 (No. 1)*.

2 Commencement

These Regulations commence, or are taken to have commenced, as follows:

- (a) on 1 April 2010 — regulations 1 to 3 and Schedule 1;
- (b) on 1 July 2010 — regulation 4 and Schedule 2.

Note 1 April 2010 was the day on which the *National Consumer Credit Protection (Fees) Regulations 2010* commenced.

3 Amendment of *National Consumer Credit Protection (Fees) Regulations 2010* — Schedule 1

Schedule 1 amends the *National Consumer Credit Protection (Fees) Regulations 2010*.

4 Amendment of *National Consumer Credit Protection (Fees) Regulations 2010* — Schedule 2

Schedule 2 amends the *National Consumer Credit Protection (Fees) Regulations 2010*.

2	<i>National Consumer Credit Protection (Fees) Amendment Regulations 2010 (No. 1)</i>	2010, 106
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Schedule 1 Amendments taken to have commenced on 1 April 2010

(regulation 3)

[1] Regulation 3, after definition of *registered person*

insert

sole trader means:

- (a) a natural person; or
- (b) a person (other than a natural person) that has only 1 representative that engages in credit activities on its behalf.

[2] Before subregulation 4 (1)

insert

Application

- (1A) Subregulations (1) to (3) apply on and after 1 July 2010.

[3] Before subregulation 5 (1)

insert

Application

- (1A) Subregulations (1) and (2) apply on and after 1 July 2010.

Schedule 2 Amendments commencing on 1 July 2010

(regulation 4)

[1] Schedule 1, item 1.1, column 3, paragraph (d)

after

preceding financial year

insert

; and

[2] Schedule 1, item 1.1, column 3, after paragraph (d)

insert

- (e) the total amount of rent payable by consumers under consumer leases submitted by the applicant to lessors in the preceding financial year which have resulted in a consumer lease being made

[3] Schedule 1, after item 1A.2

insert

1A.2A more than \$199 999 999

the fee
that
would
apply to
the sum
if any of
items
1A.4 to
1A.9
applied

[4] Schedule 1, item 2.5*substitute*

- | | | |
|-----|---|--------|
| 2.5 | Lodgment of a person's credit books, or giving ASIC other information, under subsection 51 (4) of the National Credit Act | no fee |
|-----|---|--------|

[5] Schedule 1, after item 2.23*insert*

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|--|--|--------|
| 2.23A | Lodgment of particulars of a change in a matter under subregulation 9A (2) of the National Credit Regulations | no fee |
| 2.23B | Notification of an address under paragraph 29 (6) (a) of the National Credit Regulations | no fee |
| 2.23C | Notification of a change of address under paragraph 29 (6) (b) of the National Credit Regulations | no fee |
| 2.23D | Notification of an address under paragraph 30A (3) (a) of the National Credit Regulations | no fee |
| 2.23E | Notification of a change of address under paragraph 30A (3) (b) of the National Credit Regulations | no fee |
| 2.23F | Notification of particulars of an appointment under section 75 of the Act as modified in accordance with Schedule 2 to the National Credit Regulations | no fee |
| 2.23G | Notification of particulars of an appointment under section 76 of the Act as modified in accordance with Schedule 2 to the National Credit Regulations | no fee |
| <i>Chargeable matters under the National Consumer Credit Protection (Transitional and Consequential Provisions) Regulations 2010</i> | | |
| 2.23H | Lodgment of particulars of a change under subregulation 10 (2) of the Transitional Regulations | no fee |
| 2.23I | Lodgment of particulars of a change under subregulation 10 (3) of the Transitional Regulations | no fee |
| 2.23J | Lodgment of particulars of a change in control under subregulation 10 (10) of the Transitional Regulations | no fee |

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.