



Competition and Consumer Amendment (Electronic Service of Documents and Other Measures) Regulation 2015

Select Legislative Instrument No. 37, 2015

I, the Honourable Alex Chernov AC QC, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 26 March 2015

Alex Chernov
Administrator

By His Excellency's Command

Bruce Billson
Minister for Small Business

OPC61155 - B

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No. 37, 2015 *Competition and Consumer Amendment (Electronic Service of Documents and Other Measures) Regulation 2015* i

OPC61155 - B

1 Name

This is the *Competition and Consumer Amendment (Electronic Service of Documents and Other Measures) Regulation 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under the *Competition and Consumer Act 2010*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Competition and Consumer Regulations 2010

1 Paragraph 6A(b)

After “delivery of documents”, insert “(which may be an electronic address)”.

2 At the end of paragraph 6C(1)(b)

Add “(which may be an electronic address)”.

3 At the end of subparagraph 6G(1)(b)(ii)

Add “(which may be an electronic address)”.

4 At the end of subregulation 12(1)

Add “(which may be an electronic address)”.

5 Paragraph 12(3)(a)

After “address for service”, insert “that is not an electronic address”.

6 After paragraph 12(3)(a)

Insert:

- (aa) where the person has, in a document or notice lodged with the Commission, stated an address for service that is an electronic address—by sending the document to that address;
or

7 At the end of subparagraph 12(3)(b)(ii)

Add “, or by sending the document to the last electronic address the person used to contact the Commission”.

8 Subregulation 12(4)

Omit “by sending the notice by pre-paid post to that person at”.

9 Paragraph 12(4)(a)

Omit “address for service—that address”, substitute “address for service that is not an electronic address—by sending the notice by pre-paid post to that person at that address”.

10 After paragraph 12(4)(a)

Insert:

- (aa) where the person has, in a document or notice lodged with the Commission, stated an address for service that is an electronic address—by sending the notice to that address; or

11 Subparagraph 12(4)(b)(i)

Omit “that registered office”, substitute “by sending the notice by pre-paid post to that person at that registered office”.

12 Subparagraph 12(4)(b)(ii)

Omit “its principal, or only, place of business in Australia”, substitute “by sending the notice by pre-paid post to that person at its principal, or only, place of business in Australia”.

13 Subparagraph 12(4)(b)(iii)

Omit “the registered office of that body corporate”, substitute “by sending the notice by pre-paid post to that person at the registered office of that body corporate”.

14 Subparagraph 12(4)(b)(iv)

Omit “the last known address of the person”, substitute “by sending the notice by pre-paid post to that person at the last known address of the person, or by sending the notice to the last electronic address the person used to contact the Commission”.

15 After subregulation 21(1)

Insert:

- (1A) In addition to providing an address in Australia, the person may provide an electronic address at which the documents may be served on the person.

16 Division 3 of Part 2B

Repeal the Division.

17 Paragraph 46(b)

Repeal the paragraph, substitute:

- (b) by sending the application or notice to the Registrar by registered post or to an electronic address.

18 Schedule 1 (after paragraph 1(c) of Form A)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....
.....
.....

19 Schedule 1 (at the end of Form A)

Add:

- 11.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

20 Schedule 1 (after paragraph 1(c) of Form B)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....
.....
.....

21 Schedule 1 (at the end of Form B)

Add:

- 10.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

22 Schedule 1 (after paragraph 1(c) of Form BA)

Insert:

-
- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

23 Schedule 1 (at the end of Form BA)

Add:

- 13.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

24 Schedule 1 (after paragraph 1(c) of Form C)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....
.....
.....

25 Schedule 1 (at the end of Form C)

Add:

- 10.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

26 Schedule 1 (after paragraph 1(c) of Form D)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....
.....
.....

27 Schedule 1 (at the end of Form D)

Add:

8.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

28 Schedule 1 (after paragraph 1(c) of Form DA)

Insert:

(d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....
.....
.....

29 Schedule 1 (at the end of Form DA)

Add:

9.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

30 Schedule 1 (after paragraph 1(c) of Form E)

Insert:

(d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....
.....
.....

31 Schedule 1 (at the end of Form E)

Add:

9.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

32 Schedule 1 (after paragraph 1(c) of Form EA)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....
.....
.....

33 Schedule 1 (at the end of Form EA)

Add:

8.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

34 Schedule 1 (after paragraph 1(c) of Form FA)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....

35 Schedule 1 (at the end of Form FA)

Add:

9.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

36 Schedule 1 (after paragraph 1(c) of Form FB)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....

37 Schedule 1 (at the end of Form FB)

Add:

5.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

38 Schedule 1 (after paragraph 1(c) of Form FC)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....

39 Schedule 1 (at the end of Form FC)

Add:

10.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

40 Schedule 1 (after paragraph 1(c) of Form G)

Insert:

- (d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

.....
.....
.....
.....

41 Schedule 1 (at the end of Form G)

Add:

10.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

42 Schedule 1 (after paragraph 1(c) of Form GAA)

Insert:

(d) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c)):

43 Schedule 1 (at the end of Form GAA)

Add:

9.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

44 Schedule 1 (after paragraph 1(d) of Form GA)

Insert:

(e) Electronic address for service of documents on the applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (d)):

.....
.....
.....
.....

45 Schedule 1 (at the end of Form GA)

Add:

13.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

46 Schedule 1 (Form I)

Omit “(Title)”, substitute:

(Title)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

47 Schedule 1 (after paragraph 6 of Form I)

Insert:

7. Documents may be served on me at (here insert electronic address at which documents may be served for the purpose of proceedings—this is optional and does not replace the need to provide an address in Australia at paragraph 6).

48 Schedule 1 (at the end of Form I)

Add:

DIRECTIONS

- 1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

49 Schedule 1 (Form J)

Omit “(Title)”, substitute:

(Title)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

50 Schedule 1 (after paragraph 5 of Form J)

Insert:

6. Documents may be served on me at (here insert electronic address at which documents may be served for the purpose of proceedings—this is optional and does not replace the need to provide an address in Australia at paragraph 5).

51 Schedule 1 (at the end of Form J)

Add:

DIRECTIONS

- 1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

52 Schedule 1 (Form JA)

Omit “(Title)”, substitute:

(Title)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

53 Schedule 1 (paragraph 6 of Form JA)

Omit “2010”, substitute “2010—an address in Australia must be provided and, in addition, an electronic address may be provided”.

54 Schedule 1 (at the end of Form JA)

Add:

DIRECTIONS

1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

55 Schedule 1 (Form JAA)

Omit “(Title of matter)”, substitute:

(Title of matter)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

56 Schedule 1 (paragraph 7 of Form JAA)

Omit “2010”, substitute “2010—an address in Australia must be provided and, in addition, an electronic address may be provided”.

57 Schedule 1 (at the end of Form JAA)

Add:

DIRECTIONS

1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

58 Schedule 1 (Form JB)

Omit “(Title)”, substitute:

(Title)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

59 Schedule 1 (paragraph 6 of Form JB)

Omit “2010”, substitute “2010—an address in Australia must be provided and, in addition, an electronic address may be provided”.

60 Schedule 1 (at the end of Form JB)

Add:

DIRECTIONS

1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

61 Schedule 1 (Form JC)

Omit “(Title)”, substitute:

(Title)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

62 Schedule 1 (paragraph 5 of Form JC)

Omit “2010”, substitute “2010—an address in Australia must be provided and, in addition, an electronic address may be provided”.

63 Schedule 1 (at the end of Form JC)

Add:

DIRECTIONS

1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

64 Schedule 1 (Form JD)

Omit “(Title of matter)”, substitute:

(Title of matter)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

65 Schedule 1 (paragraph 7 of Form JD)

Omit “2010”, substitute “2010—an address in Australia must be provided and, in addition, an electronic address may be provided”.

66 Schedule 1 (at the end of Form JD)

Add:

DIRECTIONS

1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

67 Schedule 1 (Form JE)

Omit “(Title of matter)”, substitute:

(Title of matter)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

68 Schedule 1 (paragraph 7 of Form JE)

Omit “2010”, substitute “2010—an address in Australia must be provided and, in addition, an electronic address may be provided”.

69 Schedule 1 (at the end of Form JE)

Add:

DIRECTIONS

- 1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

70 Schedule 1 (Form L)

Omit “(Title)”, substitute:

(Title)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

71 Schedule 1 (paragraph 6 of Form L)

Omit “2010”, substitute “2010—an address in Australia must be provided and, in addition, an electronic address may be provided”.

72 Schedule 1 (at the end of Form L)

Add:

DIRECTIONS

- 1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

73 Schedule 1 (Form LA)

Omit “(Title of matter)”, substitute:

(Title of matter)

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

74 Schedule 1 (paragraph 6 of Form LA)

Omit “2010”, substitute “2010—an address in Australia must be provided and, in addition, an electronic address may be provided”.

75 Schedule 1 (at the end of Form LA)

Add:

DIRECTIONS

1.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

76 Schedule 1 (Form M)

Repeal the form.

77 Schedule 1 (paragraph 1(e) of Form N)

Repeal the paragraph, substitute:

- (e) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (d))
.....

- (f) Name and address of any person for whose benefit or on whose behalf the shares or assets to be acquired will be held
.....

78 Schedule 1 (at the end of Form N)

Add:

28.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

79 Schedule 1 (paragraph 1(e) of Form O)

Repeal the paragraph, substitute:

- (e) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (d))
.....

-
- (f) Name and address of any person for whose benefit or on whose behalf the shares or assets to be acquired will be held
-

80 Schedule 1 (at the end of Form O)

Add:

- 28.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

81 Schedule 1 (after paragraph 1(c) of Form P)

Insert:

- (d) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c))
-

82 Schedule 1 (at the end of Form P)

Add:

- 7.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

83 Schedule 1 (after paragraph 1(c) of Form Q)

Insert:

- (d) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c))
-

84 Schedule 1 (at the end of Form Q)

Add:

- 3.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

85 Schedule 1 (paragraph 1(e) of Form R)

Repeal the paragraph, substitute:

- (e) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (d))
.....

- (f) Name and address of any person for whose benefit or on whose behalf the shares or assets to be acquired will be held
.....

86 Schedule 1 (at the end of Form R)

Add:

29.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

87 Schedule 1 (paragraph 1(e) of Form S)

Repeal the paragraph, substitute:

- (e) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (d))
.....

- (f) Name and address of any person for whose benefit or on whose behalf the shares or assets to be acquired will be held
.....

88 Schedule 1 (at the end of Form S)

Add:

27.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

89 Schedule 1 (after paragraph 1(c) of Form T)

Insert:

- (d) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c))

.....

90 Schedule 1 (at the end of Form T)

Add:

8.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

91 Schedule 1 (after paragraph 1(c) of Form U)

Insert:

- (d) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (c))
-

92 Schedule 1 (at the end of Form U)

Add:

3.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

93 Schedule 1 (paragraph 1(e) of Form V)

Repeal the paragraph, substitute:

- (e) Electronic address for service of documents on the Applicant (this is optional and does not replace the need to provide an address in Australia at paragraph (d))
-

- (f) Name and address of any person for whose benefit or on whose behalf the shares or assets to be acquired will be held
-

94 Schedule 1 (at the end of Form V)

Add:

29.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.

95 Schedule 1 (after paragraph 6 of Form W)

Insert:

7. Documents may be served on me at (here insert electronic address at which documents may be served for the purpose of proceedings—this is optional and does not replace the need to provide an address in Australia at paragraph 6).

96 Schedule 1 (after direction 3 of Form W)

Insert:

- 4.If an address is to be provided in this form, an electronic address may be provided in addition to the address required.