



Western Australia

# **Chattel Securities Regulations 1988**

**Reprinted as at 3 October 2000**



Western Australia

## Chattel Securities Regulations 1988

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### Schedule 1 — Prescribed fees

### Notes





Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 3 October 2000

Chattel Securities Act 1987

## Chattel Securities Regulations 1988

### 1. Citation

These regulations may be cited as the *Chattel Securities Regulations 1988*<sup>1</sup>.

### 2. Commencement

These regulations shall come into operation on 29 August 1988.

### 3. Interpretation

In these regulations unless the context otherwise requires —

“**account customer**” means a person who is permitted by the Commissioner to pay prescribed fees on account;

“**financier’s reference number**” means a number (comprising letters or numbers or both) in such format as the Commissioner approves for the purpose assigned by a creditor to identify the creditor’s interest in goods;

“**interest**” means a security interest or other interest in relation to goods to which Part III of the Act applies;

“**registration number**” means the identifying number on the number plate issued in relation to goods under the —

(a) *Road Traffic Act 1974*;

(b) *Taxi-cars Control Act 1985*<sup>2</sup>; or

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(c) *Interstate Road Transport Act 1985* of the Commonwealth,

whichever applies;

**“serial number”** means the number stamped on an item of farm machinery for the purpose of identifying the whole of that item of farm machinery;

**“vehicle identification number”** means the identification number stamped on a motor vehicle in accordance with regulation 126 of the *Road Traffic (Vehicle Standards) Regulations 1977*.

*[Regulation 3 amended in Gazette 20 January 1989 p.132; 26 January 1990 p.654; 29 October 1996 p.5720.]*

**4. The register (s.14)**

The register shall consist of a computerised record of goods in respect of which applications have been made for the registration of interests under Part III of the Act and setting out in respect of each item of goods —

- (a) the name and address of the person applying to be registered as having an interest in the goods;
- (b) in the case of an application by an account customer — the account number;
- (c) the motor vehicle or machinery type;
- (d) where applicable, the registration number of the goods or otherwise the model number of the goods;
- (e) the make of the goods;
- (f) the body type of the goods;
- (g) the year of manufacture of the goods;
- (h) the engine number of the goods;
- (i) (i) in the case of a motor vehicle manufactured before 1 January 1989, the chassis number of the vehicle, or if no chassis number has been

allocated, then the vehicle identification number for that vehicle;

- (ii) in the case of a motor vehicle manufactured on or after 1 January 1989, the vehicle identification number for that vehicle, or if no vehicle identification number has been allocated, then the chassis number of that vehicle; or
- (iii) in the case of farm machinery referred to in regulation 8, the serial number for that farm machinery, or if no serial number has been allocated, then the chassis number of that farm machinery;
- (j) the financier's reference number;
- (k) the type of interest;
- (l) the date on which the interest will cease;
- (m) the time and date of recording the interest in the register.

*[Regulation 4 amended in Gazette 20 January 1989 p.132; 26 January 1990 p.654; 29 October 1996 p.5720.]*

## **5. Time of making application**

An application is deemed to have been made when the particulars to be entered in the register have been correctly provided and the application is accepted at the office of the Register of Encumbered Vehicles.

*[Regulation 5 amended in Gazette 26 January 1990 p.654.]*

## **6. Prescribed fees**

- (1) The fees in Schedule 1 are the prescribed fees payable in respect of the matters specified in that Schedule.
- (2) If an application made under section 15, 20 or 23 of the Act relates to more than one item of goods, the relevant prescribed fee is payable in respect of each item of goods.

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- (3) Subject to subregulation (4), the prescribed time for paying the prescribed fee in respect of an application made under section 15, 20 or 23 of the Act is the time when the application is made.
- (4) A person who is an account customer shall pay prescribed fees in accordance with accounts rendered to the person from time to time.

*[Regulation 6 inserted in Gazette 29 October 1996 p.5720.]*

**7. Prescribed changes (s.21)**

For the purposes of section 21 of the Act the following changes of particulars are prescribed changes —

- (a) a change in the particulars entered in the register in order to correct a clerical error;
- (b) a change in the registration number effected in accordance with the —
  - (i) *Road Traffic Act 1974*;
  - (ii) *Taxi-cars Control Act 1985* <sup>2</sup>; or
  - (iii) *Interstate Road Transport Act 1985* of the Commonwealth,whichever applies; and
- (c) a change directed to be made by order of a court of competent jurisdiction.

**8. Prescribed goods (s.13)**

Farm machinery that —

- (a) is not and has not been licensed under the *Road Traffic Act 1974*;
- (b) has been assigned a chassis or serial number, an engine number and a model number;
- (c) has motive power of its own;



- (d) has provision for a person to control the machinery by being seated in or on the machinery;
- (e) is not —
  - (i) a boat in respect of which a boat license has been or is to be issued under the *Fisheries Act 1905*<sup>3</sup>;  
or
  - (ii) an implement, apparatus or device for taking or facilitating the taking of fish under a professional fisherman's licence issued under the *Fisheries Act 1905*<sup>3</sup>,

is prescribed for the purposes of section 13(d) of the Act.

*[Regulation 8 inserted in Gazette 26 January 1990 p.655.]*

**Schedule 1      Prescribed fees**

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**Schedule 1 — Prescribed fees**

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1.	In respect of each application under section 15 in relation to goods other than goods prescribed under regulation 8:	
(a)	if made using computer disk facilities .....	11.00
(b)	if made by other means .....	12.00
2.	In respect of each application under section 15 in relation to goods prescribed under regulation 8 .....	12.00
3.	In respect of each application under section 20 of the Act:	
(a)	if made using computer disk facilities .....	4.00
(b)	if made by other means .....	5.00
4.	In respect of each application under section 23(1)(a) of the Act	10.00
5.	In respect of each application under section 23(1)(b) of the Act by an account customer .....	4.00

*[Schedule 1 inserted in Gazette 29 October 1996 pp.5720-1.]*

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## Notes

- <sup>1</sup> This reprint is a compilation as at 3 October 2000 of the *Chattel Securities Regulations 1988* and includes the amendments referred to in the following Table.

**Table of Regulations**

Citation	Gazettal	Commencement	Miscellaneous
<i>Chattel Securities Regulations 1988</i>	5 August 1988 pp.2630-1	29 August 1988	
<i>Chattel Securities Amendment Regulations 1989</i>	26 January 1990 pp.654-5	16 April 1990 (see regulation 2)	
<i>Chattel Securities Amendment Regulations (No. 2) 1989</i>	20 January 1989 p.132	20 January 1989	
<i>Chattel Securities Amendment Regulations (No. 3) 1989</i>	30 June 1989 p.1975	1 July 1989 (see regulation 2)	
<i>Chattel Securities Amendment Regulations 1990</i>	8 August 1990 p.3819	8 August 1990	
<i>Chattel Securities Amendment Regulations (No. 2) 1990</i>	1 March 1991 pp.969-70	1 March 1991	
<i>Chattel Securities Amendment Regulations (No. 3) 1990</i>	1 March 1991 p.970	1 March 1991	
<i>Chattel Securities Amendment Regulations 1996</i>	29 October 1996 pp.5719-21	4 November 1996 (see regulation 2 and <i>Gazette</i> 29 October 1996 p.5715)	

- <sup>2</sup> *Taxi-cars Control Act 1985* repealed by the *Taxi Act 1994* (No. 83 of 1994).

- <sup>3</sup> *Fisheries Act 1905* repealed by the *Fish Resources Management Act 1994* (No. 53 of 1994).