

CE314*

Hire-Purchase Act 1959
Criminal Procedure Act 2004

Hire-Purchase (General) Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Hire-Purchase (General) Amendment Regulations 2006*.

2. Commencement

These regulations come into operation on the later of —

- (a) the day on which they are published in the *Gazette*; and
- (b) the day on which the *Criminal Procedure Amendment Regulations (No. 2) 2006* come into operation.

3. The regulations amended

The amendments in these regulations are to the *Hire-Purchase (General) Regulations 1975**.

[* *Reprinted as at 5 December 2003.*
*For amendments to 29 May 2006 see Western Australian
Legislation Information Tables for 2005, Table 4, p. 197.*]

4. Regulation 2 replaced

Regulation 2 is repealed and the following regulation is inserted instead —

“

2. Interpretation

In these regulations —

“**Form**” means a form in Schedule 1;

“**section**” means a section of the Act.

”.

5. Regulation 6 inserted

After regulation 5 the following regulation is inserted —

“

6. Infringement notices

- (1) The offences specified in Schedule 2 are offences for which an infringement notice may be issued under Part 2 of the *Criminal Procedure Act 2004*.
- (2) The modified penalty specified opposite an offence in Schedule 2 is the modified penalty for that offence for the purposes of section 5(3) of the *Criminal Procedure Act 2004*.
- (3) The Commissioner may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of Part 2 of the *Criminal Procedure Act 2004*.
- (4) The Commissioner is to issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.
- (5) For the purposes of the *Criminal Procedure Act 2004* —
 - (a) an infringement notice is to be in the form of Form 3; and
 - (b) a withdrawal of infringement notice is to be in the form of Form 4.

”.

6. The Schedule amended

The Schedule is amended as follows:

- (a) by deleting the heading and inserting the following heading instead —

“

Schedule 1 — Forms

[r. 3, 4, 6]

”;

(b) after Form 2 by inserting the following forms —

“

Form 3

<i>Hire-Purchase Act 1959</i>		Infringement notice no.
Infringement notice		
Alleged offender	Name: Family name _____	
	Given names _____	
	or Company name _____ ACN _____	
	Address _____ Postcode _____	
Alleged offence	Description of offence _____	
	<i>Hire-Purchase Act 1959</i> s. _____	
	Date _____ / _____ /20	Time _____ a.m./p.m.
	Modified penalty \$ _____	
Officer issuing notice	Name _____	
	Signature _____	
	Office _____	
Date	Date of notice _____ / _____ /20	
Notice to alleged offender	<p>It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p>How to pay</p> <p>By post: Send a cheque or money order (payable to ‘Approved Officer — <i>Hire-Purchase Act 1959</i>’) to: Approved Officer — <i>Hire-Purchase Act 1959</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850</p> <p>In person: Pay the cashier at: Department of Consumer and Employment Protection 219 St George’s Terrace, Perth WA</p> <p>If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act your driver’s licence and/or vehicle licence may be suspended.</p> <p>If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the Approved Officer at the above postal address.</p> <p>If you want this matter to be dealt with by prosecution in court, sign here _____ and post this notice to the Approved Officer at the above postal address within 28 days after the date of this notice.</p>	

Form 4

<i>Hire-Purchase Act 1959</i>		Withdrawal no.
Withdrawal of infringement notice		
Alleged offender	Name: Family name _____	
	Given names _____	
	or Company name _____ ACN _____	
	Address _____ Postcode _____	
Infringement notice	Infringement notice no. _____	
	Date of issue _____ / _____ /20	

Alleged offence	Description of offence _____
	<i>Hire-Purchase Act 1959 s.</i>
	Date _____ / _____ /20 _____ Time _____ a.m./p.m.
Officer withdrawing notice	Name _____
	Signature _____
	Office _____
Date	Date of withdrawal _____ / _____ /20
Withdrawal of infringement notice	The above infringement notice issued against you has been withdrawn. If you have already paid the modified penalty for the alleged offence you are entitled to a refund. * Your refund is enclosed.
	<i>/*delete whichever is not applicable*/</i> <i>or</i> * If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to: Approved Officer — <i>Hire-Purchase Act 1959</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850
	Signature _____ / _____ /20

7. **Schedule 2 inserted**

After Schedule 1 the following Schedule is inserted —

Schedule 2 — Prescribed offences and modified penalties

[r. 6]

Offences under <i>Hire-Purchase Act 1959</i>	Modified penalty
s. 3 Entering into contract not containing required provisions or not complying with requirements as to form	\$1 000

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.