

CE301\*

Consumer Credit (Western Australia) Act 1996

## **Consumer Credit (Western Australia) Code Regulations Amendment Order (No. 3) 2006**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 6 of the Act.

### **1. Citation**

This order is the *Consumer Credit (Western Australia) Code Regulations Amendment Order (No. 3) 2006*.

### **2. The regulations amended**

The amendment in this order is to the *Consumer Credit (Western Australia) Code Regulations\**.

[\* *The regulations in force under Part 4 of the Consumer Credit (Queensland) Act 1994 on 9 July 2003 as applied, and amended under, section 6 of the Consumer Credit (Western Australia) Act 1996. For amendments to 26 July 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 66 and Gazette 13 June 2006.*]

### **3. Section 6J inserted**

Before section 7 the following section is inserted —

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#### **6J. Charge card contracts — exemption of certain contracts from Code**

- (1) The Code does not apply to the provision of credit under a charge card contract made available by one of the following credit providers —

- (a) American Express Australia Limited  
ACN 108 952 085;

- (b) American Express International Inc.  
ARBN 000 618 208;
- (c) Diners Club Pty Limited ACN 004 343 051;
- (d) Motorcharge Ltd ACN 008 962 132.

Examples —

- american express platinum card
- diners club personal card
- motorcharge card

(2) In subsection (1) —

**“charge card contract”** means a credit contract under which —

- (a) credit is ordinarily obtained by the use of a card; and
- (b) multiple advances of credit are contemplated; and
- (c) the provision of an advance of credit is limited to a total period of not more than 62 days; and
- (d) monthly or other periodic statements of account are provided to the debtor; and
- (e) liquidated damages or charges for late payment are payable by the debtor if the debtor does not repay an advance of credit mentioned in a monthly or other periodic statement of account within a stated period.

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Note: A draft of this order (as the Consumer Credit (Western Australia) Code Regulations Amendment Order 2006) was approved by the Legislative Assembly on 27 June 2006 (see Hansard p. 4333-4) and by the Legislative Council on 4 May 2006 (see Hansard p. 2166).

By Command of the Lieutenant-Governor and  
deputy of the Governor,

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

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