

JU301\*

## Electronic Transactions Act 2003

**Electronic Transactions Regulations 2003**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Electronic Transactions Regulations 2003*.

**2. Commencement**

These regulations come into operation on the day of their publication in the *Gazette*, or the day on which the *Electronic Transactions Act 2003* comes into operation, whichever is the later.

**3. Exemptions from section 7(1) — transactions**

- (1) Section 7(1) of the Act does not apply to —
  - (a) a transaction by which a will, codicil or other testamentary instrument is created, executed or revoked;
  - (b) a transaction by which an instrument is created appointing an enduring power of attorney, or appointing an attorney to manage a person's affairs; or
  - (c) any other transaction that requires a document to be verified, authenticated, attested or witnessed under the signature of a person other than the author of the document.
- (2) Section 7(1) of the Act does not apply to a transaction required to be effected by personal service only.

**4. Exemptions from section 7(1) — laws**

Section 7(1) of the Act does not apply to the *Consumer Credit (Western Australia) Code* or the *Consumer Credit (Western Australia) Regulations*, as defined in the *Consumer Credit (Western Australia) Act 1996*.

**5. Exemptions from Part 2 Division 2 — requirements and permissions**

- (1) Part 2 Division 2 of the Act does not apply to —
  - (a) a requirement or permission relating to the creation, execution or revocation of a will, codicil or other testamentary instrument;

- (b) a requirement or permission relating to the creation of an instrument appointing an enduring power of attorney, or appointing an attorney to manage a person's affairs; or
  - (c) any other requirement that a document is to be verified, authenticated, attested or witnessed under the signature of a person other than the author of the document.
- (2) Part 2 Division 2 of the Act does not apply to a requirement that information or a document is to be delivered by personal service only.

**6. Exemptions from Part 2 Division 2 — laws**

Part 2 Division 2 of the Act does not apply to the *Consumer Credit (Western Australia) Code* or the *Consumer Credit (Western Australia) Regulations*, as defined in the *Consumer Credit (Western Australia) Act 1996*.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.