

South Australia

Electronic Transactions Regulations 2002

under the *Electronic Transactions Act 2000*

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Legislative history

1—Short title

These regulations may be cited as the *Electronic Transactions Regulations 2002*.

3—Interpretation

In these regulations—

Act means the *Electronic Transactions Act 2000*.

4—Certain transactions excluded from section 7(1) of Act

- (1) Subject to subregulation (2), section 7(1) of the Act does not apply to the following:
 - (b) a law of this jurisdiction requiring a document to be witnessed, attested, verified or authenticated under the signature of a person other than the author of the document;
 - (c) a law of this jurisdiction requiring that delivery of a document be effected by personal service only;
 - (f) section 13 of the *Second-hand Dealers and Pawnbrokers Act 1996*.
- (2) Paragraph (b) of subregulation (1) does not apply to a law relating to the disposition of land, to the creation or disposition of an interest in land, or to any other dealing or other action relating to an interest in land.

5—Certain requirements and permissions excluded from Part 2 Division 2 of Act

- (1) Subject to subregulation (3), Division 2 of Part 2 of the Act does not apply to the following requirements or classes of requirements:
 - (b) a requirement under a law of this jurisdiction that a document be witnessed, attested, verified or authenticated under the signature of a person other than the author of the document;

- (c) a requirement under a law of this jurisdiction that delivery of a document be effected by personal service only;
 - (f) a requirement under section 13 of the *Second-hand Dealers and Pawnbrokers Act 1996*.
- (2) Subject to subregulation (3), Division 2 of Part 2 of the Act does not apply to the following permissions or classes of permissions:
- (a) a permission under a law of this jurisdiction for a document to be witnessed, attested, verified or authenticated under the signature of a person other than the author of the document;
 - (b) a permission under a law of this jurisdiction for a document to be served by personal service only.
- (3) Paragraph (b) of subregulation (1) and paragraph (a) of subregulation (2) do not apply to a law relating to the disposition of land, to the creation or disposition of an interest in land, or to any other dealing or other action relating to an interest in land.

6—Section 10(1)(c) of Act not to apply in certain circumstances

Section 10(1)(c) of the Act does not apply if an electronic form of the document is produced by means of the software application authorised by the Minister and known as mySA GOV.

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Revocation of regulations

The *Electronic Transactions Regulations 2002* were revoked by Sch 1 of the *Electronic Transactions Regulations 2017* on 1.9.2017.

Principal regulations and variations

Year	No	Reference	Commencement
2002	167	<i>Gazette 29.8.2002 p3254</i>	1.11.2002: r 2
2004	21	<i>Gazette 29.4.2004 p1174</i>	29.4.2004: r 2
2006	210	<i>Gazette 24.8.2006 p3000</i>	9.10.2006: r 2
2016	177	<i>Gazette 30.6.2016 p2806</i>	4.7.2016: r 2
2017	26	<i>Gazette 28.3.2017 p981</i>	28.3.2017: r 2

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>29.4.2004</i>
r 4		
r 4(1)	r 4 varied by 21/2004 r 4(1)	29.4.2004
	r 4 redesignated as r 4(1) by 21/2004 r 4(2)	29.4.2004
	(d) and (e) deleted by 210/2006 r 4	9.10.2006
	(a) deleted by 177/2016 r 4(1)	4.7.2016
r 4(2)	inserted by 21/2004 r 4(2)	29.4.2004
	substituted by 177/2016 r 4(2)	4.7.2016
r 5		
r 5(1)	varied by 21/2004 r 5(1)	29.4.2004
	(d) and (e) deleted by 210/2006 r 5(1)	9.10.2006
	varied by 177/2016 r 5(1)	4.7.2016
	(a) deleted by 177/2016 r 5(2)	4.7.2016
r 5(2)	(c) and (d) deleted by 210/2006 r 5(2)	9.10.2006

	varied by 177/2016 r 5(3)	4.7.2016
r 5(3)	inserted by 21/2004 r 5(2)	29.4.2004
	substituted by 177/2016 r 5(4)	4.7.2016
r 6	inserted by 26/2017 r 4	28.3.2017

Historical versions

29.4.2004

9.10.2006

4.7.2016