

South Australia

Consumer Transactions Regulations (No. 2) 1996

under the *Consumer Transactions Act 1972*

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Schedule 1—Extended definition of services

Legislative history

1—Short title

These regulations may be cited as the *Consumer Transactions Regulations (No. 2) 1996*.

4—Interpretation

In these regulations—

Act means the *Consumer Transactions Act 1972*.

5—Certain contracts or agreements are not consumer contracts

For the purposes of the definition of **consumer contract** in the Act, contracts or agreements for the sale or lease of—

- (a) any goods by tender; or
- (b) antiques other than antique furniture; or
- (c) works of art,

are declared not to be consumer contracts for the purposes of the Act.

6—Extended meaning of services

The services listed in Schedule 1 are prescribed for the purposes of paragraph (g) of the definition of **services** in the Act.

7—Exemptions

- (1) A transaction entered into by a consumer in the course of a trade or business carried on by the consumer is exempt from the provisions of the Act.
- (2) A contract to which section 162 of the *Consumer Credit (South Australia) Code* applies is exempt from section 17 (nature of writing) of the Act.

- (3) A contract for travel agency services (*ie* services referred to in paragraph (s) of Schedule 1) is exempt from section 17(1)(b) of the Act.

8—Print type

For the purposes of section 17(1)(b) of the Act, a provision of a written consumer contract must be printed in type that is not less than 10 point.

Schedule 1—Extended definition of services

The following services are prescribed for the purposes of paragraph (g) of the definition of **services** in the Act:

- (a) the modification of a motor vehicle or the fitting of any accessory to a motor vehicle;
- (b) the cleaning of the whole or any part of a dwellinghouse;
- (c) the extension of or the alteration to any dwellinghouse;
- (d) the erection, construction or maintenance of or the addition or alteration to any fence or gate;
- (e) the service or repair of any electrical, gas or oil appliance or of anything ancillary to the appliance;
- (f) the treatment of any premises for the eradication of salt damp, white ants or termites;
- (g) the construction, cleaning, maintenance or repair of a swimming pool or any plant or equipment used in connection with a swimming pool;
- (h) the performance in relation to a dwellinghouse or its curtilage of work of a kind usually performed by a carpenter, bricklayer or a building contractor;
- (i) the laying of cement, concrete or paving of any description within the curtilage of a dwellinghouse;
- (j) the provision or installation of home insulation;
- (k) the repair or service of lawn mowers;
- (l) the laying or cleaning of carpets, linos or other floor coverings or the hanging or cleaning of curtains or other drapes;
- (m) gardening services, including the planting, mowing or trimming of lawns, the removal of rubbish, the planting, pruning or treating of trees or shrubs or the removal of any weeds, trees, shrubs or other plants;
- (n) the removal, transportation or storage of goods;
- (o) the towing, storage or recovery of any motor vehicle, including the provisions of parking space or facilities for the parking of any motor vehicle and, in connection with any such service, the driving of any motor vehicle;
- (p) the carrying of passengers for hire or reward in a taxi-cab licensed under the *Passenger Transport Act 1994*;
- (q) the making up or alteration of any articles of clothing or personal ornament;
- (r) the servicing, repair, painting or modification of any caravan or boat or the fitting of any accessory to any caravan or boat;

- (s) the sale or provision or arrangement by a person of any transportation, accommodation or other service for the use or benefit of any traveller, tourist or sightseer, where that transportation, accommodation or service is or is to be supplied by another person;
- (t) building work as defined in the *Building Work Contractors Act 1995*;
- (u) the arrangement or negotiation of any policy of insurance or assurance covering any insurable interest of a consumer;
- (v) the provision of any rights, benefits, privileges or facilities for the purpose of instruction;
- (w) photographic services, including the developing of photographic film and the making of prints therefrom;
- (x) the provision of advice or assistance to consumers with respect to—
 - (i) the availability of residential rental accommodation; or
 - (ii) comparative prices or other terms and conditions of purchase of goods of a kind ordinarily acquired or actually intended by the consumer to be acquired for personal, domestic or household use or consumption;
- (y) the treatment of any motor vehicle for the eradication or prevention of rust;
- (z) hairdressing as defined in the *Hairdressers Act 1988*;
- (za) monitoring a security alarm or surveillance system for a dwellinghouse.

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

These regulations became obsolete on the repeal of the *Consumer Transactions Act 1972* on 1.1.2011.

Legislation revoked by principal regulations

The *Consumer Transactions Regulations (No. 2) 1996* revoked the following:

Consumer Transactions Regulations 1996

Principal regulations and variations

Year	No	Reference	Commencement
1996	229	<i>Gazette 17.10.1996 p1392</i>	1.11.1996: r 2
2003	21	<i>Gazette 6.3.2003 p858</i>	6.3.2003: r 2
2006	30	<i>Gazette 16.2.2006 p600</i>	16.6.2006: r 2

Provisions varied

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

Provision	How varied	Commencement
<i>rr 2 and 3</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>16.6.2006</i>
r 7		
r 7(2)	varied by 30/2006 r 4(1)	16.6.2006
r 7(3)	varied by 30/2006 r 4(2)	16.6.2006
r 8	substituted by 30/2006 r 5	16.6.2006
Sch 1	varied by 21/2003 r 4	6.3.2003
	varied by 30/2006 r 6	16.6.2006
Sch 2	<i>deleted by 30/2006 r 7</i>	<i>16.6.2006</i>

Historical versions

6.3.2003

