

Legislative Council

Consumer Credit Administration Amendment (Finance Brokers) Bill

Government amendments agreed to in Committee of the Whole
on Tuesday 20 May 2003.

- No. 1 Page 3, Schedule 1 [1], lines 25 and 26. Omit all words on those lines.
- No. 2 Page 4, Schedule 1 [5], lines 17-23. Omit all words on those lines.
- No. 3 Page 6, Schedule 1 [6], lines 15-25. Omit all words on those lines. Insert instead:
- (c) if the consumer credit is intended to be repaid at regular intervals - the maximum periodic repayments the client is prepared to make in respect of the consumer credit (including the repayment of any credit application fee, credit establishment fee or other fee), and
 - (d) if the consumer credit is not intended to be repaid at regular intervals - the repayment arrangements acceptable to the client (including for the repayment of any credit application fee, credit establishment fee or other fee), and
 - (e) the maximum interest rate that will be payable in respect of the consumer credit, and
- No. 4 Page 8, Schedule 1 [6], lines 4 - 14. Omit all words on those lines. Insert instead:
- (c) in the case of consumer credit intended to be repaid at regular intervals - the periodic repayments exceed the maximum periodic repayments specified in the contract, or
 - (d) in the case of consumer credit not intended to be repaid at regular intervals - the repayment arrangements are more onerous than the repayment arrangements specified in the contract, or
 - (e) the consumer credit is secured at a rate of interest that exceeds the maximum rate specified in the contract, or
- No. 5 Page 8, Schedule 1 [6]. Insert after line 20:
- (3) A finance broker is not prevented by this section from demanding, receiving or accepting any commission in respect of finance broking merely because of the potential for an increase in the periodic repayments or interest rate, or for repayment arrangements that are more onerous, that

arises because of a variation of the interest rate in accordance with the consumer credit contract.

No. 6 Page 9, Schedule 1 [6], lines 20-31. Omit all words on those lines. Insert instead:

- (iii) if the consumer credit is intended to be repaid at regular intervals- involves periodic repayments that do not exceed the maximum periodic repayments specified in the contract, and
- (iv) if the consumer credit is not intended to be repaid at regular intervals - involves repayment arrangements that are not more onerous than the repayment arrangements specified in the contract, and
- (v) is secured at a rate of interest that does not exceed the maximum rate specified in the contract, and

No. 7 Page 10, Schedule 1 [6]. Insert after line 4:

- (2) A finance broker is not prevented by this section from demanding, receiving or accepting any commission in respect of finance broking merely because of the potential for an increase in the periodic repayments or interest rate, or for repayment arrangements that are more onerous, that may have arisen because of a variation of the interest rate in accordance with the consumer credit contract.

Examined

Chairman of Committees
