



Queensland

Storage Liens Act 1973

Storage Liens Regulation 2008

Current as at 1 September 2008

Information about this reprint

This regulation is reprinted as at 1 September 2008.

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Spelling

The spelling of certain words or phrases may be inconsistent with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘judgement’ has replaced ‘judgment’).

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



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Storage Liens Regulation 2008

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Storage Liens Regulation 2008

[reprinted as in force on 1 September 2008]

1 Short title

This regulation may be cited as the *Storage Liens Regulation 2008*.

2 Commencement

This regulation commences on 1 September 2008.

3 Prescribed particulars for notice of claim of ownership, interest, or entitlement to a charge—Act, s 5

- (1) A notice given under section 5(1)(a) of the Act must include each of the following particulars—
 - (a) a sufficient description of the goods;
 - (b) the full name and address of the person to whom the notice is addressed;
 - (c) a claim that the person is—
 - (i) the owner of the goods; or
 - (ii) the owner of an interest in the goods; or
 - (iii) entitled to some charge on the goods;
 - (d) if the person claims an interest in the goods—the nature and extent of the interest;
 - (e) if the person claims a charge on the goods—the nature and extent of the charge;
 - (f) an address at which any notices that may be given to the person under the Act may be given.
- (2) The statement of an address under subsection (1)(f) does not limit the ways in which notices under the Act may be given to a person.

4 Substituted service of notices by storer—Act, s 8

- (1) This section applies to a notice that a storer may give to someone else under section 5 or 6 of the Act if—
 - (a) the person is unknown to the storer; or
 - (b) no address for the person is known to the storer.
- (2) The notice may be given by an advertisement that includes a copy of the notice.
- (3) The advertisement must be published—
 - (a) in the gazette; and
 - (b) in a newspaper circulating throughout the State; and
 - (c) if another newspaper is published in the district in which the premises where the goods are deposited with the storer are situated—in the other newspaper.
- (4) The notice is taken to have been given on the publication of the notice in the gazette.

5 How to apply for stay of further proceedings to auction goods—Act, s 6

- (1) This section prescribes the way to make an application under section 6(6) of the Act.
- (2) The application must be made in writing to the clerk of the court for the Magistrates Court district in which the premises where the goods are deposited with the storer are situated.
- (3) The application must state the following—
 - (a) a sufficient description of the goods;
 - (b) the amount currently claimed by the storer to be due and unpaid for the storer's charges in relation to the goods;

Note—

The amount will not necessarily be the amount claimed in the notice given under the Act, section 6(3).

- (c) the reasons why proceedings to auction the goods should be stayed.

- (4) An affidavit, by or on behalf of the applicant, stating the facts on which the application is made must be filed with the application.

6 Provisions for hearing of application

- (1) On receiving an application under section 6(6) of the Act, the clerk of the court must immediately appoint a time and place for the application to be heard.
- (2) The applicant must, at least 3 clear days before the hearing date, give the storer notice of the time and place for the hearing of the application, and a copy of the application and affidavit.

Editor's note—

See the *Acts Interpretation Act 1954*, section 38(1)(a) for how to work out periods of time expressed as a specified number of clear days.

7 Repeal of Storage Liens Regulation 1998

The Storage Liens Regulation 1998 SL No. 126 is repealed.

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Storage Liens Regulation 2008 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 September 2008	

5 List of legislation

Storage Liens Regulation 2008 SL No. 265

made by the Governor in Council on 21 August 2008

notfd gaz 22 August 2008 pp 2651–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2008 (see s 2)

exp 1 September 2018 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

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