

Queensland



PYRAMID SELLING SCHEMES (ELIMINATION) ACT 1973

**Reprinted as in force on 15 January 1996
(includes amendments up to Act No. 58 of 1995)**

Reprint No. 1

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Warning—This reprint is not an authorised copy**

Information about this reprint

This Act is reprinted as at 15 January 1996. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (pt 4, div 2)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- use expressions consistent with current drafting practice (s 29)
- reorder provisions consistent with current drafting practice (s 30A)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (ss 37 and 39)
- omit the enacting words (s 42A)
- number and renumber certain provisions and references (s 43)
- correct minor errors (s 44).

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **table of obsolete and redundant provisions**
 - **table of corrected minor errors**
 - **table of renumbered provisions.**

Queensland



**PYRAMID SELLING SCHEMES
(ELIMINATION) ACT 1973**

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PYRAMID SELLING SCHEMES (ELIMINATION) ACT 1973

[as amended by all amendments that commenced on or before 15 January 1996]

An Act to provide for the elimination of pyramid selling schemes

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Pyramid Selling Schemes (Elimination) Act 1973*.

Definitions

4. In this Act—

“**participant**” means a person who participates in a trading scheme otherwise than as a promoter.

“**promoter**” means, in relation to a trading scheme—

- (a) a person who promotes the scheme;
- (b) where 2 or more persons together promote the scheme—each of those persons.

“**pyramid selling scheme**” means a trading scheme under which—

- (a) goods or services, or both, are provided or are to be provided by any person; and
- (b) the goods or services so provided are supplied or are to be supplied to or for another person by participants in the scheme (whether or not as agents or servants of a promoter of the scheme); and

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- (c) all or a substantial number of transactions or negotiations for the supply of goods or services under the scheme to other persons are effected or take place or are to be effected or to take place at a place other than a place of business of a promoter of the scheme or of the participant supplying the goods or services; and
- (d) the prospect is held out to a participant in the scheme (whether or not so as to confer a legally enforceable right) of receiving payments or other benefits in respect of—
 - (i) the introduction (whether or not by the person) of other persons who become participants in the scheme; or
 - (ii) the promotion, transfer or other change of status of participants in the scheme; or
 - (iii) the supply of goods to other participants in the scheme; or
 - (iv) the provision of training facilities or other services for other participants in the scheme; or
 - (v) transactions effected by other participants in the scheme whereby goods or services are or are to be supplied to or for other persons.

“registrar” means the chief executive of the department.

“services” includes rights or privileges and any intangible property.

“trading scheme” includes arrangements (whether or not recorded in writing) made in connection with the carrying on of a business.

Deciding whether premises are place of business etc.

4A. For the purposes of this Act—

- (a) in determining whether any premises are a place of business of a promoter of or a participant in a trading scheme no account shall be taken of transactions effected or to be effected or of negotiations taken place or to take place at those premises under the scheme;
- (b) any reference in this Act to the provision or supply of goods or services by any person includes a reference to the provision or, as

the case may be, supply of goods or services under arrangements to which that person is a party.

Mere purchasers not thereby participants in scheme

5. The purchase or proposed purchase of goods or services from a promoter of or a participant in a pyramid selling scheme does not, of itself, constitute participation or proposed participation in the scheme and any person who so purchases any goods or services does not, by that fact alone, become a participant in the scheme.

PART 2—PYRAMID SELLING SCHEMES

Offences concerning pyramid selling scheme

6.(1) A person shall not—

- (a) promote a pyramid selling scheme; or
- (b) grant or purport to grant to another person a right (whether or not legally enforceable) to participate in a pyramid selling scheme; or
- (c) offer another person a right (whether or not legally enforceable) to participate in a pyramid selling scheme; or
- (d) invite or induce another person to participate or to seek to participate in a pyramid selling scheme;

whether the person makes the promotion, grant, offer, invitation or inducement personally or by an agent or as an agent of another person.

Maximum penalty—100 penalty units or 1 year's imprisonment.

(2) Where a person who is a participant in a pyramid selling scheme or who has applied or proposes or has been invited to become a participant in a pyramid selling scheme—

- (a) makes or agrees to make a payment to or for the benefit of a promoter of the scheme, or to or for the benefit of a participant in the scheme; and

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- (b) is induced to make or to agree to make that payment or any part of that payment by reason that the prospect is held out to the person (whether or not as a legally enforceable right) of receiving payments or other benefits in respect of the introduction (whether or not by the person) of other persons who become participants in the scheme;

any person to whom or for whose benefit the payment is made or is agreed to be made commits an offence against this Act.

Maximum penalty—40 penalty units or 6 months imprisonment.

(3) Any person who, for the purposes of a pyramid selling scheme, by holding out to another person (whether or not as a legally enforceable right) the prospect of receiving payments or other benefits in respect of the introduction (whether or not by that other person) of other persons who become participants in the scheme induces or attempts to induce that other person—

- (a) if the person is a participant in the scheme—to make or agree to make a payment to or for the benefit of a promoter of the scheme or to or for the benefit of a participant in the scheme; or
- (b) if the person is not a participant in the scheme—to become a participant therein and to make or agree to make a payment to or for the benefit of a promoter of the scheme or to or for the benefit of a participant in the scheme;

commits an offence against this Act.

Maximum penalty—40 penalty units or 6 months imprisonment.

Definitive provisions concerning offences against s 6

7.(1) Where a prospect referred to in section 6(2) or (3) is held out, it is an inducement (for the purposes of section 6(2) or (3)) or, as the case may be, an attempt to induce (for the purposes of that section 6(3)) notwithstanding that the prospect did not or would not have constituted the whole of the inducement if the prospect constituted or would have constituted a part of the inducement.

(2) A reference in section 6 to the making of a payment to or for the benefit of a person includes reference to the making of a payment partly to

or for the benefit of 1 person and partly to or for the benefit of 1 or more other persons.

Offences by other promoters

8.(1) Where an offence defined in section 6 is committed by a person who is a promoter of a pyramid selling scheme, any other person who is a promoter of the scheme shall be taken to have committed a like offence and the other person may be charged with that offence (either jointly with such firstmentioned person or separately) and punished accordingly.

(2) Where a person is charged with an offence pursuant to subsection (1) it shall be a defence to prove that the contravention that constitutes the offence was committed without the person's consent or connivance and that by using due diligence the person could not have prevented its commission.

PART 3—PROHIBITION ORDERS

Function of registrar

10. It is a function of the registrar to do all such acts and things as are, in the Minister's opinion, necessary or desirable to eliminate in Queensland, as far as is practicable, pyramid selling schemes and to that end the registrar shall—

- (a) at the request of the Minister, investigate and examine any trading scheme for the purpose of determining whether the scheme is a pyramid selling scheme;
- (b) furnish to the Minister, when and as often as the Minister requires, a report generally or, as the Minister requires, information on matters concerned with the function of the registrar under this Act;
- (c) conduct or cause to be made such inquiries as the registrar thinks fit and inform himself or herself in relation to any matter in such manner as the registrar thinks fit;
- (d) exercise and perform such other powers, authorities, functions

and duties as are conferred on or entrusted to the registrar by the regulations;

- (e) do all such acts and things as are, in the registrar's opinion, necessary or desirable to give effect to this Act.

Minister's power to prohibit pyramid selling schemes

13.(1) The Minister may, by order in writing, prohibit the promotion and conduct of any trading scheme that, in the Minister's opinion, is a pyramid selling scheme.

(2) The Minister, in the order made under subsection (1), may specify—

- (a) the name of the promoter or promoters of the scheme and such other particulars of his, her or their identity as the Minister thinks fit;
- (b) the name of the participant or participants in the scheme and such other particulars of his, her or their identity as the Minister thinks fit;
- (c) the name and other description of the goods or services provided or supplied or to be provided or supplied under the scheme;
- (d) such other particulars of the scheme as the Minister thinks fit.

(3) An order of the Minister made under subsection (1) shall continue in force until it is revoked by order of the Minister made under section 14 or is set aside by order of the Supreme Court upon an appeal under section 16.

(4) Before the Minister makes a prohibition order under this section the Minister shall by notice in writing call upon at least 1 of the promoters of the trading scheme concerned to show cause in writing within a time specified in the notice why the order should not be made.

(5) If, within the time so specified, cause is not shown to the satisfaction of the Minister why the order should not be made the Minister may proceed to exercise the power conferred on the Minister by subsections (1) and (2) without further reference to any promoter of the scheme.

(6) It shall be sufficient compliance with subsection (4) if the notice to show cause—

- (a) is given to the person to whom it is addressed; or

- (b) is sent to the person to whom it is addressed by prepaid post letter addressed to the person at his or her place of business or abode last known to the Minister.

Revocation of prohibition order

14.(1) If the Minister is at any time satisfied that a trading scheme in respect of which a prohibition order made by the Minister under section 13 is in force has been so reconstructed as no longer to be a pyramid selling scheme, the Minister may, by order in writing, revoke such order.

(2) The revocation by order of the Minister of any prohibition order made by the Minister under section 13 shall not restrict the Minister's power to make a further prohibition order under that section in relation to the trading scheme to which the order so revoked related.

Publication of orders of Minister

15.(1) Notification of the making of a prohibition order under section 13 and of a revocation order under section 14 shall be published in the gazette and such notification shall contain a copy of the order to which it relates.

(2) The Minister may, by such means as the Minister thinks fit, give such notice of any order made by the Minister as the Minister deems necessary to inform the public of the order but the omission to give any or sufficient notice of the making of a prohibition order shall not be held to allow any person to avoid or lessen the person's liability under or pursuant to this Act to which the existence of the order is material.

(3) If the Minister thinks it desirable so to do, the Minister may cause a copy of any order made by the Minister to be given to any person—

- (a) by delivering the same to that person personally; or
- (b) by leaving the same at the person's place of residence or business last known to the Minister or by sending the same by prepaid post letter addressed to that person at such place.

Appeal against Minister's prohibition order

16.(1) A person aggrieved by a prohibition order of the Minister made

under section 13 may appeal against the making of the order by way of application to a judge of the Supreme Court who shall determine the issue of whether or not the trading scheme to which the order relates is a pyramid selling scheme.

(1A) Every such application shall be made before the expiration of 28 days from the making of the order or of such extended period as a judge of the Supreme Court for sufficient cause shown in any case allows.

(2) The judge who determines the application may confirm the order of the Minister or set aside the same and the judge's decision therein shall be final, and may make such order as to costs as the judge thinks fit.

Offence of participating in prohibited scheme

17.(1) A person who is a participant in or who in any way assists another person to be a participant in a pyramid selling scheme in relation to which there is in force a prohibition order made by the Minister under section 13 commits an offence against this Act.

Maximum penalty—40 penalty units or 6 months imprisonment.

(2) Subsection (1) does not apply either to a person whose participation in a pyramid selling scheme consists only of supplying goods or services provided to the person to or for other persons under transactions effected by that participant or to any person who assists such firstmentioned person.

PART 4—MISCELLANEOUS PROVISIONS

Proceedings for offences

18.(1) Prosecutions in respect of offences against this Act shall be by way of summary proceeding under the *Justices Act 1886*.

(2) A prosecution may be instituted at any time within 1 year from the time when the matter of complaint arose or within 6 months after the matter of complaint came to the knowledge of the complainant, whichever period is the later to expire.

(3) In any proceeding for an offence against this Act any complaint under the *Justices Act 1886* may be made only—

- (a) by the registrar; or
- (b) by a person authorised in writing by the Minister.

(4) The authority of a person to make a complaint referred to in subsection (3) shall be presumed until the contrary is proved.

Order to repay moneys

19.(1) Upon convicting any person of an offence defined in part 2 or part 3 the court may, in addition to any penalty it may impose, order that the offender pay to any participant in the pyramid selling scheme concerned or to the court on behalf of such a participant moneys paid by that participant to become a participant in the scheme or for the purposes of the scheme, and, in default of payment of those moneys within the time limited by the order, that the offender be imprisoned for such period as the court thinks fit.

(2) Subsection (1), any order made thereunder, or the service by an offender of any period of imprisonment pursuant to an order made thereunder shall not prejudice the right of any person to recover by civil action any moneys paid by the person to become a participant in a pyramid selling scheme or for the purposes of the scheme.

Civil remedy to recover payments

20.(1) Where after the commencement of this Act a payment referred to in section 6(2) is made the person who made the payment may, subject to this section, sue for and recover as a debt due to the person the amount of such payment from the person to whom or for whose benefit such payment was made.

(2) Where in consideration of or in part consideration of the payment referred to in subsection (1) the person who made the payment was supplied with goods, the right of action provided for by subsection (1) shall not be available to the person until he or she has returned to the proposed defendant in the action such of those goods as are in the person's possession or under his or her control.

(3) In the case of a person who was supplied with goods the amount that

the person is entitled to recover pursuant to the right provided for by subsection (1) shall be reduced by an amount equal to—

- (a) the value of the goods not returned; and
- (b) any loss in value of the goods returned arising from the person's wilful act or neglect;

and in determining that amount the value of the goods in question shall be taken not to exceed the value (if any) placed on those goods by the supplier thereof for the purposes of the transaction under which the goods were supplied to that person.

(4) An action provided for by subsection (1) shall be commenced within 6 months next following the day on which was made the payment in respect of which the action arises.

Offences by bodies corporate

22.(1) When an offence against this Act is committed by a body corporate every director or officer of the body corporate shall be taken to have committed a like offence and he or she may be charged with that offence (either jointly with the body corporate or separately) and, subject to subsection (2), punished accordingly.

(2) Where a director or officer of a body corporate is charged with an offence pursuant to subsection (1) it shall be a defence to prove that the contravention that constitutes the offence was committed without his or her consent or connivance and that by using due diligence the director or officer could not have prevented its commission.

(3) In this section—

“**officer**” has the same meaning as it has in relation to a body corporate under the Corporations Law.

Powers in aid of registrar

23.(1) Any person who in investigating the conduct or affairs of any trading scheme and is acting under the authority of or in aid of the registrar—

- (a) may, subject to this section and at all reasonable times, enter any

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premises wherein are kept or the person suspects to be kept records relating to the conduct or affairs of the trading scheme or from which there is conducted or the person suspects to be conducted the trading scheme and for that purpose may use such force and such assistance as are reasonably necessary;

- (b) may search any premises entered by the person and therein examine all books of account, contracts, agreements and other records relating to the conduct or affairs of the trading scheme, make copies of or take extracts from the same or seize and remove the originals of those books, contracts, agreements and other records.

(2) The power to enter and to search premises conferred by subsection (1) is subject to subsections (2A) and (2B).

(2A) Before the person enters any part of premises which part is used as a dwelling house the person seeking entry for any purpose prescribed by subsection (1) shall, save where the person has permission of the occupier of that part to his or her entry, obtain from a justice a warrant to enter the place concerned.

(2B) A justice who is satisfied upon a complaint made that there is reasonable cause to suspect—

- (a) that any place used as a dwelling house is being used for the promotion or conduct of a trading scheme or for the keeping of any papers or records relating to the promotion, conduct or affairs of a trading scheme; and
- (b) that the trading scheme is a pyramid selling scheme;

may issue the justice's warrant directed to the complainant to enter that place, specified in the warrant, for the purpose of exercising therein the powers conferred by subsection (1).

(3) A warrant issued under subsection (2) shall be, for a period of 1 month from its issue, sufficient authority—

- (a) to the complainant to whom it is directed and to all persons acting in aid of the complainant to enter the place specified in the warrant; and
- (b) to the complainant to whom it is directed to exercise in respect of the place specified in the warrant all the powers conferred by

subsection (1).

(4) A justice may, in accordance with the *Justices Act 1886*, section 59(1) issue a warrant in the first instance to apprehend any person who commits an offence against this Act.

Obstruction of registrar's agents

24. Any person who obstructs, hinders or attempts to hinder any person in the due exercise by the person of any power conferred by section 23(1) commits an offence against this Act.

Maximum penalty—20 penalty units or 3 months imprisonment.

Proof and evidentiary effect of Minister's orders

25.(1) Every document purporting to be an order of the Minister made under section 13 or 14 and every copy thereof shall be taken to be the order of the Minister, which it purports to evidence, if it is signed by the Minister and the order so evidenced shall, in the absence of evidence to the contrary, be deemed to have been duly made.

(2) Judicial notice shall be taken of the publication in the gazette of every order of the Minister made under section 13 or 14.

(3) For as long as a prohibition order of the Minister made under section 13 continues in force it shall be conclusive evidence that the trading scheme to which the order relates is a pyramid selling scheme.

Evidentiary provisions

26. In any proceeding for the purposes of or arising out of this Act—

- (a) it shall not be necessary to prove
 - (i) the signature of the Minister or the registrar on any document that purports to be made for any purpose of this Act; or
 - (ii) the authority of the Minister or the registrar to do anything for the purposes of this Act;
- (b) any statement or representation made by a person purporting to

act or apparently acting for or on behalf of a person who is a defendant in or other party to that proceeding, whether the statement or representation was made before or after commencement of the proceeding, shall be taken to have been made with the authority of the defendant or such other party until the contrary is proved, and shall be admissible in evidence accordingly;

- (c) where the proceeding is for an offence against this Act—an allegation in the complaint that a pyramid selling scheme was or was not in operation on a specified date shall be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matter alleged.

Protection relating to administration of Act

27. Neither the Crown nor any person shall incur any liability in respect of anything done for the purposes of this Act, or done in good faith purportedly for the purposes of this Act, by the Minister or the registrar or by anyone acting in aid of or under the authority of the Minister or the registrar.

Implied terms in agreements concerning schemes

28.(1) In every agreement made (whether before or after the commencement of this Act) for the purposes of or in connection with a trading scheme or proposed trading scheme there shall be implied the following terms—

- (a) if, by reason of there being in force a prohibition order of the Minister made under section 13, any party to the agreement would commit an offence against this Act were the party to comply with the terms of the agreement in any respect he or she shall not be bound to comply with the terms of the agreement in that respect and the party shall not incur any liability for his or her failure to so comply;
- (b) if at any time during the currency of the agreement there is in force in relation to the trading scheme a prohibition order of the Minister made under section 13—any party to the agreement,

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being a participant in the scheme, who has received goods or services from any person in connection with the scheme (whether such goods or services were provided or supplied before or after the making of the order)—

- (i) may, by notice in writing given to the other party or parties to the agreement, rescind the agreement whereupon the agreement shall no longer bind the party and shall no longer confer any rights on him or her save that where the party has paid money in respect of the provision or supply of goods returned by him or her pursuant to subparagraph (ii) the party is entitled to recover from all or any of them as a debt due to him or her by them jointly and severally, the person to whom the party returned the goods and the promoter or promoters of the scheme, the money paid by the party in respect of the provision or supply of the goods returned but so that he or she is not entitled to recover more than once in respect of the same goods;
- (ii) may return the goods, or such part thereof as is still in his or her possession, to the person from whom the party received them;

and all other terms of the agreement shall be read and construed subject to the terms so implied and for the purpose of an action to recover pursuant to subparagraph (i) the agreement shall be deemed to continue in effect notwithstanding its rescission pursuant to that subparagraph.

(2) It shall be sufficient compliance with subsection (1)(b)—

- (a) if the notice in writing therein referred to is given to the person prescribed by delivering it to the person personally, or by leaving it at his or her place of residence or business last known to the party by whom it is given or by sending the same by prepaid post letter addressed to the party to whom it is to be given at such place;
- (b) if the goods returned pursuant to the right therein conferred are left at premises last known to the party by whom they are returned as the place of residence or business of the person who provided or supplied them to the party.

Delegations

28A. The registrar may delegate the registrar's powers under this Act to an officer or employee of the department.

Regulation making power

29.(1) The Governor in Council may make regulations under this Act.

(2) A regulation may be made about—

- (a) prescribing, regulating and controlling matters and things connected with the functions, powers and proceedings of the Minister or the registrar;
- (b) prescribing, regulating and controlling matters and things connected with appeals in respect of orders made by the Minister under this Act;
- (c) providing for the granting of exemptions from this Act of particular goods or services or of particular trading schemes, the conditions on which such exemptions may be granted, and the rights and obligations of promoters of and participants in trading schemes so exempted;
- (d) prescribe offences for a contravention of a regulation and fix a penalty of not more than 20 penalty units for the contravention.

ENDNOTES**1 Index to 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). Accordingly, this reprint includes all amendments that commenced operation on or before 15 January 1996. Future amendments of the Pyramid Selling Schemes (Elimination) Act 1973 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

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

4 List of legislation

Pyramid Selling Schemes (Elimination) Act 1973 No. 87

date of assent 20 December 1973

commenced 1 February 1974 (proc pubd gaz 19 January 1974 p 228)

as amended by—

Administration of Commercial Laws Act and Other Acts Amendment Act 1981 No. 57 pt 3

date of assent 12 June 1981

ss 1–2 commenced on date of assent (see s 2(1))

remaining provisions commenced on 1 July 1982 (see s 2(2) and proc pubd gaz 29 June 1982 p 2101)

Companies (Consequential Amendments) Act 1981 No. 111 pt 6 sch

date of assent 16 December 1981

ss 1–2 commenced on date of assent (see s 2(1))

remaining provisions commenced on 1 July 1982 (see s 2(4) and proc pubd gaz 29 June 1982 p 2102)

Pyramid Selling Schemes (Elimination) Act Amendment Act 1986 No. 33

date of assent 27 August 1986

ss 1–2 commenced on date of assent (see s 2(1))

remaining provisions commenced 1 December 1986 (see s 2(2) and proc pubd gaz 22 November 1986 p 1679)

Public Service (Administrative Arrangements) Act (No. 2) 1990 No. 80 s 3 sch 6

date of assent 14 November 1990

commenced on date of assent (see s 2(1))

Justice Legislation (Miscellaneous Provisions) Act 1992 No. 40 s 163 sch 1

date of assent 14 August 1992

commenced on date of assent (see s 2)

Statute Law Review Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

5 List of annotations

Commencement

s 2 om R1 (see RA s 37)

Arrangement of Act

s 3 om 1992 No. 40 s 163 sch 1

Definitions

s 4 amd 1995 No. 58 s 4 sch 1

def “**committee**” om 1986 No. 33 s 3def “**Minister**” sub 1990 No. 80 s 3 sch 6

om 1992 No. 40 s 163 sch 1

def “**registrar**” ins 1986 No. 33 s 3

sub 1992 No. 40 s 163 sch 1

Deciding whether premises are place of business etc.**prov hdg** ins 1995 No. 58 s 4 sch 1

s 4A (prev s 4(2)) renum 1995 No. 58 s 4 sch 1

Offences concerning pyramid selling scheme

s 6 amd 1992 No. 40 s 163 sch 1

Constitution of committee

s 9 amd 1981 No. 57 s 13

om 1986 No. 33 s 4

Function of registrar**prov hdg** amd 1986 No. 33 s 5(a)

s 10 amd 1986 No. 33 s 5(b)–(h)

Validity of committee’s acts

s 11 om 1986 No. 33 s 6

Business of committee

s 12 om 1986 No. 33 s 7

Minister’s power to prohibit pyramid selling schemes**prov hdg** amd 1986 No. 33 s 8(a)

s 13 amd 1986 No. 33 s 8(b)–(e)

Revocation of prohibition order

s 14 amd 1986 No. 33 s 9

Publication of orders of Minister

prov hdg amd 1986 No. 33 s 10(a)

s 15 amd 1986 No. 33 s 10(b)–(c)

Appeal against Minister’s prohibition order

prov hdg amd 1986 No. 33 s 11(a)

s 16 amd 1986 No. 33 s 11(b)–(c); 1995 No. 58 s 4 sch 1

Offence of participating in prohibited scheme

s 17 amd 1986 No. 33 s 12; 1992 No. 40 s 163 sch 1

Proceedings for offences

s 18 amd 1986 No. 33 s 13

Use by committee of agents and reports

s 21 amd 1981 No. 57 s 14

om 1986 No. 33 s 14

Offences by bodies corporate

s 22 amd 1981 No. 111 s 23 sch; 1995 No. 58 s 4 sch 1

Powers in aid of registrar

prov hdg amd 1986 No. 33 s 15(a)

s 23 amd 1986 No. 33 s 15(b)

Obstruction of registrar’s agents

prov hdg amd 1986 No. 33 s 16

s 24 amd 1992 No. 40 s 163 sch 1

Proof and evidentiary effect of Minister’s orders

prov hdg amd 1986 No. 33 s 17(a)

s 25 amd 1986 No. 33 s 17(b)–(d)

Evidentiary provisions

s 26 amd 1986 No. 33 s 18

Protection relating to administration of Act

s 27 amd 1986 No. 33 s 19

Implied terms in agreements concerning schemes

s 28 amd 1986 No. 33 s 20

Delegations

s 28A ins 1992 No. 40 s 163 sch 1

Regulation making power

prov hdg sub 1995 No. 58 s 4 sch 1

s 29 amd 1986 No. 33 s 21; 1995 No. 58 s 4 sch 1

6 Table of obsolete and redundant provisionsTABLE OF OBSOLETE AND REDUNDANT PROVISIONS
under the Reprints Act 1992 s 39

| | |
|--|---|
| Omitted provision | Provision making omitted provision obsolete/redundant |
| definitions to be read in context | Acts Interpretation Act 1954 s 32A |
| penalty provision permitting fine or imprisonment permits both | Penalties and Sentences Act 1992 s 180A |

7 Table of corrected minor errorsTABLE OF CORRECTED MINOR ERRORS
under the Reprints Act 1992 s 44

| Provision | Description |
|-----------|------------------------|
| 29 | before '(1)' ins '29.' |

8 Table of renumbered provisionsTABLE OF RENUMBERED PROVISIONS
under the Reprints Act 1992 s 43

| Previous | Renumbered as |
|-------------------------------|---------------|
| 13(4), 2nd sentence | 13(5) |
| 13(4), 3rd sentence | 13(6) |
| 16(1), 2nd sentence | 16(1A) |
| 23(2), 2nd sentence | 23(2A) |
| 23(2), 3rd sentence | 23(2B) |