



Queensland

Storage Liens Act 1973

Storage Liens Regulation 1998

Reprinted as in force on 19 May 1998

Reprint No. 1 *

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See 2008 SL No. 265 s 7

* Minor differences in style between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This regulation is reprinted as at 19 May 1998.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to use aspects of format and printing style consistent with current drafting practice (s 35).

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.



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Storage Liens Regulation 1998

[reprinted as in force on 19 May 1998]

1 Short title

This regulation may be cited as the *Storage Liens Regulation 1998*.

2 Prescribed particulars for notice of claim of ownership, interest, or entitlement to a charge

- (1) A notice given under section 5(1)(a) of the Act must include the following particulars¹—
 - (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.

¹ The Act, section 5 (Necessity of notice by storer where goods deposited by person entrusted with possession)

3 Substituted service of notices by storer

- (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 a newspaper is published in the district in which the premises where the goods are deposited with the storer are situated—also in a newspaper published in that district.
- (4) The notice is taken to have been given on the publication of the notice in the gazette.

4 How to apply for stay of further proceedings to auction goods

- (1) This section prescribes the way to make an application under section 6(6) of the Act.²
- (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;³
 - (c) the reasons why proceedings to auction the goods should be stayed.

² The Act, section 6 (Power to sell goods)

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

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- (4) An affidavit, by or on behalf of the applicant, stating the facts on which the application is made must be lodged with the application.
- (5) On receiving the application, the clerk of the court must immediately appoint a time and place for the application to be heard.
- (6) The applicant must, at least 3 clear days⁴ 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.

5 Repeal

The subordinate legislation made under the Act, other than this regulation, is repealed.

⁴ 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.

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 1998 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
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

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 to	Effective	Reprint date
1	none	15 May 1998	19 May 1998

5 List of legislation

Storage Liens Regulation 1998 SL No. 126

made by the Governor in Council on 14 May 1998

notfd gaz 15 May 1998 pp 311–16

commenced on date of notification

exp 1 September 2008 (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.