



*Storage Liens Act 1973*

# **Storage Liens Regulation 2018**

**Current as at 16 November 2018**

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Queensland

# Storage Liens Regulation 2018

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# Storage Liens Regulation 2018

## 1 Short title

This regulation may be cited as the *Storage Liens Regulation 2018*.

## 2 Particulars for notice of claim of ownership, interest or entitlement to charge—Act, s 5

- (1) A notice mentioned in 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 storer to whom the notice is addressed;
  - (c) a claim that the person giving the notice—
    - (i) is the owner of the goods; or
    - (ii) is the owner of an interest in the goods; or
    - (iii) is entitled to a charge on the goods;
  - (d) if the person claims to be the owner of an interest in the goods—the nature and extent of the interest;
  - (e) if the person claims to be entitled to a charge on the goods—the nature and extent of the charge;
  - (f) an address at which notices that may be given to the person under the Act may be given.
- (2) Subsection (1)(f) does not limit the ways in which notices given under the Act may be given to a person.

## 3 Application for stay of further proceedings to auction goods—Act, s 6

- (1) This section applies to an application under section 6(6) of the Act for an order to stay further proceedings under that section.
- (2) 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 same as the amount claimed in the notice given under section 6(3) of the Act.

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

*Note—*

See generally the *Uniform Civil Procedure Rules 1999*, chapter 2, part 4.

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

- (1) This section applies in relation to a notice that may be given to a person 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 storer may give the notice by an advertisement that—
  - (a) includes a copy of the notice; and
  - (b) is published—
    - (i) in the gazette; and
    - (ii) in a newspaper circulating throughout the State; and
    - (iii) if another newspaper is published in the district in which the relevant premises are situated—in the other newspaper.
- (3) The notice is taken to have been given on the day the advertisement is published in the gazette.
- (4) In this section—

***relevant premises***, in relation to goods deposited with a storer, means the premises where the goods are deposited.

**5 Repeal**

The Storage Liens Regulation 2008, SL No. 265 is repealed.

**6 References to repealed regulation**

A reference in a document to the repealed *Storage Liens Regulation 2008* may, if the context permits, be taken to be a reference to this regulation.