

LEGISLATIVE COUNCIL

CONSUMER LEGISLATION AMENDMENT BILL 2026

(Amendments and New Clauses to be proposed in Committee by MELINA BATH)

1. Clause 1, page 4, after line 28 insert—
 - "(iv) in relation to the conduct of public auctions by auctioneers; and".
2. Clause 22, page 26, line 3, after "sets a" insert "publicly advertised".
3. Clause 22, page 27, line 8, omit "47AG(3);" and insert "47AG(3) or (3A);".
4. Clause 26, lines 13 to 23, omit all words and expressions on those lines and insert—
 - "(a) a statement by the estate agent or agent's representative of the requirement that the seller's reserve price for the residential property is expressed—
 - (i) as either—
 - (A) a single dollar amount; or
 - (B) a price range of dollar amounts in which the higher price is not more than 10% of the lower price in the range; and
 - (ii) without being described with additional words or symbols; and".
5. Clause 26, lines 26 to 31, omit all words and expressions on those lines and insert—
 - "(i) providing the reserve price to the agent or agent's representative with signed confirmation of that price; or
 - (ii) requesting from the estate agent or agent's representative—
 - (A) a proposed reserve price; and
 - (B) the reasons for the proposed reserve price."
6. Clause 26, page 35, lines 4 to 14, omit all words and expressions on those lines and insert—
 - "(a) propose the reserve price with signed confirmation of that price; or
 - (b) request from the estate agent or agent's representative—
 - (A) a proposed reserve price; and
 - (B) the reasons for the proposed reserve price."
7. Clause 26, page 35, after line 14 insert—
 - "(3A) If a seller makes a request under subsection (3)(b), the agent or representative must give a written statement to the seller of the proposed reserve price and the reasons for the proposed reserve price.
 - (3B) If a seller has been given a statement under subsection (3A), the seller, in written response to a request under subsection (1), may—

- (a) accept the proposed reserve price with signed confirmation of that acceptance; or
 - (b) reject the proposed reserve price and—
 - (i) specify another reserve price with signed confirmation of that price; or
 - (ii) request another proposed reserve price is given to the seller in writing by the estate agent or agent's representative."
- 8. Clause 26, page 35, lines 16 and 17, omit "(1) or a response under subsection (3)" and insert "(1), a statement under subsection (3A) or a response under subsection (3) or (3B)".
- 9. Clause 26, page 35, lines 18 and 19, omit all words and expressions on those lines and insert—
 - "(a) be expressed—
 - (i) as either—
 - (A) a single dollar amount; or
 - (B) a price range of dollar amounts in which the higher price is not more than 10% of the lower price in the range; and".
- 10. Clause 26, page 35, after line 23 insert—
 - "(5) A seller must not specify a reserve price under subsection (3) or (3B) that is less than—
 - (a) a rejected offer to purchase the residential property; or
 - (b) an estimated selling price given to the seller under section 47A."
- 11. Clause 26, page 36, line 1, before "seller's" insert "latest".
- 12. Clause 26, page 36, after line 12 insert—
 - "(1A) A person does not commit an offence under subsection (1) if, during the period referred to in that subsection, the seller's reserve price decreases."
- 13. Clause 26, page 36, lines 15 and 16, omit all words and expressions on those lines and insert—
 - "(a) be expressed—
 - (i) as either—
 - (A) a single dollar amount; or
 - (B) a price range of dollar amounts in which the higher price is not more than 10% of the lower price in the range; and".

NEW CLAUSE

14. Insert the following New Clause to follow clause 112—

'112A New sections 42A to 42C inserted

After section 42 of the **Sale of Land Act 1962** insert—

"42A Auctioneer to disclose final seller's reserve price at auction

The auctioneer of land at a public auction must disclose the final seller's reserve price at the beginning of a public auction.

42B Auctioneer to announce when bids at seller's reserve price

The auctioneer of land at a public auction must announce when the first bid (if any) is equal to or more than the seller's reserve price.

42C Auctioneer to declare pre-auction offers at public auction

Any auctioneer of land at a public auction must declare the amount of any offer made to the vendor of the land before the auction.".'.

AMENDMENT OF LONG TITLE

15. Long title, after "deposit moneys" insert "and the conduct of public auctions".