Attorney-General's Department

Unclaimed Goods in South Australia

On 1 August 2026, changes to Unclaimed Goods laws will come into effect in South Australia. The changes aim to make it easier for people to dispose of unclaimed property that is in their possession, that legally belongs to someone else.

What you need to know

The following information is a guide only. It does not constitute legal advice and is not a substitute for the legislation.

What are unclaimed goods?

Unclaimed goods are items of property that are in your possession but that legally belong to someone else.

Under the *Unclaimed Goods Act 1987*, they are considered 'unclaimed goods' if:

- the owner has not collected the goods as agreed
- you have tried to deliver the goods as agreed but have not been able to do so
- you have asked the owner to collect the goods and they have not, within 14 days
- you have taken reasonable steps to contact the owner to request collection, but have not been able to reach them, or
- the goods are rubbish, perishable goods or goods that are likely to cause a risk to the health or safety of a person.

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If someone leaves their unclaimed goods with you and you don't have an agreement for how they should be disposed of, the *Unclaimed Goods Act 1987* sets out a lawful process for their return or disposal.

What are the changes to the Act?

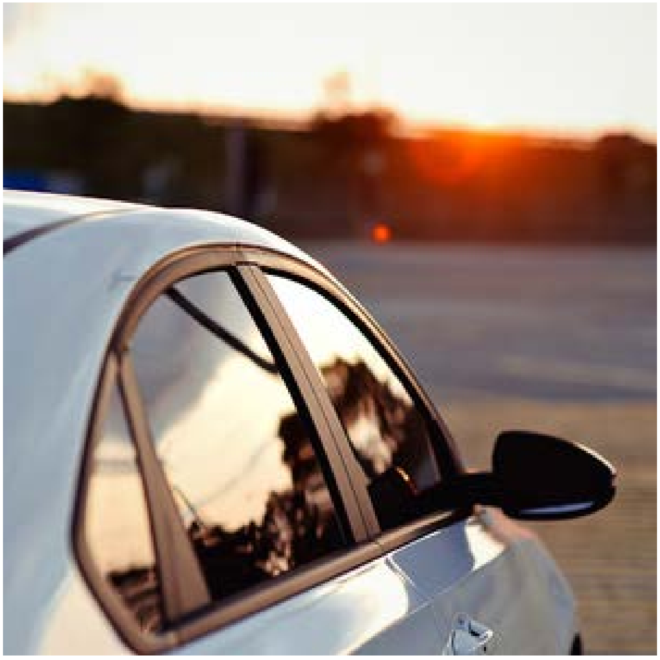
In 2025, following consultation, State Parliament passed reforms to the *Unclaimed Goods Act 1987*. The changes aim to simplify the process of disposing of or selling unclaimed goods.

Threshold values that determine how unclaimed goods must be dealt with have been updated along with corresponding waiting times.

Several outdated provisions – including a requirement to place public notice ads in a newspaper before disposing of unclaimed property – have also been removed.

What you need to do

If someone has left their goods with you, and they are 'unclaimed' according to the definition above, you need to give them a certain amount of notice before you are legally able to sell or dispose of them.



How much notice you need to give depends on the value of the goods and the types of goods.

If another law applies to the disposal of the goods (for example, where the goods are abandoned property under the *Residential Tenancies Act 1995*) you can follow the process under the other law.

Summary of requirements

For motor vehicles

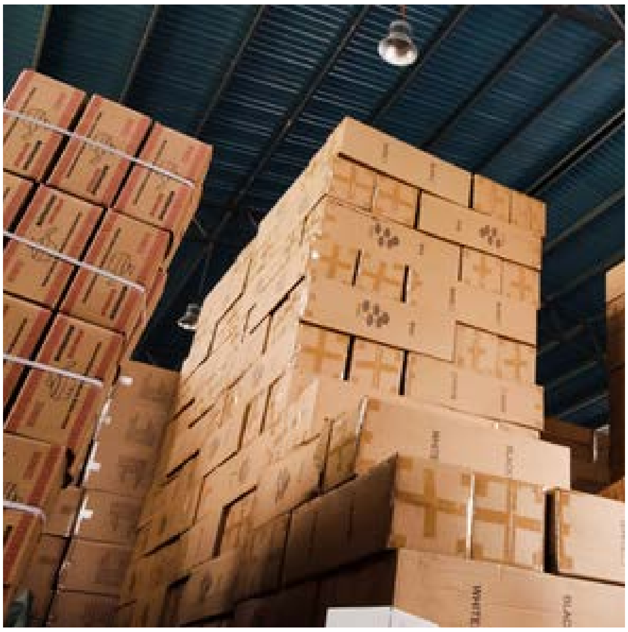
Where the unclaimed good is a motor vehicle, or includes a motor vehicle, you need to search the Personal Property Securities Register (www.ppsr.gov.au) to identify anyone who has a registered interest. Before you are legally able to sell the goods, you need to provide notice to all those with an interest. See s5A of the Act for details.

Type of goods (motor vehicles)	Amount of notice needed (holding period)	How goods can be disposed of after holding period (if not collected by owner/provider)
Valued at or less than $1000 (scale 1)	14 days	Legal ownership transfers to you.
Valued between $1000 and $20,000 (scale 2)	28 days	You may sell the goods by public auction, or by private sale for fair value.
Valued at $20,000 or more (scale 3)	60 days	You must seek a court order before you can sell or otherwise dispose of the goods and should follow the directions of the court.

For other goods

Type of goods	Amount of notice needed (holding period)	How goods can be disposed of after holding period (if not collected by owner/ provider)
Valued at or less than $200 (scale 1)	14 days	Legal ownership transfers to you.
Valued between $200 and $20,000 (scale 2)	28 days	You may sell the goods by public auction, or by private sale for fair value.
Valued at $20,000 or more (scale 3)	60 days	You must seek a court order before you can sell or otherwise dispose of the goods and should follow the directions of the court.
Personal documents	28 days	Personal documents (e.g. birth certificates, passports, identity documents, legal documents or documents containing personal financial or medical information) must not be sold. You must dispose of personal documents in a manner that protects the security of the document and any personal information contained in them.

How to provide a notice



You must give the person who left the unclaimed goods with you, or their owner (if the owner is a different person from the provider and you know them) notice that you intend to sell or dispose of their property if it is left unclaimed.

If you don't know their contact details, you must take all reasonable steps to get them.

You can give a notice to someone in person, by post to their last known place of residence, employment or business, or by email. If this is not possible, other forms of communication can be used.

What the notice should say

The notice must state:

(a) what the goods are, and that they are unclaimed

(b) what the holding period will be (according to the requirements in the Act, as listed in the tables above)

(c) that if the goods are not collected by the end of the holding period, they will either become legally owned by you (scale 1 goods), or disposed of (scale 2 or 3 goods)

(d) your contact details

(e) that they may be required to pay an amount pursuant to s 7(2) of the Act before the goods are handed over

If you need to dispose of goods urgently, you can seek a court order. The court may allow you to skip a requirement, if following that requirement would be unreasonable in the circumstances.

Special categories of goods

Different requirements apply to certain special categories of goods.

Rubbish may be disposed of in any manner. No notice requirements apply.

For goods that are perishable or likely to cause a risk to the health or safety of a person, you should notify all relevant persons that you intend to dispose of the goods. Notice can be given verbally or in writing through any available method of communication. You may then dispose of the goods in any manner after a reasonable period of time (having regard to the nature and condition of the goods).

What to do after the notice/holding period

What happens if the goods are not collected?

The process depends on the value of the goods, as outlined above (see Summary of requirements table).

After selling unclaimed goods, you can keep some costs from the proceeds of sale (as set out in s 8(1) of the Act) so you are not left out of pocket. The balance must be paid to the Treasurer.

What happens if the goods are claimed?

The owner or provider of the goods can collect them before legal ownership transfers to you, or before you dispose of them.

In some circumstances, you may be entitled to a reimbursement of costs you have incurred in relation to the unclaimed goods. This is as set out in s 7(2) of the Act.

If you are seeking payment before handing over the goods, you need to provide a written account.

If, after 21 days, the amount sought is not paid or the goods are still uncollected:

- for goods valued at or under $200 (or $1000 for motor vehicles) legal ownership transfers to you;
- you can sell or dispose of goods of higher value, following the requirements of the Act.

The owner or provider may apply to the Court for a review of the written account. If this happens, you can't dispose of the goods until the court has made a determination.

Record keeping

If you disposed of scale 2 or 3 goods (whether or not in accordance with a court order), you must keep a record of what the goods were, and when and how they were disposed of.

If they were sold, you must record the name and address of the purchaser, the purchase amount and the amount that you retained in accordance with section 8 of the Act.

If you handed over the goods to the owner (when they were not the provider of the goods), you must record of the name and address of the owner.

These records must be kept for a period of 6 years from the date of disposal.