

1990 - No. 529

**MOTOR DEALERS ACT 1974 - REGULATION**

(Providing for the identification of certain prescribed parts  
of motor vehicles and other matters relating to the  
regulation of the motor vehicle trade)

NEW SOUTH WALES



*[Published in Gazette No. 93 of 27 July 1990]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Motor Dealers Act 1974, has been pleased to make the Regulation set forth hereunder.

G. B. PEACOCKE  
Minister for Business and Consumer Affairs.

---

**Commencement**

- 1. (1)** Clauses 2 and 3 commence on the day on which Schedule 1 (17) to the Motor Dealers (Amendment) Act 1990 commences.
- (2)** Clause 4 commences on 1 August 1990.

**Amendments**

- 2.** The Motor Dealers Regulation 1986 is amended
  - (a)** by inserting after the definition of "the Act" in clause 4 (1) the following definition:

**"vehicle identification number"** or **"VIN"** means the number allocated to a vehicle in accordance with the International Standards Organisation's vehicle identification system required under the Australian Design Rule (as defined in Regulation 2 of the Motor Traffic Regulations 1935).

(b) by omitting clause 4 (3) and by inserting instead the following subclause:

(3) The particulars of a motor vehicle required to be inserted in the part of a form that refers to the date of manufacture are:

(a) if the vehicle has a built date - the month and year of the date; or

(b) if the vehicle does not have a built date - the month and year of the vehicle's plate date.

(c) by inserting after clause 4 (4) the following subclauses:

(5) A person who is making an entry in an auto-dismantler's and motor vehicle parts reconstructor's register of parts may use the following abbreviations to describe a prescribed part:

"E" for engine;

"CH" for chassis;

"MBS" for major body section;

"T/G" for transmission or gearbox;

"GR" for right front mudguard;

"GL" for left front mudguard;

"DR" for right front door;

"DL" for left front door;

"BON" for bonnet;

"APR" for front apron panel;

"BUF" for front bumper bar;

"BUR" for rear bumper bar.

(6) The particulars of a motor vehicle required to be inserted in the part of a form that refers to the vehicle identification number or VIN or to the chassis number are:

(a) if the vehicle has a vehicle identification number - that number; or

(b) if the vehicle does not have such a number - the vehicle's chassis number.

(d) by inserting before clause 5 (a) the following paragraph:

(a1) paragraph (c) of the definition of "auto-dismantler" in section 4 (1) of the Act, the following parts of a motor vehicle are prescribed:

- (i) engines;
- (ii) chassis and major body sections;
- (iii) gearboxes and transmissions;
- (iv) right and left front mudguards;
- (v) right and left front doors;
- (vi) bonnets;
- (vii) front apron panels;
- (viii) front and rear bumper bars;

- (e) by omitting from clause 5 (c) the words "and accessories";
- (f) by omitting clause 5 (c) (iv);
- (g) by inserting at the end of clause 5 the following subclause:
  - (2) For the purposes of section 28 (3) (f) of the Act, the amount prescribed is, during each year beginning on 1 January, the amount that was, at the end of the immediately preceding year, the motor vehicle depreciation limit under section 57AF of the Income Tax Assessment Act 1936 of the Commonwealth.
- (h) by omitting clause 7 (1) (b) and by inserting instead the following paragraph
  - (b) where the licence is an auto-dismantler's licence - the words "LICENSED AUTO-DISMANTLER";
- (i) by inserting after clause 7 (4) the following subclause:
  - (5) The holder of an auto-dismantler's licence is to be taken to have complied with subclause (1) during the period of 12 months after the commencement of Schedule 1 (2) (a) and (d) to the Motor Dealers (Amendment) Act 1990 if, instead of the notice required by paragraph (b) of that subclause, there is exhibited a notice that includes the words "LICENSED VEHICLE WRECKER".
- (j) by omitting clause 9 (3) and by inserting instead the following subclause:
  - (3) For the purposes of section 21C (c) of the Act, a part of a motor vehicle is of a prescribed kind if:
    - (a) in relation to the business of an auto-dismantler - it is a part prescribed by clause 5 (a1); or
    - (b) in relation to the business of a motor vehicle parts reconstructor - it is a part prescribed by clause 5 (c).

(k) by inserting after clause 9 the following clause:

**Car market operator's register**

9A For the purposes of section 21 (8) of the Act:

- (a) a car market operator's licence is a prescribed licence; and
- (b) a prescribed transaction is the offering or displaying for sale of a motor vehicle at the place of business of the car market operator in respect of which the licence is granted; and
- (c) the prescribed particulars of such a transaction are those referred to in clause 11 (1).

(l) by omitting from clause 10 (2) the words "A book" and by inserting instead the words "Except as provided by subclause (3), a book";

(m) by inserting after clause 10 (2) the following subclause:

(3) A book in which a car market operator's register is kept complies with this clause only if:

- (a) it is in the form of a book of notices in duplicate where each notice is on paper not less than A4 in size; and
- (b) the particulars required by clause 9A (c) are entered in the book before the vehicle is offered or displayed for sale at the place of business of the car market operator; and
- (c) the original of each of the notices is given to the person offering or displaying the vehicle for sale at that place of business and is at all times displayed on the vehicle while the vehicle is offered or displayed for sale at that place; and
- (d) the duplicate copies of the notices are retained in a register book which is permanently bound and each book and each notice in the books is consecutively numbered.

(n) by omitting the Table to clause 10 and by inserting instead the following Table:

TABLE

*Form  
No.*

1	Section 21A - register of sales on consignment.
2	Section 21 (1), (3) and (5) - dealer's and wholesaler's register.
2A	Section 21 (1) and (4) - auto-dismantler's register of dismantled vehicles and their parts.
2B	Section 21 (1), (4) and (6) - auto-dismantler's and motor vehicle parts reconstructor's register of parts.
18	Section 21 (1) and (8) - car market operator's register, where the vendor's title to a motor vehicle is guaranteed.
19	Section 21 (1) and (8) - car market operator's register, where the vendor's title to a motor vehicle is not guaranteed.

(o) by omitting from clause 11 (2) the matter "2C" and by inserting instead the matter "2B";

(p) by omitting clause 11 (3) and by inserting instead the following subclauses:

(3) For the purposes of section 21 (4) of the Act:

(a) the prescribed parts are:

(i) engines; and

(ii) chassis and major body sections; and

(iii) gearboxes and transmissions; and

(iv) right and left front mudguards; and

(v) right and left front doors; and

(vi) bonnets; and

(vii) front apron panels; and

(viii) front and rear bumper bars; and

(b) the prescribed particulars of the acquisition and disposal of a prescribed part to be entered in the register to be kept by the holder of an auto-dismantler's licence are those referred to in clause 11 (1).

(4) If a dealer disposes of a motor vehicle by auction to a person other than a trade owner, then, for the purposes of

section 21 (3) (b) of the Act, the prescribed particulars of the disposal include:

- (a) the purchaser's driving licence number and, if the licence is not a New South Wales licence, the name of the State or Territory where the licence was issued; or
- (b) some other form of identification of the purchaser acceptable to the Commissioner.

(q) by inserting after clause 11 the following clauses:

**Identification of parts by auto-dismantlers**

11A (1) For the purposes of section 26A (4) and (5) of the Act:

- (a) the prescribed parts of a motor vehicle are those specified in clause 11 (3) (a); and
- (b) the prescribed manner in which an auto-dismantler is required to mark a prescribed part of a motor vehicle is by painting on, or applying a marking pen or some marking substance to, the part the entry number made in the auto-dismantler's register relating to the part so that the number will continue to be legible while the part remains in the possession of the auto-dismantler.

(2) When an auto-dismantler disposes of a prescribed part to a person, the auto-dismantler must issue to the person a receipt which contains the following information:

- (a) the date of disposal;
- (b) a description of the part;
- (c) the register entry number marked on the part;
- (d) in the case of an engine, or a chassis or major body section - the person's name and address.

(3) For the purposes of subclause (2), an auto-dismantler must:

- (a) keep a receipt book that contains receipt forms (in duplicate), with the forms consecutively numbered by mechanical or electronic means; and
- (b) retain the book at the place where the auto-dismantler carries on business for a period of not less than 6 years after the last receipt in the book was issued.

(4) A person completing a receipt under this clause may use the appropriate abbreviations listed in clause 4 (5) to describe the part to which the receipt relates.

(5) If, on the date on which this clause commences, an auto-dismantler is in possession of parts which would have been subject to section 26A (4) or (5) of the Act had the auto-dismantler dismantled or demolished the motor vehicle from which the parts were taken, or acquired the parts, on or after that date, the auto-dismantler must, within 2 months after that date, record and mark particulars of the parts as follows:

- (a) in a case where the auto-dismantler is able to identify the vehicle from which the parts were taken - mark those parts with the number entered in relation to the vehicle in the auto-dismantler's register;
- (b) in any other case:
  - (i) enter in the auto-dismantler's register the particulars referred to in clause 11 (3) (b) that relate to the parts; and
  - (ii) mark each of the parts with the appropriate entry number recorded in the register in the manner prescribed by subclause (1) (b).

(6) Subclause (5) (b) is to be taken to have been complied with if the holder of the auto-dismantler's licence concerned has:

- (a) instead of recording the date of acquisition of the prescribed part concerned, recorded the date on which the entry was made in the register; and
- (b) instead of specifying the method of acquisition, recorded that the parts were existing stock (for which the abbreviation "ES" may be used).

#### **Identification of engines by motor vehicle parts reconstructors**

11B. (1) When a motor vehicle parts reconstructor disposes of a motor vehicle engine to a person, the motor vehicle parts reconstructor must issue to the person a receipt which contains the following information:

- (a) the date of disposal;
- (b) a description of the engine;
- (c) the number marked on the engine;
- (d) the person's name and address.

(2) For the purposes of subclause (1), a motor vehicle parts reconstructor must:

- (a) keep a receipt book that contains receipt forms (in duplicate), with the forms consecutively numbered by mechanical or electronic means; and
- (b) retain the book at the place where the motor vehicle parts reconstructor carries on business for a period of not less than 6 years after the last receipt in the book was issued.

(r) by omitting clause 13 and by inserting instead the following clause:

**Entries in a register may be transferred from one part of the register to another**

13. (1) A person who holds a licence, or an agent or employee of that person, may transfer from one part of a register kept by the person to another part of the register an entry relating to prescribed particulars of the acquisition of a motor vehicle or of a prescribed part by making a clear note, adjacent to the original entry, indicating the part of the register to which the particulars have been transferred and the number of the new entry.

(2) Subclause (1) has effect despite clause 12.

(s) by omitting clause 15 and by inserting instead the following clause:

**Identification number to be stamped on or affixed to certain parts**

15. If:

- (a) a motor vehicle parts reconstructor, in or for the purposes of carrying on the business of a motor vehicle parts reconstructor, buys or receives a part of a motor vehicle that is prescribed by clause 5 (c); and
- (b) the part does not have an identification number stamped on, or otherwise affixed to, it,

the motor vehicle parts reconstructor must stamp on, or otherwise affix to, the part such figures, or figures accompanied by letters or symbols, as will serve to identify it.

(t) by omitting from the Table to clause 16 the matter relating to Forms 4, 6, 8, 9 and 14 and by inserting instead in the appropriate numerical order the following matter:

- 4 Section 24 (2) - offer or display for sale of a second-hand motor vehicle (not being a motor cycle or an exempted motor vehicle) with the statutory warranty but without a defect notice.
- 6 Sections 24 (2) and 29 (1) - offer or display for sale of a second-hand motor vehicle (not being a motor cycle or an exempted motor vehicle) with the statutory warranty and with a defect notice.
- 8 Section 24 (2) - offer or display for sale of a second-hand motor vehicle to which the statutory warranty does not apply.
- 9 Sections 23B (2) (a) and 28 (7) - sale of a motor vehicle at an auction without the statutory warranty.
- 14 Section 28 (5) - offer or display for sale of a second-hand motor vehicle (not being a motor cycle) without the statutory warranty.

(u) by inserting after clause 16 (2) the following subclause:

(3) In this clause, a reference to the statutory warranty is a reference to the obligation imposed by section 27 of the Act.

(v) by omitting from clause 17 (1) (h) the matter "13, 14, 18 and 19" and by inserting instead the matter "13 and 14";

(w) by omitting from clause 17 (2) the matter "11A and 13" and by inserting instead the matter "11A, 13, 18 and 19";

(x) by inserting in clause 17 (5) after the matter "Form 3" the matter ", 18 or 19";

(y) by inserting after clause 17 (5) the following subclause:

(5A) A notice in accordance with Form 18 or 19 for use in connection with the display of a motor vehicle at a car market may include a form of receipt to be issued by the car market operator in respect of any fee payable for the right to display the vehicle at the car market.

- (z) by omitting clause 17 (6) (c) and by inserting instead the following paragraph
  - (c) Form 9 - the words "AUCTION NOTICE" are to be printed in bold face capital letters not less than 25 mm high and not less than 20 mm wide and the remaining words of the notice are to be printed in bold face capital letters not less than 20 mm high and not less than 15 mm wide;
- (aa) by inserting after clause 18 (2) the following subclause:
  - (3) For the purposes of section 23B (2) (a) of the Act:
    - (a) the prescribed form of notice is Form 9; and
    - (b) the prescribed manner for displaying such a notice at a place where a motor vehicle is offered or displayed for sale by auction is by prominently exhibiting the notice:
      - (i) in front of or immediately adjacent to the point from which the auctioneer will conduct the auction; and
      - (ii) at each entrance to that place; and
      - (iii) at each entrance to the place at which the vehicle is parked,

so that the wording of the notice is clearly visible to the persons who are attending the auction.

- (ab) by omitting from the definition of "auditor" in clause 21 the words "under the Public Accountants Registration Act 1945" and by inserting instead the words "as an auditor under the Companies (New South Wales) Code";
- (ac) by omitting from clause 27 (1) the word "Motor";
- (ad) by inserting after clause 37 the following clauses:

#### **Disclosures required in certain advertisements**

37A (1) A person who holds a licence must not cause or permit the publication of an advertisement (other than a radio or television advertisement) suggesting that a motor vehicle or a part of a motor vehicle is being offered or displayed for sale, unless there is included in the advertisement:

- (a) the person's name or, where the business to which the licence relates is carried on under a business name, that business name; and

- (b) the number of the licence; and
- (c) a telephone number (if any) of the place of that business.

(2) For the purposes of subclause (1), an advertisement relating to a licensed business includes but is not limited to an advertisement which suggests that:

- (a) a motor vehicle is being offered or displayed for sale; or
- (b) a particular motor vehicle, or a particular type of motor vehicle, is sought for purchase; or
- (c) any part specified in clause 5 (a1) or (c) is offered for sale or is sought for purchase.

**Details in certain advertisements**

37B. A dealer must not cause or permit the publication of an advertisement that refers to:

- (a) a specified motor vehicle or specified motor vehicles; or
- (b) any specified price at which a second-hand motor vehicle may be purchased,

unless the advertisement specifies the registration number or numbers of the vehicle or vehicles.

- (ae) by omitting from item 3 of the Table to clause 41 the matter "275" and by inserting instead the matter "810";
- (af) by omitting from item 6 of the Table to clause 41 the matter "275" and by inserting instead the matter "310";
- (ag) by omitting clause 42 and by inserting instead the following clause:

**Distribution of certain fees**

42. (1) For the purposes of section 39 (3) of the Act, the prescribed proportions of the fee referred to in item 3 of the Table to clause 41 are \$585 for distribution to the Motor Dealers Compensation Fund (comprising an initial contribution of \$500 and an annual contribution of \$85), with the remaining proportion of the fee being distributed to the Consolidated Fund.

(2) For the purposes of section 39 (3) of the Act, the prescribed proportions of the fee referred to in item 6 of the Table to clause 41 are \$85 for distribution to the Motor Dealers Compensation Fund, with the remaining proportion of the fee being distributed to the Consolidated Fund.

- (ah) by omitting Forms 1, 2, 2A, 2C, 2D, 4, 6, 8, 9, 11, 114 13, 18 and 19 and by inserting instead in numerical order the Forms set out in Schedule 1 to this Regulation;
- (ai) by omitting from Forms 7 and 7A the words "Built/Plate Date" wherever occurring and by inserting instead the words "Date of manufacture";
- (aj) by omitting from Form 14 the words "THE WARRANTY PROVISIONS OF THE MOTOR DEALERS ACT DO NOT APPLY TO OR IN RESPECT OF THIS VEHICLE." and by inserting instead the words "THERE IS NO WARRANTY UNDER THE MOTOR DEALERS ACT IN RESPECT OF THE SALE OF THIS VEHICLE.".

#### **Transitional provision**

**3.** A motor dealer or wholesaler who was, immediately before the commencement of this clause, keeping a part of a register in accordance with Form 1 or 2 of the Motor Dealers Regulation 1986 (as in force immediately before that commencement) may, after that commencement, continue to use and complete the part but need not sign any entry in the part made or completed after that commencement.

#### **Further transitional provision**

- 4. (1)** The holder of a vehicle-wrecker's licence may
  - (a) keep the register required by the Motor Dealers Act 1974 in accordance with Form 2A or 2B as set out in Schedule 1 to this Regulation before the commencement of Schedule 1 (2) (a) and (d) to the Motor Dealers (Amendment) Act 1990; and
  - (b) record and mark the parts specified in clause 11 (3) of the Motor Dealers Regulation 1986 as provided by clause 11A of that Regulation even though the last mentioned clause has not yet taken effect.
- (2)** A holder of a vehicle-wrecker's licence who does the things referred to in subclause (1) is to be taken to have complied with the requirements of the Motor Dealers Act 1974 and the Motor Dealers Regulation 1986 (as in force before the commencement of clause 2 of this Regulation) with respect to the keeping of a vehicle-wrecker's register and the entry of particulars in that register.

---

1990 - No. 529

**SCHEDULE 1**  
**SUBSTITUTED FORMS** (Cl. 2 (ag))

1990 - No. 529

**FORM 1 (right hand page)**  
**REGISTER OF CONSIGNMENT VEHICLES**

### All Columns to be Completed



**FORM 2 (right hand page)**  
**DEALER'S AND WHOLESALER'S REGISTER**

DEALER'S AND WHOLESALE

SELLER'S REGISTER

**All Columns to be Completed**

1990 - No. 529

VEHICLE DETAILS		NAME OF LICENSEE		LICENCE NO.		VEHICLE DETAILS		
ENTRY NO.	DATE OF ACQUISITION							
MAKE & BODY TYPE	MODEL DESIGNATION							
DATE OF MANUFACTURE	REG. NO. (IF ANY)	DATE OF MANUFACTURE	REG. NO. (IF ANY)	DATE OF MANUFACTURE	REG. NO. (IF ANY)	DATE OF MANUFACTURE	REG. NO. (IF ANY)	
ODOMETER READING	NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED	ODOMETER READING	NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED	ODOMETER READING	NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED	ODOMETER READING	NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED	
NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED	ENGINE NO.	NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED	ENGINE NO.	NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED	ENGINE NO.	NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED	ENGINE NO.	
VIN or CHASSIS NO.	PRESCRIBED PARTS							
	DESCRIPTION	SALVAGED (Y/N)	DATE OF DISPOSAL	*RECEIPT NO.	DESCRIPTION	SALVAGED (Y/N)	DATE OF DISPOSAL	*RECEIPT NO.
Engine	Major body Section/Chassis			Engine	Major body Section/Chassis			
Bonnet	Major body Section/Chassis			Bonnet	Major body Section/Chassis			
Right side door (front)	Right side door (front)			Right side door (front)	Right side door (front)			
Left side door (front)	Left side door (front)			Left side door (front)	Left side door (front)			
Right front guard	Right front guard			Right front guard	Right front guard			
Left front guard	Left front guard			Left front guard	Left front guard			
Front bumper bar	Front bumper bar			Front bumper bar	Front bumper bar			
Rear bumper bar	Rear bumper bar			Rear bumper bar	Rear bumper bar			
Front apron panel	Front apron panel			Front apron panel	Front apron panel			
Transmission/gearbox	Transmission/gearbox			Transmission/gearbox	Transmission/gearbox			

**NOTE:** Name & address of purchaser MUST be recorded on sale receipt of engine and chassis or major body sections.

## FORM 2A - REGISTER OF DISMANTLED VEHICLES AND THEIR PARTS

(right hand page)  
VEHICLE DETAILS

VEHICLE DETAILS		PRESCRIBED PARTS			
ENTRY NO.	ENTRY NO.	DATE SALVAGED (Y/N)	DATE OF DISPOSAL (Y/N)	*RECEIPT NO.	*RECEIPT NO.
DATE OF ACQUISITION					
MAKE & BODY TYPE					
MODEL DESIGNATION					
DATE OF MANUFACTURE					
REG. NO. (IF ANY)					
ODOMETER READING					
NAME & ADDRESS OF PERSON FROM WHOM ACQUIRED					
ENGINE NO.					
VIN or CHASSIS NO.					
PRESCRIBED PARTS					
DESCRIPTION	DATE SALVAGED (Y/N)	DATE OF DISPOSAL (Y/N)	*RECEIPT NO.	DESCRIPTION	DATE OF DISPOSAL (Y/N)
Engine				Major body Section/Chassis	
Major body Section/Chassis				Major body Section/Chassis	
Bonnet				Bonnet	
Right side door (front)				Right side door (front)	
Left side door (front)				Left side door (front)	
Right front guard				Right front guard	
Left front guard				Left front guard	
Front bumper bar				Front bumper bar	
Rear bumper bar				Rear bumper bar	
Front apron panel				Front apron panel	
Transmission/gearbox				Transmission/gearbox	

\*NOTE: Name &amp; address of purchaser MUST be recorded on sale receipt of engine and chassis or major body sections.

\* See Front Page for Details

LICENCE NO.

**FORM 2B (right hand page)**  
**PRESCRIBED PARTS REGISTER**

All Columns to be Completed

**\*NOTE:** Name & address of purchaser MUST be recorded on sale receipt of original and chassis or major body sections

BUSINESS AND  
CONSUMER AFFAIRSFORM 4  
MOTOR DEALERS ACT 1974D \_\_\_\_\_  
REGISTER DETAILS:  
BOOK NO. \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_WARRANTY  
WARRANTY UNDER MOTOR DEALERS ACT APPLIES TO THIS VEHICLE  
DEALERS NOTICE - PART 1  
(To be completed when vehicle offered or displayed for sale)

DEALER			LICENCE No.
FULL BUSINESS ADDRESS (No.) (Street) (Suburb/Town/City)			
Make of Vehicle		Engine No.	
Model Designation		VIN or Chassis No.	
Date of Manufacture		Distance Travelled	mls km
Body Type		Date Notice Affixed to Vehicle	/ /19
CASH PRICE \$		Registration No.	

## PART 2

(To be completed at or before time of sale)

Cash price at which vehicle sold	Odometer reading at time of sale	mls km
Purchaser's Full Name		
Purchaser's Address		
Trade-in (if any)	(Description)	(Regn. No.)
Purchaser's Signature		Trade-in Alice. \$
Name (print) and signature of Dealer Agent or Employee effecting Sale		

- **WARRANTY: 3 months or 5,000 kilometres (whichever first occurs)**  
**Applies to vehicles that at the time of sale are not more than 10 years old and have not travelled more than 160,000 kms.**
- The dealer is required to repair or make good any defect in the vehicle at the time of sale or occurring within the warranty period so as to place the vehicle in a reasonable condition having regard to its age.
- Warranty does not cover tyres and batteries, superficial damage to paintwork/upholstery, accidental damage occurring after the sale of the vehicle and defects arising from use for motor racing/rallying or driver misuse/negligence.
- A person may not waive or vary this warranty without prior written consent of the Commissioner for Consumer Affairs.
- **THE DEALER MUST BE GIVEN FIRST OPPORTUNITY TO ARRANGE WARRANTY REPAIRS**

BUSINESS AND  
CONSUMER AFFAIRSFORM 6  
MOTOR DEALERS ACT 1974F \_\_\_\_\_  
REGISTER DETAILS:  
BOOK NO. \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_DEALERS NOTICE - EXCLUDED DEFECTS - PART 1  
(To be completed when vehicle offered or displayed for sale)

DEALER		LICENCE No.
FULL BUSINESS ADDRESS (No.) (Street) (Suburb/Town/City)		
Make of Vehicle	Engine No.	
Model Designation	VIN or Chassis No.	
Date of Manufacture	Distance Travelled	mls km
Body Type	Date Notice Affixed to Vehicle / /19	
CASH PRICE \$		Registration No.

## WARRANTY EXCLUSIONS

I ACKNOWLEDGE THAT THE DEFECTS SHOWN BELOW ARE EXCLUDED FROM THE WARRANTY PROVISIONS OF THE MOTOR DEALERS ACT. (ANY ANNEXURES MUST ALSO BE SIGNED).  
Signature of Purchaser.....

Excluded Defects	Estimated fair cost of repair or making good defects

## NOTE: ROADWORTHINESS ITEMS MAY NOT BE EXCLUDED FROM WARRANTY

Name (print) & signature of Motor Mechanic ..... MVRIC Certificate No. ....  
(If there is insufficient space an annexure may be made to this notice provided a reference is made to the annexure in this notice and the annexure is signed by the motor mechanic.)

The cost of repairs to the extent of the estimate shown for each defect is the responsibility of the purchaser. The dealer is only obliged to (1) repair or make good unlisted defects, or (2) pay the difference where the fair cost of repairing or making good a listed defect estimated by the dealer is less than the fair cost of then repairing or making good that defect.

- **WARRANTY: 3 months or 5,000 kms (whichever comes first)** applies to vehicles that at the time of sale are not more than 10 years old and have not travelled more than 160,000 kilometres.
- Subject to the above the dealer is obliged to repair or make good any defect existing in the vehicle at the time of sale or occurring within the warranty period so as to place the vehicle in a reasonable condition having regard to its age.
- Excluded from this warranty are defects in tyres and batteries, superficial damage to paintwork/upholstery, accidental damage occurring after the sale of the vehicle and defects arising from driver misuse/negligence or use for motor racing/rallying.
- NOTE: The Motor Dealers Act provides that a person cannot, without the prior consent in writing of the Commissioner, forego any right conferred on him by the Act with regard to warranty. Any attempt to forego these rights without that consent is of no effect.
- **THE DEALER MUST BE GIVEN FIRST OPPORTUNITY TO ARRANGE WARRANTY REPAIRS**

1990 - No. 529

**FORM 6 - (continued)**

The dealer must deliver to the purchaser an Inspection Report issued in accordance with the Traffic Act 1909, which has been issued not more than one month before the date of sale stating that the vehicle is roadworthy unless registration of the vehicle has been effected within one month before that date.

---

**PART 2**

**PART 2**

1990 - No. 529

## BUSINESS AND CONSUMER AFFAIRS

**FORM 8**  
MOTOR DEALERS ACT 1974

H \_\_\_\_\_  
REGISTER DETAILS:  
BOOK NO. \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_

**NO WARRANTY**  
**NO WARRANTY UNDER THE MOTOR DEALERS ACT FOR THIS VEHICLE**

## **DEALERS NOTICE - PART 1**

(To be completed when vehicle offered or displayed for sale)

DEALER		LICENCE No.	
FULL BUSINESS ADDRESS			
(No.)	(Street)	(Suburb/Town/City)	
Make of Vehicle		Engine No.	
Model Designation		VIN or Chassis No.	
Date of Manufacture		Distance Travelled	mis km
Body Type		Date of Expiry of Registration	/ /19
CASH PRICE \$		Registration No.	

Date Notice Affixed to Vehicle / /19

**THERE IS NO WARRANTY UNDER THE MOTOR DEALERS ACT IN RESPECT OF THE SALE OF THIS VEHICLE. ACCORDINGLY THE DEALER IS NOT REQUIRED BY THE ACT TO REPAIR OR MAKE GOOD ANY DEFECT WHICH MAY EXIST OR OCCUR IN THIS VEHICLE.** (Warranty only applies to vehicles that at the time of sale are not more than 10 years old and have not travelled more than 160,000 kms.)

The dealer must deliver to the purchaser an Inspection Report issued in accordance with the Traffic Act 1909, which has been issued not more than one month before the date of sale stating that the vehicle is roadworthy.

PART 3

**PART 2**

**FORM 9**

**MOTOR DEALERS ACT 1974**

**AUCTION NOTICE**

IF A MOTOR VEHICLE WITH REGISTRATION PLATES IS SOLD TO A PRIVATE PURCHASER, WHETHER ON THE FALL OF THE HAMMER OR BY SUBSEQUENT NEGOTIATION WITH THE HIGHEST BIDDER, AN INSPECTION REPORT NOT MORE THAN 1 MONTH OLD WHICH IS ISSUED IN RESPECT OF THE VEHICLE AND STATES THAT THE VEHICLE IS ROADWORTHY WILL BE PROVIDED AT THE TIME OF DELIVERY OF THE VEHICLE TO THE PURCHASER.

A PRIVATE PURCHASER MEANS A PERSON OTHER THAN A FINANCIER OR THE HOLDER OF A LICENCE UNDER THE MOTOR DEALERS ACT 1974 OR UNDER SOME OTHER LEGISLATION IN FORCE IN AUSTRALIA THAT CORRESPONDS TO THAT ACT.

---

BUSINESS AND  
CONSUMER AFFAIRSFORM 11  
MOTOR DEALERS ACT 1974K \_\_\_\_\_  
REGISTER DETAILS:  
BOOK NO. \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_DEMONSTRATOR MOTOR VEHICLE NOTICE  
(To be completed and delivered to the purchaser at or before time of sale)

DEALER		LICENCE No.	
FULL BUSINESS ADDRESS (No.) (Street) (Suburb/Town/City)			
Make of Vehicle		Engine No.	
Model Designation		VIN or Chassis No.	
Body Type	Date of Manufacture	Registration No.	

The "new" vehicle price of this vehicle (including registration, delivery and/or freight charges and the same optional extras) was \$..... at the date of first registration.

- **WARRANTY**  
20,000 Kilometres after manufacture or 12 months less 1 month for each 2,000 kilometres that the vehicle has been driven before being sold by the dealer (whichever first occurs). If the vehicle has been driven for 15,000 kilometres or more at the time of sale a warranty of 3 months or 5,000 kilometres (whichever first occurs) applies.
- The dealer is required to repair or make good any defect in the vehicle at the time of sale or occurring within the warranty period so as to place the vehicle in a reasonable condition having regard to its age.
- Warranty does not cover tyres and batteries, superficial damage to paintwork/upholstery, accidental damage occurring after the sale of the vehicle and defects arising from use for motor racing/rallying or driver misuse/negligence.
- A person may not waive or vary this warranty without prior written consent of the Commissioner for Consumer Affairs.
- **THE DEALER MUST BE GIVEN FIRST OPPORTUNITY TO ARRANGE WARRANTY REPAIRS**

Date of Sale / /19	Odometer reading at time of sale	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> km
The cash price of this vehicle including registration and optional extras fitted is \$		
Purchaser's Full Name		
Purchaser's Address		
Trade-in (if any)	(Description)	Trade-in Alice. \$
Purchaser's Signature		
Name (print) and Signature of Dealer Agent or Employee effecting Sale		

BUSINESS AND  
CONSUMER AFFAIRSFORM 11A  
MOTOR DEALERS ACT 1974L \_\_\_\_\_  
REGISTER DETAILS:  
BOOK NO. \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_DEMONSTRATOR VEHICLE NOTICE - EXCLUDED DEFECTS  
(To be completed when vehicle offered or displayed for sale)

DEALER				LICENCE No.
FULL BUSINESS ADDRESS (No.) (Street)				(Suburb/Town/City)
Make of Vehicle		Engine No.		
Model Designation		VIN or Chassis No.		
Body Type	Date of Manufacture		Registration No.	

The "new" vehicle price of this vehicle (including registration, delivery and/or freight charges and the same optional extras) was \$..... at the date of first registration.

## WARRANTY EXCLUSIONS

I ACKNOWLEDGE THAT THE DEFECTS SHOWN BELOW ARE EXCLUDED FROM THE WARRANTY PROVISIONS OF THE MOTOR DEALERS ACT. (ANY ANNEXURES MUST ALSO BE SIGNED).

Signature of Purchaser.....

Excluded Defects	Estimated fair cost of repair or making good defects

## NOTE: ROADWORTHINESS ITEMS MAY NOT BE EXCLUDED FROM WARRANTY

Name (print) & signature of Motor Mechanic ..... MVRIC Certificate No.....  
(If there is insufficient space an annexure may be made to this notice provided a reference is made to the annexure in this notice and the annexure is signed by the motor mechanic.)

The cost of repairs to the extent of the estimate shown for each defect is the responsibility of the purchaser. The dealer is only obliged to (1) repair or make good unlisted defects, or (2) pay the difference where the fair cost of repairing or making good a listed defect estimated by the dealer is less than the fair cost of then repairing or making good that defect.

- **WARRANTY:** 20,000 Kilometres after manufacture or 12 months less 1 month for each 2,000 kilometres that the vehicle has been driven before being sold by the dealer (whichever first occurs).  
If the vehicle has been driven for 15,000 Kilometres or more at the time of sale a warranty of 3 months or 5,000 Kilometres (whichever first occurs) applies.
- The dealer is required to repair or make good any defect in the vehicle at the time of sale or occurring within the warranty period so as to place the vehicle in a reasonable condition having regard to its age.
- Warranty does not cover tyres and batteries, superficial damage to paintwork/upholstery, accidental damage occurring after the sale of the vehicle and defects arising from use for motor racing/rallying or driver misuse/negligence.
- A person may not waive or vary this warranty without prior written consent of the Commissioner for Consumer Affairs.
- **THE DEALER MUST BE GIVEN FIRST OPPORTUNITY TO ARRANGE WARRANTY REPAIRS**

1990 - No. 529

**FORM 11A - (continued)**

The dealer must deliver to the purchaser an Inspection Report issued in accordance with the Traffic Act 1909, which has been issued not more than one month before the date of sale stating that the vehicle is roadworthy unless registration of the vehicle has been effected within one month before that date.

BUSINESS AND  
CONSUMER AFFAIRS

**FORM 13**  
MOTOR DEALERS ACT 1974

**DEMONSTRATOR MOTOR VEHICLE NOTICE**  
(To be completed and delivered to the purchaser at or before time of sale)

DEALER			LICENCE No.
FULL BUSINESS ADDRESS (No.) (Street) (Suburb/Town/City)			
Make of Vehicle		Engine No.	
Model Designation		VIN or Chassis No.	
Body Type	Date of Manufacture		Registration No.

**THE FOLLOWING DAMAGE HAS BEEN CAUSED TO THE VEHICLE DESCRIBED IN  
THIS NOTICE**

<b>NATURE AND EXTENT OF DAMAGE</b>	
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	

**NOTE**

The Motor Dealers Act provides that the dealer must disclose:

- (a) damage caused by exposure to water (eg immersion in floodwater or exposure to salt water that has caused damage by initiating corrosion or otherwise reducing the quality of the vehicle); or
- (b) accidental damage to the body or frame of the vehicle which has required:
  - the replacement or repair of any of the panels, structural members or components of the vehicle by cutting and welding, by the application of heat or by any other means; or
  - repairs that are wholly effected by the replacement of not less than 4 major external panels fixed to the vehicle by means of bolts, screws or other fastening devices and the replacement or repair of fittings.

Purchaser's Full Name	Date of Sale / /19
Purchaser's Address	
Name (print) and Signature of Dealer Agent or Employee effecting Sale	

FORM 18

MOTOR DEALERS ACT 1974

CAR MARKET REGISTER AND NOTICE

Form No: M \_\_\_\_\_

DATE: \_\_\_\_\_

# TITLE GUARANTEED

THIS VEHICLE IS SOLD WITHOUT STATUTORY WARRANTY  
UNDER THE MOTOR DEALERS ACT.  
THE CAR MARKET OPERATOR GUARANTEES THE VENDOR HAS  
UNENCUMBERED TITLE TO THE VEHICLE.

VEHICLE DETAILS	REGISTERED NO: _____
MAKE: _____	ENGINE NO: _____
MODEL: _____	ODOMETER: _____ KM/MLS*
BODY TYPE: _____	DATE OF MANUFACTURE: _____
CERTIFICATE OF INSPECTION NO: _____	DATE OF ISSUE: _____
REGISTERED OWNER	
NAME: _____	
ADDRESS: _____	
EXPIRY DATE OF REGISTRATION: _____	
SOURCE OF INFORMATION - Registration papers: Yes/No *	
- Interim receipt: Yes/No *	
- Other (specify) _____	
DETAILS OF DRIVER (when vehicle enters market)	
NAME: _____	
ADDRESS: _____	
LICENCE NO: _____	EXPIRY DATE: _____
DRIVER'S SIGNATURE: _____	

\*NOTE: Delete whichever is inapplicable.

FORM 19  
MOTOR DEALERS ACT 1974

CAR MARKET REGISTER AND NOTICE

Form No: M \_\_\_\_\_

DATE: \_\_\_\_\_

# TITLE NOT GUARANTEED

THIS VEHICLE IS SOLD WITHOUT STATUTORY WARRANTY  
UNDER THE MOTOR DEALERS ACT.  
THE VENDOR'S TITLE TO THE VEHICLE IS NOT GUARANTEED  
BY THE CAR MARKET OPERATOR.

VEHICLE DETAILS	REGISTERED NO: _____
MAKE: _____	ENGINE NO: _____
MODEL: _____	ODOMETER: _____ KM/MLS*
BODY TYPE: _____	DATE OF MANUFACTURE: _____
CERTIFICATE OF INSPECTION NO: _____	DATE OF ISSUE: _____
REGISTERED OWNER	
NAME: _____	
ADDRESS: _____	
EXPIRY DATE OF REGISTRATION: _____	
SOURCE OF INFORMATION - Registration papers: Yes/No * - Interim receipt: Yes/No * - Other (specify) _____	
DETAILS OF DRIVER (when vehicle enters market)	
NAME: _____	
ADDRESS: _____	
LICENCE NO: _____	EXPIRY DATE: _____
DRIVER'S SIGNATURE: _____	

\*NOTE: Delete whichever is inapplicable.

**EXPLANATORY NOTE**

The objects of this Regulation are to amend the Motor Dealers Regulation 1986 so as:

- (a) to prescribe for the purposes of the Motor Dealers Act 1974 certain automobile parts which are to be marked by holders of auto-dismantlers' licences; and
- (b) to prescribe the manner in which such parts are to be marked and to provide for the keeping of registers of the acquisition and disposal of such parts; and
- (c) to make provision for car market operators to keep registers relating to motor vehicles offered or displayed at their markets; and
- (d) to impose further requirements with respect to the keeping of registers under the Act; and
- (e) to make further provision for the regulation of auctions of motor vehicles; and
- (f) to make further provision for the regulation of advertising relating to the sale of motor vehicles by holders of licences under the Act; and
- (g) to replace certain forms used for the purposes of the Act and to introduce certain new forms; and
- (h) to provide for other matters of a consequential, ancillary or minor nature.

---