

1993—No. 70

MOTOR DEALERS ACT 1974—REGULATION

(Relating to offences dealt with by penalty notices)

NEW SOUTH WALES



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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.

KERRY CHIKAROVSKI,
Minister for Consumer Affairs.

Commencement

1. This Regulation commences on 12th March, 1993.

Amendments

2. The Motor Dealers Regulation 1986 is amended:

(a) by inserting after clause 44 the following clause:

Prescribed offences and penalties

44A For the purposes of section 53E of the Act:

- (a) an offence specified in Schedule 2 is a prescribed offence;
and
- (b) the amount specified in Schedule 2 in respect of such an offence is the prescribed amount of penalty for the offence.

(b) by inserting after Schedule 1 the following Schedule:

SCHEDULE 2—PENALTY NOTICES

(Cl. 44A)

OFFENCE	PENALTY
Offences under the Motor Dealers Act 1974	
Section 21 (1)—being the holder of a licence, fail to keep a register in the prescribed form at the licensee's place of business	\$50.00
Section 21 (2)—being the holder of a dealer's licence who carries on another business under the same licence, fail to keep a register in respect of the other business	\$50.00
Section 21 (3)—being the holder of a dealer's licence, fail to enter the prescribed particulars in the register	\$50.00
Section 21 (4)—being the holder of an auto-dismantler's licence, fail to enter the prescribed particulars in the register	\$50.00
Section 21 (5)—being the holder of a wholesaler's licence, fail to enter the prescribed particulars in the register	\$50.00
Section 21 (6)—being the holder of a motor vehicle parts reconstructor's licence, fail to enter the prescribed particulars in the register	\$50.00
Section 21 (7)—being the holder of a motor vehicle consultant's licence, fail to enter the prescribed particulars in the register	\$50.00
Section 21 (8)—being the holder of a prescribed licence, fail to enter the prescribed particulars in the register	\$50.00
Section 23A—being the holder of a licence, offer or display a motor vehicle for sale otherwise than at the place of business specified in the licence	\$50.00

Section 24 (2)—being a dealer, offer or display for sale a second-hand motor vehicle without attaching to it the prescribed notice	\$50.00
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Offences under the Motor Dealers Regulation 1986

Clause 37A—being the holder of a licence, cause or permit the publication of an advertisement of a motor vehicle or part to be offered or displayed for sale without including the prescribed matter in the advertisement	\$200.00
Clause 37B—being a dealer, cause or permit the publication of an advertisement referring to a specified motor vehicle, or to a second-hand motor vehicle for sale at a specified price, without specifying the registration number of the vehicle	\$200.00

EXPLANATORY NOTE

The purpose of this Regulation is to amend the Motor Dealers Regulation 1986 so as to prescribe certain offences under the Motor Dealers Act 1974 as offences for which penalty notices may be issued and to prescribe the amount of the penalty payable under a penalty notice.
