



New South Wales

# Motor Vehicle Repairs Amendment Regulation 2002

under the

Motor Vehicle Repairs Act 1980

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Vehicle Repairs Act 1980*.

JOHN AQUILINA, M.P.,  
Minister for Fair Trading

## Explanatory note

The objects of this Regulation are as follows:

- (a) to raise the level of the maximum penalties for offences under the *Motor Vehicle Repairs Regulation 1999* from 5 penalty units to 20 penalty units,
- (b) to increase fees relating to certain licences under the *Motor Vehicle Repairs Act 1980*,
- (c) to prescribe matters to be included in a deed containing undertakings by a repairer who has repeatedly engaged in unjust conduct,
- (d) to omit unnecessary provisions and update references.

This Regulation is made under the *Motor Vehicle Repairs Act 1980*, including sections 16, 20, 21, 24, 48, 78 and 89 (the general regulation-making power).

**2002 No 429**

Clause 1                      Motor Vehicle Repairs Amendment Regulation 2002

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**Motor Vehicle Repairs Amendment Regulation 2002**

**1 Name of Regulation**

This Regulation is the *Motor Vehicle Repairs Amendment Regulation 2002*.

**2 Commencement**

This Regulation commences on 1 July 2002.

**3 Amendment of Motor Vehicle Repairs Regulation 1999**

The *Motor Vehicle Repairs Regulation 1999* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Clause 3)

**[1] Clause 5 Licensee to keep records**

Omit “5 penalty units”. Insert instead “20 penalty units”.

**[2] Clause 10 Completion of records**

Omit “5 penalty units” wherever occurring. Insert instead “20 penalty units”.

**[3] Clause 11 Retention of records**

Omit “5 penalty units” from clause 11 (1). Insert instead “20 penalty units”.

**[4] Clause 12 False or misleading entries**

Omit “5 penalty units”. Insert instead “20 penalty units”.

**[5] Clause 13 Fees**

Omit “\$496” from clause 13 (2) (a).

Insert instead “\$342 and an additional \$154 for each place of business or mobile workshop in or with respect to which the applicant proposes to carry on business”.

**[6] Clause 13 (2) (b)**

Omit “\$238”.

Insert instead “\$238 for each place of business or mobile workshop in or with respect to which the applicant proposes to carry on business”.

**[7] Clause 13 (2) (c)**

Omit the paragraph. Insert instead:

- (c) \$55 for each inspection made by the Authority, as referred to in section 89 (1) (g) of the Act,

**[8] Clause 15 Display of signs**

Omit “5 penalty units”. Insert instead “20 penalty units”.

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Motor Vehicle Repairs Amendment Regulation 2002

Schedule 1 Amendments

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**[9] Clause 16 Display of licence**

Omit “5 penalty units”. Insert instead “20 penalty units”.

**[10] Clause 17**

Omit the clause. Insert instead:

**17 Register of Undertakings**

For the purposes of section 48 (3) of the Act, the following particulars are prescribed in relation to a deed executed by a repairer in accordance with Part 5 of the Act:

- (a) the repairer’s name and licence number,
- (b) the address of the repairer’s premises (if any),
- (c) the date on which the deed was executed by the dealer,
- (d) brief particulars of the circumstances and unjust conduct that led to the execution of the deed,
- (e) a summary of the undertakings given by the repairer in the deed.

**[11] Clause 18**

Omit the clause. Insert instead:

**18 Evidentiary certificates: section 78**

For the purposes of section 78 (2) of the Act, the General Manager is a prescribed officer by whom a certificate referred to in that subsection may be certified.

**[12] Clause 19**

Omit the clause.

**[13] Schedule 1**

Omit the Schedule.

BY AUTHORITY