



Motor Dealers Amendment (Forms) Regulation 2003

under the

Motor Dealers Act 1974

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Dealers Act 1974*.

REBA MEAGHER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the forms required to be given or displayed at the time of sale of a motor vehicle to include a statement about whether the motor vehicle is listed on REVS as being, or having been, a written off or wrecked motor vehicle, and to make other minor amendments to the forms.

This Regulation is made under the *Motor Dealers Act 1974*, including sections 19, 21, 23B, 24, 25, 27, 28, 29, 29B, 31, 32, 33, 34, 37, 38, 39, 40, 41 and 57 (the general regulation-making power).

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Clause 1 Motor Dealers Amendment (Forms) Regulation 2003

Motor Dealers Amendment (Forms) Regulation 2003

under the

Motor Dealers Act 1974

1 Name of Regulation

This Regulation is the *Motor Dealers Amendment (Forms) Regulation 2003*.

2 Commencement

This Regulation commences on 1 July 2003.

3 Amendment of Motor Dealers Regulation 1999

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

Schedule 1 Amendments

(Clause 2)

[1] Schedule 3 Forms

Omit “**Dealers’ register for vehicles sold on consignment**” from Form 1.
Insert instead “**Register for consigned vehicles**”.

[2] Schedule 3, Form 2B

Omit “**Auto dismantlers’ and motor parts reconstructors’ register for parts and accessories**”.
Insert instead “**Prescribed parts register**”.

[3] Schedule 3, Form 3

Omit “**Sale notice for second-hand motor cycle not an exempted motor vehicle**”.
Insert instead “**Dealers notice (motor cycles)**”.

[4] Schedule 3, Form 3

Insert “OF DEALER WHERE MOTOR CYCLE SOLD” after “FULL BUSINESS ADDRESS”.

[5] Schedule 3, Form 3

Renumber Parts 3 and 4 as Parts 4 and 5, respectively.

[6] Schedule 3, Form 3

Insert after Part 2:

Part 3 (To be completed when motor cycle offered or displayed for sale)

The information below has been checked with the Register of Encumbered Vehicles (REVS).

Note. REVS records do not include written off vehicles that were repaired and re-registered prior to 1 July 2003. For more information about what is recorded on the register, contact REVS.

The motor cycle is/is not listed on REVS as being, or having been, a written off or wrecked motor vehicle.

(delete inapplicable words)

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Schedule 1 Amendments

[7] Schedule 3, Form 3

Omit “one month”. Insert instead “90 days”.

[8] Schedule 3, Forms 3 and 5

Omit “second-hand trail bikes, and no warranty on second-hand motor cycles that do not comply with the relevant Australian Design Rules” wherever occurring.

Insert instead “a second-hand motor cycle of a design that is incapable of being registered in New South Wales”.

[9] Schedule 3, Form 4

Omit “**Sale notice for second-hand motor vehicle with statutory warranty and without notice of excluded defects**”.

Insert instead:

Warranty

Warranty under *Motor Dealers Act 1974* applies to this vehicle

[10] Schedule 3, Form 4

Insert “OF DEALER WHERE VEHICLE SOLD” after “FULL BUSINESS ADDRESS”.

[11] Schedule 3, Form 4

Renumber Part 3 as Part 4.

[12] Schedule 3, Form 4

Insert after part 2:

Part 3 (To be completed when vehicle offered or displayed for sale)

The information below has been checked with the Register of Encumbered Vehicles (REVS).

Note. REVS records do not include written off vehicles that were repaired and re-registered prior to 1 July 2003. For more information about what is recorded on the register, contact REVS.

The vehicle is/is not listed on REVS as being, or having been, a written off or wrecked motor vehicle.

(delete inapplicable words)

[13] Schedule 3, Form 5

Omit “**Sale notice for second-hand motor cycle offered for sale with notice of excluded defects**”.

Insert instead “**Dealers notice (motor cycles)—(excluded defects)**”.

[14] Schedule 3, Form 5

Insert “OF DEALER WHERE MOTOR CYCLE SOLD” after “FULL BUSINESS ADDRESS”.

[15] Schedule 3, Form 5

Omit “one month” where firstly occurring. Insert instead “90 days”.

[16] Schedule 3, Form 5

Renumber Part 3 as Part 4.

[17] Schedule 3, Form 5

Insert after Part 2:

Part 3 (To be completed when motor cycle offered or displayed for sale)

The information below has been checked with the Register of Encumbered Vehicles (REVS).

Note. REVS records do not include written off vehicles that were repaired and re-registered prior to 1 July 2003. For more information about what is recorded on the register, contact REVS.

The motor cycle is/is not listed on REVS as being, or having been, a written off or wrecked motor vehicle.

(delete inapplicable words)

[18] Schedule 3, Form 6

Omit “**Sale notice for second-hand motor vehicle with statutory warranty and notice of excluded defects**”.

Insert instead “**Dealers notice—excluded defects**”.

[19] Schedule 3, Form 6

Insert “OF DEALER WHERE VEHICLE SOLD” after “FULL BUSINESS ADDRESS”.

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Schedule 1 Amendments

[20] Schedule 3, Form 6

Omit “one month” where firstly occurring. Insert instead “90 days”.

[21] Schedule 3, Form 6

Renumber Part 3 as Part 4.

[22] Schedule 3, Form 6

Insert after Part 2:

Part 3 (To be completed when vehicle offered or displayed for sale)

The information below has been checked with the Register of Encumbered Vehicles (REVS).

Note. REVS records do not include written off vehicles that were repaired and re-registered prior to 1 July 2003. For more information about what is recorded on the register, contact REVS.

The vehicle is/is not listed on REVS as being, or having been, a written off or wrecked motor vehicle.

(delete inapplicable words)

[23] Schedule 3, Form 7

Omit “**Disposal notice for single second-hand motor vehicle sold to trade owner**”.

Insert instead “**Inter-trade owner disposal—single vehicle**”.

[24] Schedule 3, Form 7A

Omit “**Disposal notice for two or more motor vehicles sold to trade owner**”.

Insert instead “**Inter-trade owner disposal—two or more vehicles**”.

[25] Schedule 3, Form 8

Omit “**Sale notice for second-hand motor vehicle where sale does not attract statutory warranty**”.

Insert instead:

No Warranty

No warranty under *Motor Dealers Act 1974* applies to this vehicle

[26] Schedule 3, Form 8

Insert "OF DEALER WHERE VEHICLE SOLD" after "FULL BUSINESS ADDRESS".

[27] Schedule 3, Form 8

Insert "and date of notice" after "Date of expiry of registration".

[28] Schedule 3, Form 8

Renumber Part 3 as Part 4.

[29] Schedule 3, Form 8

Omit Part 2. Insert instead:

Part 2 (To be completed at or before time of sale)

Cash price at which vehicle sold \$	Odometer reading at time of sale	km
Serial No of Inspection Report (RTA) (where applicable)	Date of issue of report	
Purchaser's full name		
Purchaser's address		
Trade-in (if any)	(Description)	(Registration No) Trade-in Allowance \$
Purchaser's signature	Date of sale	

Name (print) and signature of dealer, agent or employee effecting sale

The dealer must deliver to the purchaser an Inspection Report issued in accordance with the regulations under the *Road Transport (Vehicle Registration) Act 1997*, which has been issued not more than 90 days 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 3 (To be completed when vehicle offered or displayed for sale)

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Schedule 1 Amendments

The information below has been checked with the Register of Encumbered Vehicles (REVS).

Note. REVS records do not include written off vehicles that were repaired and re-registered prior to 1 July 2003. For more information about what is recorded on the register, contact REVS.

The vehicle is/is not listed on REVS as being, or having been, a written off or wrecked motor vehicle.

(delete inapplicable words)

[30] Schedule 3, Form 9

Omit “**Sale notice for motor vehicle sold at auction without roadworthy certificate**”.

Insert instead “**Auction notice**”.

[31] Schedule 3, Form 9

Omit “1 month”. Insert instead “90 days”.

[32] Schedule 3, Form 11

Omit “**Sale notice for demonstrator motor vehicle without a notice of excluded defects**”.

Insert instead “**Demonstrator vehicle notice**”.

[33] Schedule 3, Form 11

Insert “**OF DEALER WHERE VEHICLE SOLD**” after “**FULL BUSINESS ADDRESS**”.

[34] Schedule 3, Form 11

Renumber Part 3 as Part 4.

[35] Schedule 3, Form 11

Insert after Part 2:

Part 3 (To be completed when vehicle offered or displayed for sale)

The information below has been checked with the Register of Encumbered Vehicles (REVS).

Note. REVS records do not include written off vehicles that were repaired and re-registered prior to 1 July 2003. For more information about what is recorded on the register, contact REVS.

The vehicle is/is not listed on REVS as being, or having been, a written off or wrecked motor vehicle.

(delete inapplicable words)

[36] Schedule 3, Form 11A

Omit “**Sale notice for demonstrator motor vehicle with notice of excluded defects**”.

Insert instead “**Demonstrator vehicle notice—excluded defects**”.

[37] Schedule 3, Form 11A

Insert “**OF DEALER WHERE VEHICLE SOLD**” after “**FULL BUSINESS ADDRESS**”.

[38] Schedule 3, Form 11A

Omit “one month” where firstly occurring. Insert instead “90 days”.

[39] Schedule 3, Form 11A

Renumber Part 3 as Part 4.

[40] Schedule 3, Form 11A

Insert after Part 2:

Part 3 (To be completed when vehicle offered or displayed for sale)

The information below has been checked with the Register of Encumbered Vehicles (REVS).

Note. REVS records do not include written off vehicles that were repaired and re-registered prior to 1 July 2003. For more information about what is recorded on the register, contact REVS.

The vehicle is/is not listed on REVS as being, or having been, a written off or wrecked motor vehicle.

(delete inapplicable words)

[41] Schedule 3, Form 13

Omit “**Sale notice for damaged new and demonstrator motor vehicles**”.

Insert instead “**Notice of damage—new and demonstrator motor vehicles**”.

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Schedule 1 Amendments

[42] Schedule 3, Form 13

Insert “OF DEALER WHERE VEHICLE SOLD” after “FULL BUSINESS ADDRESS”.

[43] Schedule 3, Form 18

Omit “Car market operators’ register/sale notice for guaranteed vehicles”.

Insert instead “Car market register and notice—title guaranteed”.

[44] Schedule 3, Form 19

Omit “Car market operators’ register for unguaranteed vehicles”.

Insert instead “Car market register and notice—title not guaranteed”.

BY AUTHORITY
