



New South Wales

Motor Dealers and Repairers Amendment (Miscellaneous) Regulation 2020

under the

Motor Dealers and Repairers Act 2013

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Dealers and Repairers Act 2013*.

KEVIN ANDERSON, MP
Minister for Better Regulation and Innovation

Explanatory note

The objects of this Regulation are—

- (a) to provide that the *Motor Dealers and Repairers Act 2013* applies to a motor vehicle that is a written-off light vehicle recorded in the NSW written-off light vehicles register or an interstate written-off light vehicle, and
- (b) to require interstate and Territory motor dealers to display additional information at declared trade shows in order to fall within the exemption from the offence in relation to unlicensed motor dealers under section 11 of the *Motor Dealers and Repairers Act 2013*.

This Regulation is made under the *Motor Dealers and Repairers Act 2013*, including section 186 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Motor Dealers and Repairers Amendment (Miscellaneous) Regulation 2020*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Motor Dealers and Repairers Regulation 2014

[1] **Clause 4**

Omit the clause. Insert instead—

4 Exemptions

- (1) The Act does not apply to the following motor vehicles—
- (a) a vehicle that is not acquired for use principally for the transport of passengers or goods on public roads (other than a trailer or towable recreation vehicle),
 - (b) a vehicle that is incapable of being registered by Transport for NSW under the *Road Transport Act 2013* (other than a motorcycle of a type referred to in section 69(8) of the Act or a defective registrable vehicle).
- (2) Despite subclause (1)(b), the Act does apply to a motor vehicle that is—
- (a) a written-off light vehicle recorded in the NSW written-off light vehicles register, or
 - (b) an interstate written-off light vehicle.
- (3) In this clause—

defective registrable vehicle has the same meaning as in the *Road Transport Act 2013*.

interstate written-off light vehicle has the same meaning as in section 84 of the *Road Transport Act 2013*.

NSW written-off light vehicles register means the register established under section 83 of the *Road Transport Act 2013*.

written-off light vehicle has the same meaning as in section 83 of the *Road Transport Act 2013*.

[2] **Clause 5A, heading**

Omit “approved”. Insert instead “interstate or Territory dealers at declared”.

[3] **Clause 5A(1), (2)(b), (3)(b) and (4)(a)**

Omit “an approved” wherever occurring. Insert instead “a declared”.

[4] **Clause 5A(2)(a), (b) and (c)**

Omit “the approved” wherever occurring. Insert instead “the declared”.

[5] **Clause 5A(2)(c)(ii)**

Omit “inter-State”. Insert instead “interstate”.

[6] **Clause 5A(2)(c)(iii) and (iv)**

Insert at the end of clause 5A(2)(c)(ii)—

, and

- (iii) identifies the eligible person as a person who ordinarily operates an interstate or Territory business, and
- (iv) states that the contract of sale must be signed outside of New South Wales.

[7] Clause 5A(3)(a)

Omit “an *approved*”. Insert instead “a *declared*”.