



Western Australia

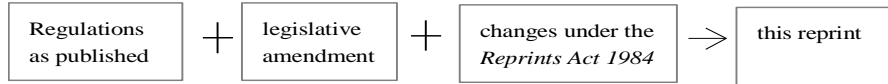
Motor Vehicle Dealers Act 1973

Car Market Regulations 1981

Reprint 2: The regulations as at 5 December 2003

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

Car Market Regulations 1981

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Reprinted under the
Reprints Act 1984 as
at 5 December 2003

Western Australia

Motor Vehicle Dealers Act 1973

Car Market Regulations 1981

1. Citation

These regulations may be cited as the *Car Market Regulations 1981*¹.

2. Commencement

- (1) Subject to subregulation (2) these regulations shall take effect on and from the day on which they are published in the *Government Gazette*¹.
- (2) Regulation 6 and Forms 16 and 17 shall take effect on and from the day on which section 15 of the *Motor Vehicle Dealers Amendment Act 1981* comes into operation¹.

3. Interpretation

In these regulations, unless the contrary intention appears —

“**form**” means a form in Schedule 2 or 3;

“**Schedule**” means a Schedule to these regulations;

“**section**” means a section of the Act;

“**the Act**” means the *Motor Vehicle Dealers Act 1973* (as amended).

4. Licensing forms, Schedules 1 and 2

Where a provision in the Act is specified in column 1 of Schedule 1, the form set out in Schedule 2 of which the number is specified in column 3 of Schedule 1 opposite that provision, is prescribed as the form to be used for the purposes of that provision in relation to the matter or thing described in column 2 of Schedule 1 opposite that provision.

5. Register of vehicles and sales (Form 15)

The register of —

- (a) vehicles offered, exposed or displayed for sale at a car market; and
- (b) vehicles sold at a car market,

kept by a car market operator pursuant to section 25(2a) shall be kept in the form of a bound book the pages of which —

- (c) shall be in the form of Form 15; and
- (d) shall be numbered consecutively.

6. Notice as to whether title is guaranteed by car market operator (Forms 16 and 17)

- (1) The notice to be attached to a second-hand vehicle under section 40B(1) shall be in the form of —

- (a) Form 16 if title to the vehicle is guaranteed by the car market operator; or
- (b) Form 17 if title to the vehicle is not guaranteed by the car market operator.

- (2) The notice prescribed by subregulation (1) —

- (a) shall be printed on white paper that is 210 mm long and 140 mm wide; and
- (b) shall be printed in the type, size and manner to conform with Form 16 or 17 as the case may require.

7. Particulars prescribed by forms

Where a form prescribed by these regulations requires completion by the insertion of particulars or other matters referred to in the form, those particulars or other matters are prescribed as the particulars or other matters required under the provisions of the Act for the purposes for which the form is prescribed.

8. Forms to be completed as directed

A form prescribed by these regulations and containing any directions for its completion shall be completed in accordance with those directions.

9. False information

A person who in any application makes a false statement or misleading statement or representation commits an offence.

Penalty: \$2 000.

[Regulation 9 amended in Gazette 13 Aug 2002 p. 4152.]

[10. Repealed in Gazette 29 Dec 1995 p. 6349.]

Schedule 1 List of forms

Schedule 1

List of forms

Column 1	Column 2	Column 3
Provision of the Act for which Form Prescribed	Description of Matter or Thing for which Form is to be used	Number of Form in Schedule 2
Section		
24(1)	Form of Register of Car Market Operators and Registered Premises	14
25(2a)	Operating Forms and Registered Premises	15
40B(1)	Form of Notice (Title Guaranteed)	16
40B(1)	Form of Notice (Title Not Guaranteed)	17

[Schedule 1 inserted in Gazette 29 Dec 1995 p. 6349.]

Schedule 2

[Reg. 4]

Licensing forms

[Forms 1-13 repealed in Gazette 29 Dec 1995 p. 6350.]

Schedule 2 Licensing forms

Form 14
Western Australia
Motor Vehicle Dealers Act 1973
(s. 24(1))

REGISTER OF CAR MARKET OPERATORS

Licence holder Licence No.

Registered office
Personal/Firm/Body Corporate

Application for Date Lodged	Licence		Business Names Listed in Application or Renewal	Names of Directors and Secretary	Names of Managers	Certificate of Registered Premises issued for Premises at
	Application for Renewal Date Lodged	Granted Date				

[Schedule 2 amended in Gazette 29 Dec 1995 p. 6350.]

Schedule 3
Operating forms

Form 15
Western Australia
Motor Vehicle Dealers Act 1973
(s. 25)

Car Market Regulations 1981 (Reg. 5)

CAR MARKET OPERATOR'S REGISTER OF VEHICLES OFFERED AND SOLD FOR REGISTERED PREMISES SITUATE AT

(To be produced on demand by any person mentioned in section 25(2b))

Register No.	Vehicle			Registered Owner Name Address	Vendor Name Address	Date Offered For Sale	IF SALE OF VEHICLE NOTIFIED			
	Identity Plate	Engine No.	Make and Type				Date Sold	To whom sold Name Address	Is Title to Vehicle Guaranteed	

Schedule 3 Operating forms

Form 16

Western Australia

Motor Vehicle Dealers Act 1973

(S. 40B(1))

Car Market Regulations 1981

[Reg. 6]

CAR MARKET NOTICE

TITLE

GUARANTEED

THIS VEHICLE IS SOLD WITHOUT STATUTORY WARRANTY UNDER
THE *MOTOR VEHICLE DEALERS ACT 1973*.

THE CAR MARKET OPERATOR GUARANTEES THE VENDOR HAS
UNENCUMBERED TITLE TO THE VEHICLE.

Form 17

Western Australia

Motor Vehicle Dealers Act 1973

(S. 40B(1))

Car Market Regulations 1981

[Reg. 6]

CAR MARKET NOTICE

TITLE

NOT

GUARANTEED

THIS VEHICLE IS SOLD WITHOUT STATUTORY WARRANTY UNDER
THE *MOTOR VEHICLE DEALERS ACT 1973*.

THE VENDOR'S TITLE TO THE VEHICLE IS NOT GUARANTEED BY
THE CAR MARKET OPERATOR.

[Schedule 4 repealed in Gazette 29 Dec 1995 p. 6350.]



Notes

- ¹ This reprint is a compilation as at 5 December 2003 of the *Car Market Regulations 1981* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Car Market Regulations 1981</i>	31 Dec 1981 p. 5382-98	Regs other than r. 6 and Forms 16 and 17: 31 Dec 1981 (see r. 2(1) and <i>Gazette</i> 31 Dec 1981 p. 5382); r. 6 and Forms 16 and 17: 1 Feb 1982 (see r. 2(2) and <i>Gazette</i> 31 Dec 1981 p. 5364)
<i>Car Market Amendment Regulations 1995</i>	29 Dec 1995 p. 6349-50	1 Jan 1996 (see r. 2)
Reprint of the <i>Car Market Regulations 1981</i> as at 20 Jan 1997 (includes amendments listed above)		
<i>Car Market Amendment Regulations 2002</i>	13 Aug 2002 p. 4151-2	1 Sep 2002 (see r. 2 and <i>Gazette</i> 13 Aug 2002 p. 4151)
Reprint 2: The <i>Car Market Regulations 1981</i> as at 5 Dec 2003 (includes amendments listed above)		
