



Western Australia

Motor Vehicle Dealers Act 1973

Car Market Regulations 1981

Car Market Regulations 1981

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Defined terms

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: Gazette 13 Aug 2002 p. 4152.]

[10.] *Deleted: Gazette 29 Dec 1995 p. 6349.]*

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: Gazette 29 Dec 1995 p. 6349.]

Schedule 2

[Reg. 4]

Licensing forms

[Forms 1-13 deleted: Gazette 29 Dec 1995 p. 6350.]

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

Licence	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				
Application for Date Lodged						

[Schedule 2 amended: 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	

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 deleted: 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)		

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
form	3
Schedule.....	3
section.....	3
the Act.....	3