Motor Vehicle Dealers (Licensing) Amendment Regulations (No. 2) 2002

Made by the Governor in Executive Council.

1. Citation
   These regulations may be cited as the Motor Vehicle Dealers (Licensing) Amendment Regulations (No. 2) 2002.

2. Commencement
   These regulations come into operation on the day on which the Motor Vehicle Dealers Amendment Act 2002 comes into operation.

3. The regulations amended
   The amendments in these regulations are to the Motor Vehicle Dealers (Licensing) Regulations 1974*.

   [* Reprinted as at 28 May 1996.
   For amendments to 26 July 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 229, and Gazette 28 June 2002.]

4. Regulation 2 amended
   Regulation 2 is amended as follows:
   (a) by deleting the definitions of “Schedule” and “the Act”;
   (b) after the definition of “section” by deleting the semicolon and inserting instead a full stop.
5. Regulation 6 amended

Regulation 6 is amended by deleting “$200” and inserting instead —
“ $2 000 ”.

6. Regulation 8 inserted

After regulation 7 the following regulation is inserted —

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8. Classes of business and categories of licence

(1) A business described in the Fourth Schedule Column 2
is prescribed for the purposes of section 5A.

(2) A category of dealer’s licence listed in the
Fourth Schedule Column 1 is prescribed for the
description of business opposite that category in
Column 2.
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7. First Schedule amended

The First Schedule is amended as follows:

(a) by deleting “registered” and inserting instead —
“ authorised ”;

(b) by deleting “Salesmen” and inserting instead —
“ Salespersons ”.

8. Second Schedule amended

(1) The Second Schedule Form 14 is amended by deleting
“Salesman” in both places where it occurs and inserting
instead —
“ Salesperson ”.

(2) The Second Schedule Form 17 is amended by deleting “Certificate
of Registered Premises issued for” and inserting instead —
“ Authorised ”.

(3) The Second Schedule Form 18 is amended by deleting
“Registered” and inserting instead —
“ Authorised ”.

(4) The Second Schedule Form 19 is amended as follows:

(a) by deleting “SALESMEN” and inserting instead —
“ SALESPERSONS ”;

(b) by deleting “Salesman of Registered” and inserting
instead —
“ Salesperson of Authorised ”.
9. Third Schedule amended

The Third Schedule is amended as follows:

(a) in item 1(a) by deleting “registered in the dealer’s name under section 21” and inserting instead —
    “authorised under section 20E(5)”;  
(b) in item 1(b) by deleting “registered in the dealer’s name” where it first occurs and inserting instead —
    “authorised under section 20E(5)”;  
(c) in item 1(b) by deleting “registered in the dealer’s name under section 21” and inserting instead —
    “authorised under section 20E(5)”;  
(d) after item 1 by inserting the following items —

1A. Application under section 20F in respect of change of premises .................. 76
1B. Application under section 20F in respect of each added premises .................... 453
1C. Application for a temporary permit under section 20H .......................... 30

(e) in item 3 by deleting “salesman’s” in both places where it occurs and inserting instead —
    “salesperson’s”;  
(f) in item 4 by deleting “licence” in each of the 3 places where it occurs and inserting instead —
    “registration”;  
(g) in item 4(a) by deleting “registered” and inserting instead —
    “authorised under section 21A(5)”;  
(h) in item 4(b) by deleting “registered in the operator’s name” and inserting instead —
    “authorised under section 21A(5) in relation to the registration”;  
(i) in item 4(b) by deleting “registered in relation to the licence,” and inserting instead —
    “authorised under section 21A(5) in relation to the registration,”;
(j) after item 4 by inserting the following items —

"4A. Application under section 21B in respect of alteration of premises ............... 76
4B. Application under section 21B in respect of each added premises ............... 453"

(k) in item 5 by deleting "section 30(2)" and inserting instead —

"section 31(1) ";

(l) in item 6 by deleting "permit under section 30(7)" and inserting instead —

"authorisation under section 16(2) or 17(2) ".

10. Fourth Schedule inserted

After the Third Schedule the following Schedule is inserted —

"Fourth Schedule

[Effective Clause]

Classes and descriptions of business and categories of dealer’s licence

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of licence</td>
<td>Description of business</td>
</tr>
<tr>
<td>A</td>
<td>Buying, selling and auctioning vehicles other than motor cycles, caravans or campervans.</td>
</tr>
<tr>
<td>B</td>
<td>Buying, selling and auctioning motor cycles.</td>
</tr>
<tr>
<td>C</td>
<td>Buying, selling and auctioning caravans and campervans.</td>
</tr>
<tr>
<td>D</td>
<td>Buying any vehicles for the purpose of dismantling them and selling off the parts.</td>
</tr>
<tr>
<td>E</td>
<td>Acting as an agent to facilitate the selling or purchase of any vehicles on behalf of members of the public.</td>
</tr>
<tr>
<td>F</td>
<td>Hiring out vehicles, buying, vehicles for hiring out, and selling and auctioning any vehicles that have been hired out by the dealer.</td>
</tr>
<tr>
<td>Any combination of A, B, C, D, E and F, as nominated by the dealer.</td>
<td>The businesses subject of the nominated categories.</td>
</tr>
</tbody>
</table>

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council."