



Western Australia

Motor Vehicle Dealers Act 1973

**Motor Vehicle Dealers (Infringements)
Regulations 2002**

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Motor Vehicle Dealers (Infringements) Regulations 2002

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Motor Vehicle Dealers (Infringements) Regulations 2002

1. Citation

These regulations may be cited as the *Motor Vehicle Dealers (Infringements) Regulations 2002*.

2. Commencement

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

**3. Offences for which infringement notices may be given
(s. 55A(2))**

For the purposes of section 55A(2) of the Act, an offence set out in Schedule 1 Column 1 is prescribed to be an offence in respect of which an infringement notice may be given.

4. Modified penalties (s. 55A(4))

For the purposes of section 55A(4) of the Act, the modified penalty set out in Schedule 1 Column 2 opposite an offence referred to in Column 1 is the prescribed modified penalty for that offence.

5. Form of infringement notice (s. 55A(3))

For the purposes of section 55A(3) of the Act, Schedule 2 Form 1 is the prescribed form of an infringement notice.

6. Form of notice withdrawing infringement notice (s. 55A(7))

For the purposes of section 55A(7) of the Act, Schedule 2 Form 2 is the prescribed form of a notice stating that an infringement notice has been withdrawn.

Schedule 1 — Prescribed offences and modified penalties

[r. 3 and 4]

[Heading inserted: SL 2021/164 r. 4.]

Column 1	Column 2
Prescribed offence	Modified penalty
<i>Motor Vehicle Dealers Act 1973</i>	
s. 20G(3)	\$150
s. 21	\$150
s. 21C(3)	\$150
s. 21D	\$150
s. 22A(3)	\$150
s. 23(1)	\$200
s. 23(2)	\$200
s. 24(3)	\$150
s. 25(1)	\$500
s. 25(1a)	\$500
s. 25(2a)	\$500
s. 25(2e)	\$100
s. 26(1)	\$200
s. 26(2)	\$200
s. 27(3)	\$500
s. 28(10)	\$200
s. 28(11)	\$200
s. 30(2)	\$500
s. 31A	\$1 000
s. 31B	\$1 000
s. 31C	\$1 000

Column 1	Column 2
Prescribed offence	Modified penalty
s. 31D(2)	\$500
s. 32B(1)	\$500
s. 32B(3)	\$500
s. 32C	\$500
s. 32D(1)	\$500
s. 32I(1)	\$500
s. 33(1)	\$200
s. 33(4)	\$500
s. 33(7)	\$100
s. 40B(1)	\$200
s. 42A(5)	\$500
s. 43(1)	\$100
<i>Motor Vehicle Dealers (Sales) Regulations 1974</i>	
r. 14, relating to r. 10C(1)	\$200
r. 14, relating to r. 10C(2)	\$200
r. 14, relating to r. 10D(1)	\$200
r. 14, relating to r. 10E(1)	\$200
r. 14, relating to r. 10H(1)	\$200
r. 14, relating to r. 11(2)	\$200

[Schedule 1 inserted: SL 2021/164 r. 4.]

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Schedule 2 Forms

Form 2

	<p>If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act, some or all of the following action may be taken — your driver’s licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver’s licence or vehicle licence, your vehicle may be immobilised or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.</p>
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[Form 1 amended: Gazette 12 Jan 2007 p. 49; 30 Jun 2011 p. 2663-4; 20 Aug 2013 p. 3837; 18 Nov 2014 p. 4319; SL 2020/163 r. 40; SL 2021/164 r. 5.]

Form 2

<i>Motor Vehicle Dealers Act 1973, s. 55A(7)</i>		Withdrawal no.
Withdrawal of infringement notice		
Alleged offender	Name: Family name	
	Given names	
	or Company name _____	
	ACN	
Address _____		Postcode
Infringement notice	Infringement notice no.	
	Date of issue / /20	
Alleged offence	Description of offence _____	
	<i>Motor Vehicle Dealers Act 1973 s.</i>	
	OR <i>Motor Vehicle Dealers (Sales) Regulations 1974 r.</i>	
Date / /20		Time am/pm
Designated official giving this notice	Name	
	Signature	
Date	Date of withdrawal / /20	
Withdrawal of infringement notice	The above infringement notice issued against you has been withdrawn.	
	If you have already paid the modified penalty for the alleged offence you are entitled to a refund.	
	* Your refund is enclosed.	
	or	
	[*delete whichever is not applicable]	

	<p>* If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to:</p> <p style="text-align: center;">The Commissioner Department of Mines, Industry Regulation and Safety Consumer Protection Division Locked Bag 100 EAST PERTH WA 6892</p> <p>Signature _____ / _____ /20</p>
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[Form 2 inserted: SL 2021/164 r. 6.]



Notes

This is a compilation of the *Motor Vehicle Dealers (Infringements) Regulations 2002* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Citation	Published	Commencement
<i>Motor Vehicle Dealers (Infringements) Regulations 2002</i>	13 Aug 2002 p. 4152-5	1 Sep 2002 (see r. 2 and <i>Gazette</i> 13 Aug 2002 p. 4151)
<i>Motor Vehicle Dealers (Infringements) Amendment Regulations 2002</i>	28 Jan 2003 p. 267	28 Jan 2003
<i>Motor Vehicle Dealers (Infringements) Amendment Regulations 2006</i>	12 Jan 2007 p. 48-9	12 Jan 2007
<i>Motor Vehicle Dealers (Infringements) Amendment Regulations 2011</i>	30 Jun 2011 p. 2663-4	r. 1 and 2: 30 Jun 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2011 (see r. 2(b))
<i>Motor Vehicle Dealers (Infringements) Amendment Regulations 2013</i>	20 Aug 2013 p. 3837	r. 1 and 2: 20 Aug 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 21 Aug 2013 (see r. 2(b) and <i>Gazette</i> 20 Aug 2013 p. 3815)
<i>Motor Vehicle Dealers (Infringements) Amendment Regulations 2014</i>	18 Nov 2014 p. 4319	r. 1 and 2: 18 Nov 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 19 Nov 2014 (see r. 2(b) and <i>Gazette</i> 18 Nov 2014 p. 4315)
Reprint 1: The <i>Motor Vehicle Dealers (Infringements) Regulations 2002</i> as at 23 Jan 2015 (includes amendments listed above)		
<i>Commerce Regulations Amendment (Infringement Notices) Regulations 2020 Pt. 20</i>	SL 2020/163 25 Sep 2020	29 Sep 2020 (see r. 2(b) and SL 2020/159 cl. 2(a))
<i>Commerce Regulations Amendment (Motor Vehicle Dealers and Repairers) Regulations 2021 Pt. 2</i>	SL 2021/164 24 Sep 2021	25 Sep 2021 (see r. 2(c))