



# Government Gazette

OF

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### USED CAR DEALERS ACT, 1964.

Police Department,  
Perth, 1st September, 1965.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Used Car Dealers Act, 1964, and the Interpretation Act, 1918, has been pleased to make the regulations set out in the schedule hereto, to take effect on and after the day on which the former Act comes into operation.

R. T. NAPIER,  
Commissioner of Police.

#### Schedule.

#### Regulations.

1. These regulations may be cited as the Used Car Dealers Citation. Regulations, 1965.

2. In these regulations, unless the contrary intention appears—  
Interpretation.

“Act” means the Used Car Dealers Act, 1964;

“Form” means a form set out in the Schedule to these regulations;

“licensed dealer” means the holder of a licence under the Act.

3. (1) Where a form prescribed by these regulations requires Forms to be completed by the insertion of particulars or matters referred to completed. in the form or in any instructions relating thereto, those particulars or other matters are prescribed as those required, under the provisions of these regulations, for the purposes for which the form is prescribed.

(2) A form prescribed by these regulations shall be completed in accordance with such directions as are specified in the form or in any instruction relating thereto.

4. (1) An application for a licence, in the first instance, shall Application be made by Form 1, and shall be accompanied by an amount of for licences. five pounds, as provided by the Act, by way of prepayment of the annual licence fee.

(2) Where the applicant is a natural person, he shall attach to his application two original testimonials as to his good repute and suitability to hold a licence.

(3) Where the application is lodged within the Metropolitan Traffic Area, it shall be lodged at the office of the Police Traffic Branch that is nearest to the applicant's place of residence and, in every other case, at the police station nearest to the applicant's place of residence.

- Applicant to supply documents and other particulars. 5. An applicant for a licence in the first instance shall furnish to the Commissioner or other officer authorised by him such statements, accounts, documents, papers and information as the Commissioner or officer may require, in the course of his inquiries into the character, business methods or financial stability of the applicant.
- Licences. 6. A licence may be in accordance with Form 2.
- Renewal of licences. 7. (1) An application for the renewal of a licence shall be made by Form 3 and shall be lodged at the office whence it was issued or the police station nearest to the applicant's place of business, as the case may require.  
(2) Every application for the renewal of a licence shall be accompanied by an amount of five pounds, as provided by the Act, by way of prepayment of the annual licence fee.
- Transfer of licences. 8. An application for the transfer of a licence shall be made by Form 4 and the provisions of regulations 4 and 5 of these regulations apply, *mutatis mutandis*, to every such application.
- Notices of acquisition of vehicles. 9. Every licensed dealer shall, forthwith after the acquisition of a used motor vehicle,—  
(a) obtain from the holder the licence, or, where it is unlicensed, the last licence, of the vehicle; and  
(b) complete Form 5 and retain it for the purposes prescribed by regulation 10 of these regulations.
- Weekly returns of vehicles acquired. 10. (1) Every licensed dealer shall, on the Monday of every week or, where that day is a public holiday, on the day following:—  
(a) complete Form 6 by including therein all the required particulars of all used motor vehicles acquired by him during the last preceding week;  
(b) attach to that form every Form 5 completed by him, pursuant to the provisions of regulation 9 of these regulations; and  
(c) lodge the forms mentioned in paragraphs (a) and (b) of this subregulation, together with such fees and stamp duty as may be payable in respect of the transfer to him of those vehicles, with the licensing or registering authority that last licensed or registered the vehicles to which the forms relate.  
(2) Where the licensing or registering authority of a used motor vehicle acquired by the licensed dealer is not within the State, the dealer shall include particulars of that vehicle in the Form 6 lodged with the nearest licensing or registering authority.
- Notices of sales of vehicles. 11. Every licensed dealer shall, forthwith after the sale of a used motor vehicle,—  
(a) hand to the purchaser the licence, or, where it is unlicensed, the last licence, of the vehicle; and  
(b) complete Form 7 and lodge it with the licensing or registering authority that last licensed or registered the vehicle.
- Vehicle register. 12. The register required to be kept by a licensed dealer pursuant to the provisions of section 20 of the Act shall be in the form of Form 8.
- Vehicles sent for sale or on consignment to other premises. 13. (1) Except where the vehicle is sold, a licensed dealer who causes or permits a used motor vehicle to be removed from one premises to another, whether to another of his premises or under the usage of the trade known as "on consignment", shall maintain that vehicle on the register of the premises from which it was removed and shall, also, send with the vehicle a complete extract (whether in the form of a card or otherwise) of the entry in the register relating to that vehicle.

(2) Except where the vehicle is sold, a person shall not receive a used motor vehicle into premises, in the circumstance mentioned in subregulation (1) of this regulation, unless it is accompanied by the extract thereby prescribed.

14. (1) Where tablets such as are provided by subsection (2) of section 22 of the Act are required by a member of the Police Force or by some other licensing or registering authority they shall be issued, free of charge, at the discretion of the Commissioner who shall cause a record of the tablets and to whom they are issued to be maintained.

(2) Tablets such as are mentioned in subregulation (1) of this regulation shall be numbered serially, with white numerals on a black background, and shall bear the legend, "W.A.", above the numerals and the word, "TESTING", below the numerals, in white lettering.

15. A notice prohibiting the sale of a used motor vehicle, except for the purposes of being broken up, under the provisions of section 23 of the Act, may be in the form of Form 9.

16. Where a person acquires a used motor vehicle for the purpose of breaking it up and a notice such as is mentioned in regulation 15 of these regulations is affixed to the vehicle, he shall, forthwith after the acquisition, give notice thereof, by Form 10, to the licensing or registering authority named in the notice.

17. Where a licence is cancelled under the provisions of the Act, the holder shall, forthwith after receipt of the notice of cancellation, deliver it up to the Commissioner.

18. (1) Where a person appeals against a decision of the Appeals Commissioner, under the provisions of section 16 of the Act, he shall serve the Commissioner, or a person authorised by the Commissioner to accept service of process, with a summons in the manner provided by the Jutices Act, 1902.

(2) The practice and procedure relating to the hearing of appeals under the Act shall, with such adaptations as may be necessary, be that provided by the Justices Act, 1902.

19. Every person guilty of an offence against these regula- Penalties.  
tions is liable to a penalty of twenty pounds.

## SCHEDULE

## FORMS.

## Form 1.

Western Australia.

Used Car Dealers Act, 1964.

## PART I.

To the Commissioner of Police:

Application is hereby made for the issue of a licence under the Used Car Dealers Act, 1964, in the name of—

(a) Natural Person.....

.....  
(full name)

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.....
(address)
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(b) Firm .....

.....  
(firm name)

.....  
(principal place of business)

(c) Company.....

(corporate name)

.....  
(address of registered office)

PART II. The following additional information is supplied in the case of:—

(a) Natural Person—

- (i) Description (business or profession) of applicant  
.....
- (ii) Age .....
- (iii) Names, addresses and occupations of the two persons  
by whom the attached testimonials as to character  
were given:—  
.....  
.....  
.....

(b) Firm—

- (i) Full name, address, description and age of every natural  
person who is a member of the firm:—  
.....  
.....
- (ii) The corporate name and registered office of, and full  
names, addresses and descriptions of the directors of  
any company being a member of the firm:—  
.....  
.....
- (iii) If the business name of the firm is registered under  
the Business Names Act, 1962, the date of registration—  
.....

(c) Company—

- (i) If a local company, full names, addresses and descrip-  
tions of the directors:—  
.....  
.....
- (ii) If a foreign company full names, addresses and descrip-  
tions of resident directors and of the agent of the  
company:—  
.....  
.....

PART III. (a) Address of premises for which licence is required:—  
.....

- (b) Are the above premises owned by the Applicant?.....  
If not so owned, the written consent of the owner must  
accompany this application.
- (c) Has approval been granted by the appropriate municipality  
to use the premises for dealing in motor vehicles:—  
.....

PART IV. Forwarded herewith is the sum of five pounds (£5) being  
prepayment of the first annual fee.

Signed at..... this ..... day  
of..... 19.....

This application may be signed by a natural person as such,  
or a member of a firm, or by a director of a company.

## FOR OFFICE USE ONLY.

## PART V.

Application approved; licence to issue with effect from  
 ..... (date).  
 ..... (date) for Commissioner of Police.  
 Licence number issued.....  
 Date of issue.....  
 Signature of Issuing Officer.....  
 Register entered..... (date)  
 Signature .....

## Form 2.

Western Australia.

Used Car Dealer's Act, 1964.

## USED CAR DEALER'S LICENCE.

No.....  
 Fee: £5.

(full name)

(address)

is hereby licensed to operate as a Dealer under the provisions of  
 the above Act, for a period of twelve months, from the.....  
 day of.....19....., in respect of premises situated at  
 .....

Full names and descriptions of the members of the firm/directors \* Cross out  
 of the company\*..... item not  
 applicable.

Issued at Perth

(date)

Commissioner of Police.

## Form 3.

Western Australia.

Used Car Dealers Act, 1964.

## APPLICATION FOR RENEWAL OF LICENCE.

To the Commissioner of Police:

I,  
 hereby apply for a renewal of Used Car Dealer's Licence  
 No..... issued in the name of.....  
 of .....

The following changes have been made in the members of the \* Cross out  
 firm/directors of the company\*:- item not  
 applicable.

Enclosed is the prescribed fee of £5.

Signature of Authorised Person.

## FOR OFFICE USE ONLY.

Application approved.

.....  
 Date ..... for Commissioner of Police.  
 Receipt No. .... Date.....  
 Date of expiry of Renewal.....  
 Signature of Issuing Officer.....  
 Registered entered.....(date)  
 Signature .....

Form 4.

Western Australia.

Used Car Dealers Act, 1964.

## APPLICATION FOR TRANSFER OF LICENCE.

## PART I. To the Commissioner of Police:

I, .....  
 (full name)  
 of .....  
 (address)  
 hereby apply for the transfer of Used Car Dealer's Licence held by  
 in respect of premises situated at.....  
 to .....  
 (full name of transferee)

I enclose the following documents:—

- (1) Form No. 1—Application for Used Car Dealer's Licence.
- (2) Remittance for £5.

.....  
 Date ..... Signature of Transferee.

## CONSENT OF THE HOLDER OF THE LICENCE.

I/We, being the holder of the abovementioned licence, hereby  
 consent to the transfer of such licence to.....

## PART II. I/We agree to deliver up the said licence to the Commissioner upon receipt of notification from the Commissioner that this transfer has been granted.

.....  
 Date ..... Signature of Holder of Licence.

Western Australia.

Used Car Dealers Act, 1964.

## NOTICE OF ACQUISITION OF VEHICLE.

To (name of Licensing Authority).....

In accordance with the above Act I have to advise that I have  
 acquired the motor vehicle described hereunder:—

Plate No..... Make..... Type.....  
 Year..... Engine No.....  
 Previous Registered Owner.....  
 \*Acquired from.....  
 Date of Acquisition..... Dealer's Reg. No.....  
 Dealer's Trade Name.....  
 Dealer's Licence No.....  
 Address .....

Signature.....

Date.....

\* To be completed if acquired from another Used Car Dealer.

Form 6.

Western Australia.  
Used Car Dealers Act, 1964.  
RETURN OF VEHICLES ACQUIRED.

To.....  
(Name of Licensing Authority)

License Number.....

Trade Name.....

Signature .....

Date.....

In accordance with Section 21 of the above Act, I have to advise that I have acquired the vehicles enumerated hereunder.

NOTE.—This return is to be forwarded to the Licensing Authority concerned and ONLY to describe those vehicles licensed by that Authority.

[illegible]

Form 7.

Western Australia.

Used Car Dealers Act, 1964.

## NOTICE OF DISPOSAL.

To (name of Licensing Authority).....

In accordance with the above Act I have to advise that I  
have disposed of the motor vehicle described hereunder:—

Plate No..... Make..... Type.....

Year..... Engine No.....

Sold to.....

(Full name, surname in block letters)

Address.....

Previous Registered Owner.....

Date of Disposal..... Dealer's Reg. No.....

Dealer's Trade Name.....

Dealer's Licence No.....

Address.....

Date.....

Signature.....



Form 9.

Western Australia.

Used Car Dealers Act, 1964.

## VEHICLE UNFIT FOR SALE.

At the time of inspection by a member of the Western Australian Police Force or a Traffic Inspector, this vehicle required attention to comply with the law relating to the equipment, serviceability or roadworthiness of motor vehicles.

The sale of this vehicle is prohibited, except for the purpose of breaking up, unless and until this label has been removed by an authorised member of the Western Australian Police Force or an authorised Traffic Inspector.

*Reverse.*

This vehicle must not be sold, except for the purposes of breaking up, unless and until this notice has been removed by an authorised member of the Western Australian Police Force or Traffic Inspector appointed under the Traffic Act, 1919.

No. of Notice Issued.....  
 Make of Vehicle.....  
 Reg. No. of Vehicle.....  
 Engine No. of Vehicle.....  
 Signature.....  
 Rank or Appointment.....  
 Number (if applicable).....  
 Licensing or Registering Authority.....  
 Date of Issue ...../...../19.....

## WARNING.

This label must NOT be removed EXCEPT by an authorised member of the Western Australian Police Force or an authorised Traffic Inspector, in accordance with the provisions of the Used Car Dealers Act, 1964.

Form 10.

Western Australia.

Used Car Dealers Act, 1964.

NOTICE OF WRECKING OF VEHICLE DECLARED  
UNFIT FOR SALE.

To.....  
 (Licensing Authority)  
 Make of Vehicle..... Reg. No.....  
 Engine No.....  
 Having acquired the above vehicle to which an UNFIT FOR SALE notice has been affixed, I hereby give notice of my intention to break up the vehicle after it has been in my possession for seven days from the date hereof and, upon breaking up the vehicle, to destroy the notice affixed.  
 Dated at.....this.....day  
 of.....19.....  
 Signature.