



Western Australia

# **Motor Vehicle Dealers (Licensing) Regulations 1974**

Compare between:

[01 Jul 2008, 04-b0-03] and [01 Jul 2009, 04-c0-02]



Western Australia

Motor Vehicle Dealers Act 1973

## **Motor Vehicle Dealers (Licensing) Regulations 1974**

### **1. Citation**

These regulations may be cited as the *Motor Vehicle Dealers (Licensing) Regulations 1974* <sup>1</sup>.

### **2. Terms used in these regulations**

In these regulations, unless the contrary intention appears —  
*form* means a form in the Second Schedule;  
*section* means a section of the Act.

*[Regulation 2 amended in Gazette 13 Aug 2002 p. 4155.]*

### **3. Forms**

Where a provision in the Act is specified in the first column of the First Schedule, the form set out in the Second Schedule, of which the number is specified in the third column of the First Schedule 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 the second column of the First Schedule opposite that provision.

### **4. 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.

**5. 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.

**6. False information**

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

Penalty: \$2 000.

*[Regulation 6 amended in Gazette 13 Aug 2002 p. 4156.]*

**6A. Prescribed period (section 19(1))**

For the purposes of section 19(1) of the Act, the prescribed period is 3 years.

*[Regulation 6A inserted in Gazette 29 Dec 1995 p. 6343.]*

**6B. Prescribed penalty for late application (section 19(3))**

For the purposes of section 19(3) of the Act, the amount prescribed by way of a penalty for a late application is 25% of the appropriate licence fee.

*[Regulation 6B inserted in Gazette 29 Dec 1995 p. 6343.]*

**7. Fees**

The fees set out in the Third Schedule are the fees to be paid in respect of the matters to which they are applicable.

*[Regulation 7 inserted in Gazette 29 Dec 1995 p. 6343.]*

**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.

*[Regulation 8 inserted in Gazette 13 Aug 2002 p. 4156.]*

**First Schedule**

**List of forms**

---

| <b>First Column</b>   | <b>Second Column</b>   | <b>Third Column</b>                              |
|---|--|--|
| <b>Provision of the Act<br/>for which Form<br/>Prescribed</b> | <b>Description of Form</b>                                     | <b>Number of Form<br/>in Second<br/>Schedule</b> |
| Section   |  |  |
| 56(2)(g) .....  | Notice of Change of Employment or<br>Place of Employment       | 14   |
| 24(1) .....   | Form of Register of Vehicle Dealers<br>and authorised premises | 17   |
| 24(1) .....   | Form of Register of Yard Managers                              | 18   |
| 24(1) .....   | Form of Register of Salespersons                               | 19   |

---

*[First Schedule inserted in Gazette 29 Dec 1995 p. 6343-4; amended  
in Gazette 13 Aug 2002 p. 4156.]*

**Second Schedule**

*[Forms 1-13 deleted in Gazette 29 Dec 1995 p. 6344.]*

Form 14

Western Australia  
*Motor Vehicle Dealers Act 1973*  
(Section 56(2)(g))

**NOTICE OF CHANGE OF EMPLOYMENT  
OR PLACE OF EMPLOYMENT**

TO: The Secretary,  
Motor Vehicle Dealers Licensing Board:

This is to notify you that I, .....  
(Name)

of .....  
(Address)

being a licensed .....  
(Yard Manager/Salesperson)

holding licence No. .... employed by .....  
(Name of Licensed Vehicle Dealer)

hereby notify you that I have changed my employment or place of employment  
as follows: —

Name of previous employer .....

Address of previous employer .....

Name of present employer .....

Address of present employer .....

as from the ..... day of ..... 20.....

Dated this ..... day of ..... 20.....

†Witness: .....  
(Signature of Yard Manager or Salesperson)

This notice shall be given within 14 days of the change notified occurring.

† A person over the age of 18 years.

*[Form 14 amended in Gazette 13 Aug 2002 p. 4156.]*

*[Forms 15 and 16 deleted in Gazette 29 Dec 1995 p. 6344.]*

Form 17

Western Australia  
*Motor Vehicle Dealers Act 1973*  
 (Section 24(1))

**REGISTER OF VEHICLE DEALERS**

Licence No.

Licence-holder .....  
 Registered Office .....  
 Personal/Firm/Body Corporate .....

| LICENCE                     |                                     | LICENCE      |              | Business Names Listed in Application or Renewal | Names of Directors and Secretary | Names of Managers | Authorised Premises at | Names of Yard Manager for Premises |
|-----------------------------|-------------------------------------|--------------|--------------|---|----------------------------------|-------------------|------------------------|------------------------------------|
| Application for Date Lodged | Application for Renewal Date Lodged | Granted Date | Renewal Date |   |                                  |                   |                        |                                    |
|                             |                                     |              |              |   |                                  |                   |                        |                                    |

*[Form 17 amended in Gazette 13 Aug 2002 p. 4156.]*



Form 18

Western Australia  
*Motor Vehicle Dealers Act 1973*  
(Section 24(1))

**REGISTER OF YARD MANAGERS**

Licence No.

Name of Licence-holder

.....

| LICENCE | LICENCE                                |              | Name and Address of Vehicle Dealer Employed by | Yard Manager of Authorised Premises Situate at |
|---------|--|--------------|--|--|
|         | Date of Application for Renewal Lodged | Date Granted |  |  |
|         |  |              |  |  |

*[Form 18 amended in Gazette 13 Aug 2002 p. 4156.]*

Form 19

Western Australia  
*Motor Vehicle Dealers Act 1973*  
 (Section 24(1))

**REGISTER OF SALESPERSONS**

Licence No.

Name of Licence-holder

| LICENCE      |              | Name and Address of Vehicle Dealer Employed by | Salesperson of Authorised Premises Situate at | Date of Application for Issue Lodged |
|--------------|--------------|--|---|--------------------------------------|
| Date Granted | Date Renewal |  |   |                                      |
|              |              |  |   |                                      |

*[Form 19 amended in Gazette 13 Aug 2002 p. 4156.]*

**Motor Vehicle Dealers (Licensing) Regulations 1974**  
**Second Schedule**

---

|  |         |  |  |
|--|---------|--|--|
|  | LICENCE | Date of Application for Renewal Lodged |  |
|  |         | Date of Application for Issue Lodged   |  |

**Third Schedule — Fees**

[r. 7]

[Heading inserted in Gazette ~~1723~~ Jun 2008/2009 p. ~~2553~~2445.]

Table

| <u>Item</u> | <u>Description</u>  | \$                          |
|-------------|---|-----------------------------|
| 1.          | Application for a dealer's licence or renewal of a dealer's licence for the period prescribed by regulation 6A —      |                             |
|             | (a) if the dealer only specifies single premises to be authorised under section 20E(5) in relation to the licence     | 1 <del>380</del> 43<br>8.00 |
|             | (b) if the dealer specifies 2 or more premises to be authorised under section 20E(5)                                  | <del>690</del> 719.<br>00   |
|             | — plus  |                             |
|             | plus, in respect of each further premises to be authorised under section 20E(5) in relation to the licence, a further | <del>690</del> 719.<br>00   |
| 2.          | Application under section 20F in respect of alteration of premises  | <del>116</del> 120.<br>00   |
| 3.          | Application under section 20F in respect of each added premises   | <del>690</del> 719.<br>00   |
| 4.          | Application for a temporary permit under section 20H  | <del>46.00</del> 47.<br>75  |

**Motor Vehicle Dealers (Licensing) Regulations 1974**  
**Fees Third Schedule**

| <u>Item</u> | <u>Description</u>   | \$                                 |
|-------------|--|------------------------------------|
| 5.          | Application for yard manager's licence or renewal of yard manager's licence for the period prescribed by regulation 6A .....   | <del>353</del> <u>367</u> .<br>00  |
| 6.          | Application for salesperson's licence or renewal of salesperson's licence for the period prescribed by regulation 6A .....   | <del>239</del> <u>249</u> .<br>00  |
| 7.          | Application for car market operator's registration or renewal of car market operator's registration —<br><br>(a) if the operator only specifies single premises to be authorised under section 21A(5) in relation to the registration<br>..... | 1 <del>380</del> <u>43</u><br>8.00 |
|             | (b) if the operator specifies 2 or more premises to be authorised under section 21A(5) in relation to the registration<br>.....  | <del>690</del> <u>719</u> .<br>00  |
|             | <del>plus</del><br>.....<br><u>plus</u> , in respect of each further premises to be authorised under section 21A(5) in relation to the registration, a further .....   | <del>690</del> <u>719</u> .<br>00  |
| 8.          | Application under section 21B in respect of alteration of premises .....   | <del>116</del> <u>120</u> .<br>00  |
| 9.          | Application under section 21B in respect of each added premises .....  | <del>690</del> <u>719</u> .<br>00  |

**Motor Vehicle Dealers (Licensing) Regulations 1974**

**Third Schedule Fees**

| <u>Item</u> | <u>Description</u>   | <u>\$</u>                  |
|-------------|--|----------------------------|
| 10.         | Application for certificate of exemption from the Act under section 31(1) .....  | <del>116</del> 120.<br>00  |
| 11.         | Application for temporary authorisation under section 16(2) or 17(2) .....   | <del>46.00</del> 47.<br>75 |
| 12.         | Individual dealer— change to firm .....  | <del>116</del> 120.<br>00  |
| 13.         | Individual dealer— change to body corporate .....  | <del>116</del> 120.<br>00  |
| 14.         | Firm— change to sole proprietor .....  | <del>116</del> 120.<br>00  |
| 15.         | Firm— change to body corporate .....   | <del>116</del> 120.<br>00  |
| 16.         | Body corporate change to individual or firm .....  | <del>116</del> 120.<br>00  |
| 17.         | Duplicate licence .....  | <del>37.00</del> 38.<br>50 |
| 18.         | Copy (certified or uncertified) or an extract of an individual registration in the register kept under section 24 of the Act —<br>.....f<br>first page ..... | <del>16.80</del> 17.<br>50 |
|             | .....e<br>each subsequent page .....   | 3.3545                     |

**Motor Vehicle Dealers (Licensing) Regulations 1974**  
Fees                      **Third Schedule**

| <u>Item</u> | <u>Description</u>   | \$  |
|-------------|--|---|
| 19.         | Copy (certified or uncertified) or an extract of all registrations in the register kept under section 24 <del>of the Act</del> ..... | <del>214</del> <u>222</u> .<br>00         |
| 20.         | Inspection of register kept under section 24 <del>of the Act</del> .....   | <del>16.80</del> <u>17</u> .<br><u>50</u> |

*[Third Schedule inserted in Gazette ~~1723~~ Jun ~~2008~~2009 p. ~~2553~~  
~~42445-6.~~]*

**Fourth Schedule**

[r. 8]

**Classes and descriptions of business and categories of dealer's licence**

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

*[Fourth Schedule inserted in Gazette 13 Aug 2002 p. 4158.]*



### Notes

- <sup>1</sup> This is a compilation of the *Motor Vehicle Dealers (Licensing) Regulations 1974* 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>Motor Vehicle Dealers (Licensing) Regulations 1974</i>   | 29 Mar 1974<br>p. 1103-21 | 5 Apr 1974 (see <i>Gazette</i><br>5 Apr 1974 p. 1180) |
| Untitled regulations  | 10 May 1974<br>p. 1535    | 10 May 1974   |
| Untitled regulations  | 11 Jun 1976<br>p. 1887-90 | 11 Jun 1976   |
| Untitled regulations  | 22 Oct 1976<br>p. 3989-94 | 22 Oct 1976   |
| Untitled regulations  | 12 Apr 1979<br>p. 1021    | 1 May 1979  |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1981</i>   | 28 Aug 1981<br>p. 3589    | 1 Sep 1981 (see r. 2)                                 |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1983</i>   | 21 Oct 1983<br>p. 4297    | 21 Oct 1983   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1985</i>   | 21 Jun 1985<br>p. 2262    | 21 Jun 1985   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1986</i>   | 30 May 1986<br>p. 1816    | 30 May 1986   |
| <b>Reprint of the <i>Motor Vehicle Dealers (Licensing) Regulations 1974</i> as at 8 Aug 1986</b><br>(see <i>Gazette</i> 8 Dec 1986 p. 4523-56) (includes amendments listed above) |                           |   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations (No. 2) 1986</i>   | 24 Dec 1986<br>p. 4998-9  | 24 Dec 1986   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1987</i>   | 6 Mar 1987<br>p. 573-4    | 6 Mar 1987  |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1987</i>   | 4 Sep 1987<br>p. 3518     | 4 Sep 1987  |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1988</i>   | 22 Jul 1988<br>p. 2520-1  | 22 Jul 1988   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1989</i>   | 30 Jun 1989<br>p. 1975    | 1 Jul 1989 (see r. 2)                                 |

## Motor Vehicle Dealers (Licensing) Regulations 1974

---

| Citation   | Gazettal                   | Commencement  |
|--|----------------------------|---|
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1990</i>  | 1 Aug 1990<br>p. 3652      | 1 Aug 1990  |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1991</i>  | 13 Dec 1991<br>p. 6159-60  | 13 Dec 1991   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1992</i>  | 14 Aug 1992<br>p. 4017-18  | 14 Aug 1992   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1993</i>  | 30 Nov 1993<br>p. 6406-7   | 30 Nov 1993   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1994</i>  | 13 Sep 1994<br>p. 4659-61  | 13 Sep 1994   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1995</i>  | 29 Dec 1995<br>p. 6343-6   | 29 Dec 1995   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 1996</i>  | 30 Apr 1996<br>p. 1862-3   | 30 Apr 1996   |
| <b>Reprint of the Motor Vehicle Dealers (Licensing) Regulations 1974 as at 28 May 1996</b><br>(includes amendments listed above) |                            |   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 2002</i>  | 28 Jun 2002<br>p. 3057-8   | 1 Jul 2002 (see r. 2)   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations (No. 2) 2002</i>  | 13 Aug 2002<br>p. 4155-8   | 1 Sep 2002 (see r. 2 and <i>Gazette</i><br>13 Aug 2002 p. 4151)   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 2003</i>  | 27 Jun 2003<br>p. 2553-4   | 1 Jul 2003 (see r. 2)   |
| <b>Reprint 3: The Motor Vehicle Dealers (Licensing) Regulations 1974 as at 5 Mar 2004</b><br>(includes amendments listed above)  |                            |   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 2004</i>  | 29 Jun 2004<br>p. 2508-10  | 1 Jul 2004 (see r. 2)   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 2005</i>  | 28 Jun 2005<br>p. 2899-900 | 1 Jul 2005 (see r. 2)   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 2006</i>  | 27 Jun 2006<br>p. 2257-9   | 1 Jul 2006 (see r. 2)   |
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 2007</i>  | 15 Jun 2007<br>p. 2776-8   | r. 1 and 2: 15 Jun 2007 (see<br>r. 2(a));<br>Regulations other than r. 1 and 2:<br>1 Jul 2007 (see r. 2(b)) |
| <b>Reprint 4: The Motor Vehicle Dealers (Licensing) Regulations 1974 as at 3 Aug 2007</b><br>(includes amendments listed above)  |                            |   |

## Motor Vehicle Dealers (Licensing) Regulations 1974

---

| <b>Citation</b>  | <b>Gazettal</b>  | <b>Commencement</b>   |
|--|--|---|
| <i>Motor Vehicle Dealers (Licensing) Amendment Regulations 2008</i>                        | 17 Jun 2008<br>p. 2552-4   | r. 1 and 2: 17 Jun 2008<br>(see r. 2(a))<br>Regulations other than r. 1 and 2:<br>1 Jul 2008 (see r. 2(b))  |
| <a href="#"><u><i>Motor Vehicle Dealers (Licensing) Amendment Regulations 2009</i></u></a> | <a href="#"><u>23 Jun 2009</u></a><br><a href="#"><u>p. 2444-6</u></a> | <a href="#"><u>r. 1 and 2: 23 Jun 2009</u></a><br><a href="#"><u>(see r. 2(a));</u></a><br><a href="#"><u>Regulations other than r. 1 and 2:</u></a><br><a href="#"><u>1 Jul 2009 (see r. 2(b))</u></a> |

---