



Western Australia

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

Compare between:

[21 Aug 2013, 00-d0-02] and [19 Nov 2014, 00-e0-01]



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55A(7) of the Act, Schedule 2 Form 2 is the prescribed form of a notice stating that an infringement notice has been withdrawn.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

<b>Column 1</b> <b>Prescribed offence</b>	<b>Column 2</b> <b>Modified penalty</b>
<i>Motor Vehicle Dealers Act 1973</i>	
s. 20G(3)	\$150
s. 21	\$150
s. 21C(3)	\$150
s. 21D	\$150
s. 23(1)	\$200
s. 23(2)	\$200
s. 24(3)	\$150
s. 25(2e)	\$100
s. 25(1)	\$500
s. 25(1a)	\$500
s. 25(2a)	\$500
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. 31D(2)	\$500
s. 33(1)	\$200
s. 33(4)	\$500
s. 33(7)	\$100
s. 40B(1)	\$200
s. 41(1)	\$200
s. 43(1)	\$100
<i>Motor Vehicle Dealers (Sales) Regulations 1974</i>	
r. 14, relating to r. 11(2)	\$200

*[Schedule 1 amended in Gazette 28 Jan 2003 p. 267.]*

**Schedule 2 — Forms**

[r. 5 and 6]

**Form 1**

<i>Motor Vehicle Dealers Act 1973, s. 55A(3)</i>		Notice No:		
<b>Infringement Notice</b>				
<b>Alleged offender</b>	Family name:			
	Other names:			
	Address	No.:	Street name:	
		Suburb:		Postcode:
<b>Alleged offence</b>	Section of the Act: Or			
	Provision of the Regulations:			
	Description of alleged offence:			
	Where and when:			
<b>Amount of modified penalty</b>	\$			
<b>Authorised officer who issued this notice</b>	Name:			
	Signature:			
	Date:			

**Notes**

<b>WHAT YOU MUST DO</b>	<p>1. You may dispose of this matter within 28 days after the service of this notice by paying the modified penalty —</p> <p>(a) BY POSTING a cheque or money order made payable to the Commissioner Locked Bag 14 Cloisters Square Perth WA 6850; or</p> <p>(b) IN PERSON to the Cashier at the Department of Commerce - Consumer Protection <del>219 St George's Terrace Perth;</del> <a href="#">[street address to be inserted];</a></p> <p>OR</p> <p>2. Elect to have this matter dealt with before a COURT.</p> <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; your details may be published on a website; your vehicle may be immobilised or have its number plates removed; and your property may be seized and sold.</p>

[Form 1 amended in Gazette 12 Jan 2007 p. 49; 30 Jun 2011 p. 2663-4; 20 Aug 2013 p. 3837; [18 Nov 2014 p. 4319.](#)]

Form 2

Motor Vehicle Dealers Act 1973, s. 55A(7)		Notice No:		
<b>Withdrawal of Infringement Notice</b>				
<b>To</b> [Details of alleged offender]	Family name:			
	Other names:			
	Address	No.:	Street name:	
		Suburb:		Postcode:
<p><b>AN INFRINGEMENT NOTICE SERVED ON YOU HAS BEEN WITHDRAWN. ANY PAYMENT THAT HAS BEEN MADE WILL BE REFUNDED AND —</b></p> <ul style="list-style-type: none"> <li><b>• NO FURTHER ACTION WILL BE TAKEN*</b></li> <li><b>• A SUMMONS WILL BE ISSUED*</b></li> </ul> <p>[* delete whichever is not applicable]</p>				
<b>Details of withdrawn notice</b>	Date notice given:			
	Alleged notice:			
<b>Designated official who issued this notice</b>	Name:			
	Signature:			
	Date:			

## Notes

- <sup>1</sup> This is a compilation of the *Motor Vehicle Dealers (Infringements) Regulations 2002* and includes the amendments made by the other written laws referred to in the following table.

### Compilation table

Citation	Gazettal	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)
<a href="#"><u><i>Motor Vehicle Dealers (Infringements) Amendment Regulations 2014</i></u></a>	<a href="#"><u>18 Nov 2014 p. 4319</u></a>	<a href="#"><u>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)</u></a>