Motor Vehicle Dealers (Sales) Regulations 1974

Reprinted as at 2 July 1999

Western Australia

Motor Vehicle Dealers (Sales) Regulations 1974

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Western Australia

Motor Vehicle Dealers Act 1973

Motor Vehicle Dealers (Sales) Regulations 1974

1. Citation

These regulations may be cited as the *Motor Vehicle Dealers* (Sales) Regulations 1974 ¹.

2. Interpretation

In these regulations unless the contrary intention appears —

"Form" means a form in the First Schedule;

"schedule" means a schedule to these regulations;

"section" means a section of the Act;

"the Act" means the Motor Vehicle Dealers Act 1973.

3. Register of transactions (Form 1)

The register of transactions to be kept by a dealer pursuant to section 25 shall be kept in the form of a bound book the pages of which —

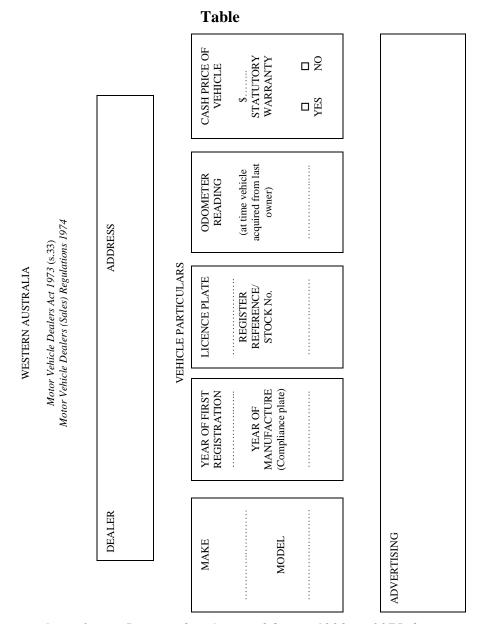
- (a) shall be in the form of Form 1; and
- (b) shall be numbered consecutively.

4. Notice of acquisition or sale of second-hand vehicle (Forms 2 and 3)

The particulars of acquisition or sale of a second-hand vehicle to be forwarded under section 26 to the licensing authority shall be in the form of Form 2 or Form 3 respectively.

5. Notice of required particulars (section 33)

- (1) For the purposes of section 33(1) of the Act the form of the notice containing the required particulars shall also set out
 - (a) the make and model of the vehicle; and
 - (b) whether the vehicle is of a type or class to which the obligations imposed by section 34(1) of the Act apply.
- (2) The notice of required particulars may be either
 - (a) printed on a sheet of plastic approximately 220 mm by 100 mm (*see example in the table to this regulation*); or
 - (b) on a sheet of paper approximately 210 mm by 150 mm.



[Regulation 5 inserted in Gazette 26 June 1998 pp.3375-6; amended in Gazette 18 September 1998 p.5158.]

5A. Prescribed amounts in relation to obligations of dealer

For the purposes of —

- (a) section 34(1)(a), the prescribed amount is \$4 000;
- (b) section 34(1)(b), the prescribed amount is \$4 000; and
- (c) section 34(3)(e), the prescribed amount is \$2 000.

[Regulation 5A inserted in Gazette 30 November 1984 p.3997; amended in Gazette 25 August 1989 p.2874.]

6. Notice of excluded defects (Form 5)

- (1) The form of notice for the purposes of section 35(1) shall be in the form of Form 5.
- (2) The notice prescribed by subregulation (1) of this regulation
 - (a) shall be printed on orange paper that is not less than 170 mm long and 210 mm wide; and
 - (b) shall be printed in the type, size and manner to conform to Form 5.

[Regulation 6 amended in Gazette 11 October 1974 p.3885.]

7. Copies of notice at time of sale (section 33(7))

- (1) Where a dealer sells a vehicle to which the obligations imposed by section 34(1) do apply, the notice required under section 33(7) shall be
 - (a) in the form of Form 4, and if that vehicle is not a motor cycle, the reverse of the form is to contain the illustration entitled 'The Used Car Warranty';
 - (b) in the form of Form 4, and if that vehicle is a motor cycle, the reverse of the form is to contain the illustration entitled 'The Used Bike Warranty',

and, if completed using the appropriate details from the notice attached to the vehicle under section 33, the Form 4 shall be regarded as a copy of the notice attached to the vehicle pursuant to section 33.

(2) Where a dealer sells a vehicle to which the obligations imposed by section 34(1) do not apply, the notice required under section 33(7) shall be in the form of Form 6, and, if completed using the appropriate details from the notice attached to the vehicle under section 33, the Form 6 shall be regarded as a copy of the notice attached to the vehicle pursuant to section 33.

[Regulation 7 inserted in Gazette 26 June 1998 p.3376.]

8. Sales between trade owners (Form 7)

- (1) When a sale of a second-hand vehicle takes place between trade owners, the seller shall complete in duplicate a trade owners disposal notice in the form of Form 7.
- (2) The original of the notice prescribed by subregulation (1) shall be supplied to the buyer and the duplicate thereof shall be retained by the seller.

9. Sale by non-trade owner to dealer (Form 7)

- (1) When a person, other than a trade owner, sells a second-hand vehicle to a dealer the seller shall complete in duplicate a notice of sale in the form of Form 7.
- (2) The original of the notice prescribed by subregulation (1) shall be supplied to the dealer and the duplicate thereof shall be retained by the seller.

[Regulation 9 amended in Gazette 28 May 1976 p.1614.]

10. Notice prohibiting sale of second-hand vehicle (Form 9)

- (1) The notice prohibiting the sale of a second-hand vehicle to be attached under section 28(1) shall be in the form of Form 9.
- (2) The notice prescribed by subregulation (1)
 - (a) shall be printed on green paper that is not less than 130 mm long and 90 mm wide;
 - (b) shall be attached directly to the driver's side of the front windscreen of the second-hand vehicle in the case of a

- vehicle that is not a motor cycle or in the case of a motor cycle shall be attached in a conspicuous position and shall face outwards when attached; and
- (c) shall be printed in the type, size and manner that conforms to Form 9.

[Regulation 10 amended in Gazette 11 October 1974 p.3885.]

11. Advertising

- Every advertisement referring to a specified second-hand vehicle or to any specified second-hand vehicles shall clearly and accurately specify —
 - (a) the registration number of the second-hand vehicle;
 - (b) the year of manufacture;
 - (c) the cash price; and
 - (d) address of the registered premises of the dealer at which the vehicle is offered for sale.
- (2) A dealer shall not advertise a second-hand vehicle or cause or permit a second-hand vehicle to be advertised unless the advertisement conforms to the provisions of subregulation (1).

12. Undesirable practices (Second Schedule)

The practices set out in the Second Schedule are undesirable practices for the purposes of section 41.

13. Prescribed accessories (Third Schedule)

The accessories set out in the Third Schedule are prescribed accessories for the purposes of section 34(3)(d).

14. Penalties

A person who contravenes or fails to comply with the provisions of these regulations commits an offence and is liable to a penalty of \$200.

[Heading inserted in Gazette 11 October 1974 p.3885.]

Form 1. WESTERN AUSTRALIA

Motor Vehicle Dealers Act 1973

Motor Vehicle Dealers (Sales) Regulations 1974, Reg. 3

(Section 25 Regulation 3)

ırı	in Guzette 11 October 1974 p.3003.]		
	-	Kemarks	
	IdentityEngineMake and No.Make and TypeMake and TypeNameAddressFrom Whom PushosDate Purchased Purchased Purchased Name AddressPurchased Purchased Purchased Name Address		
	Date	Disposed	
	Date	rurcnased	
	From Whom	Furchased Name Address	
	Registered Owner	Name Address	
	3	Make and Type	
	VEHICLE	Engine No.	
		Identity Plate	
	Register	O	

Fi	rst	Sc	hed	lu	le

Form 2.

WESTERN AUSTRALIA

Motor Vehicle Dealers Act 1973 (Section 26)

Motor Vehicle Dealers (Sales) Regulations 1974, Reg. 4

PARTICULARS ACQUISITION OF SECOND-HAND VEHICLE

(THIS NOTICE IS TO BE SENT TO THE LICENSING AUTHORITY THAT LICENSED OR REGISTERED THE VEHICLE. IF THAT AUTHORITY IS NOT WITHIN WESTERN AUSTRALIA THE NUMBER PLATES ARE TO BE RETURNED TO THE NEAREST LICENSING OR REGISTERING AUTHORITY.)

ROAD TRAFFIC ACT 1974 AS AMENDED, APPLICATION TO TRANSFER AND TRANSFER RECEIPT

TO (NAME OF LICENSING A	UTHORITY)	
	OFFICE USE ONLY	FEES PAYABLE
PREVIOUS OWNER NAME CHECK	BODY TYPE	CHECKED BY
	TO BE COMPLETED BY DEALER	
PLATE NUMBER	DATE DEALER NAME ACQUIRED CHECK	DEALER'S LICENCE No.
(MAKE)	(BODY TYPE)	(YEAR)
LICENCE EXPIRES	ENGINE NUMBER	DEALER'S REGISTER No
DEALER'S BUSINESS NAME	3	
ADDRESS .		
PREVIOUS REGISTERED OV VEHICLE ACQUIRED FROM	VNER(SURNAME) (OTHER NAMES I (GIVE FULL NAMES AND ADDRESS)	N FULL)
,	DF DEALER) (OTHER NAMES IN	
No. AND STREET		
TOWN OR SUBURB	POST	CODE
DATE	AUTHORIZED OFFICER	
NOTE — THIS FORM NOT REQUIRED	FOR UNLICENSED VEHICLES.	
page 8		

page 8

Form 3.

WESTERN AUSTRALIA

Motor Vehicle Dealers Act 1973

(Section 26)

Motor Vehicle Dealers (Sales) Regulations 1974, Reg. 4

ADVICE OF SALE OF SECOND-HAND VEHICLE

12 NOTE:

- Seller to complete in triplicate No carbon required.
- 2. Original copy to Police Department (Traffic Licensing and Services), Box R 1290, G.P.O., Perth 6001 immediately.
- 3. Duplicate copy to purchaser together with current licence.
- 4. Triplicate copy retained by seller.
- Purchaser to make IMMEDIATE application to transfer at any Licensing Office together with current licence.
- Failure to transfer the licence immediately after purchase may result in prosecution, maximum penalty \$200.

1.	PARTICULARS OF SEL Surname (block letters) Other Names (in full) Address	:	
2.	VEHICLE PARTICULA		r Dealer's use only RS NAME CHECK
Plat	e Number (Alpha)		NS NAME CHECK
	Make:	Body Type:	
	Engine Number:	Year of Manufactor	ure:
3.	Other Names (in full):	RCHASER	
	Town or Suburb	Post Code	Office Use Only
4.	DATE OF DISPOSAL (in	figures)	Locality Code
_			
5.	EXPIRY DATE OF LICE	ENCE (in figures)	
*	Driver's Licence Number * Date:	If a drivers licence is not held by the new owner's date of birth must be shown. If the corporation, CORP, must be shown in this	he new owner is a s field.

REGISTERED MOTOR VEHICLE DEALERS ONLY

NOTE: Above signature must be an authorized person.	
Stock Registered No Dealer's Licence No	
TO DE COMPLETE	ED DV DUDCHACED

TO BE COMPLETED BY PURCHASER			
I declare that I have purchased the vehicle	TRANSFER FEE AND STAMP DU'	TY PAYABLE	
described above and that the market value	Transfer Fee		
(including value of any trade-in) is	plus		
	Stamp Duty		
\$	(to calculate see		
Date	reverse side)		
Signature	TOTAL FEE PAYABLE \$		

Form 4.

WESTERN AUSTRALIA

Motor Vehicle Dealers Act 1973

(Section 33)

Motor Vehicle Dealers (Sales) Regulations 1974, Reg. 7

VEHICLE PARTICULARS ODOMETER READING

YEAR OF MANUFACTURE (Compliance Plate)	ODOMETER READING (at time vehicle acquired fro last owner)	w VEHICLE
	Kilometres/Miles	ψ
MAKE AND MODEL	V.I.N./CHA	ASSIS No
ENGINE No	LICENCE	PLATE No
LICENCE/REGISTRATION	YEAR OF	FIRST REGISTRATION
EXPIRES ON		
(If vehicle not licensed under Road Z	<u> Fraffic Act 1974</u> , insert "Unlicens	ed")
DATE OF SALE OF	OMETER READING AT TI	ME OF SALE kms/miles
REGISTER REFERENCE / STO	OCK No DEALER -	– NAME & ADDRESS
SIGNATURE OF DEALER, YA		GNATURE OF PURCHASER

STATUTORY WARRANTY

This vehicle is covered by the terms of a statutory warranty under the *Motor Vehicle Dealers* Act 1973. The length of time the vehicle is covered under warranty is determined by the amount of money you have paid for the vehicle. If you have paid:

- \$2 000.01 to \$3 999.99 (inclusive) the warranty is for two (2) months or 3 000 km, whichever occurs first; or
- \$4 000.00 or more the warranty is for three (3) months or 5 000 km, whichever occurs first.

The warranty means that the selling dealer must repair or make good all defects which make or are likely to make the vehicle unroadworthy or unserviceable. The repair should make the vehicle roadworthy and in a reasonable condition having regard to its age.

MORE INFORMATION

If you have any questions or require further information about the statutory warranty contact the Ministry of Fair Trading's telephone advice service on (08) 9222 0666, or 1800 199 117 for country callers. TTY (08) 9222 0742 (Hearing impaired). Internet: http://www.wa.gov.au/gov/mft

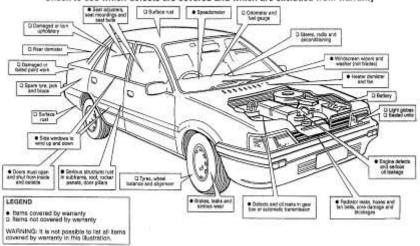
ALWAYS CONTACT THE DEALER FIRST TO DISCUSS WARRANTY REPAIRS

Please see reverse for a "Quick Guide to Warranty Items"

(reverse — for cars)

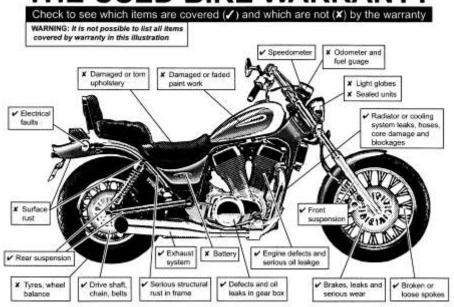
THE USED CAR WARRANTY

Check to see which defects are covered and which are excluded from warranty



(reverse—for bikes)

THE USED BIKE WARRANTY



Form 5. WESTERN AUSTRALIA

Motor Vehicle Dealers Act 1973 (S. 35)

Motor Vehicle Dealers (Sales) Regulations 1974, Reg. 6

NOTICE OF DEFECTS EXCLUDED FROM WARRANTY

This vehicle is provided with a warranty under the <u>Motor Vehicle Dealers Act 1973</u>, except for the defects stated below

THIS VEHICLE CONTAINS THE DEFECTS STATED BELOW. THE COST OF REPAIR, UP TO THE ESTIMATES SHOWN, BECOME THE RESPONSIBILITY OF THE PURCHASER. THE DEALER REMAINS LIABLE FOR THE REPAIR OF ANY DEFECTS NOT LISTED. Dealer — name and address Make & Model V.I.N./chassis No. Licence plate No. Engine No. Date of sale Odometer reading at time of sale kilometres/miles Estimated cost of repair Details of defect \$ \$ \$ \$ Signature of dealer, yard manager Signature of purchaser

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION ABOUT THIS VEHICLE PURCHASE

(reverse)

ITEMS COVERED BY THE STATUTORY WARRANTY

This vehicle is covered by the terms of the statutory warranty under section 34 of the *Motor Vehicle Dealers Act 1973*. This means the dealer must repair or make good all defects which make or are likely to make the vehicle unroadworthy or unserviceable. For more information on warranty defects, refer to the vehicle diagram on the reverse side of the 'Vehicle Particulars' Form 4.

ITEMS NOT COVERED BY THE STATUTORY WARRANTY

The defects which are <u>not</u> required to be repaired by the dealer are those stated on the front of this form, provided—

- this form was filled out and displayed on the vehicle before you negotiated to purchase it;
- an accurate and detailed description of the defect, and an accurate estimate of the repair cost has been stated; and
- you are given a signed copy of this notice before, or at the time of, sale.

Remember, it will be your responsibility to repair the defects listed on the front of this notice.

DESCRIPTION OF DEFECTS

The 'Details of Defect' should set out (with reasonable particularity) a description of the nature of the defect. For example, it would not be considered reasonable for a dealer to state "engine" as the defect and estimate \$800 as the cost of repairs. What should be stated is the particular defect with the engine, such as "excessive exhaust smoke - piston rings require replacement" together with the estimated cost of repairs.

UNDERESTIMATED REPAIR COSTS

If the amount estimated by the dealer as the fair cost of repairing or making good the defect is underestimated, then you may claim the difference between the fair cost of repair and the amount stated by the dealer on this form as the cost of repair.

MORE INFORMATION

If you have any questions or require further information about statutory warranties or this notice, contact the Ministry of Fair Trading's telephone advice service on 9222 0666, or 1800 199 117 for country callers. TTY 9222 0742 (hearing impaired).

Internet http://www.wa.gov.au/gov/mft

Form 6.

WESTERN AUSTRALIA

Motor Vehicle Dealers Act 1973 (Section 33, 34(3)) Motor Vehicle Dealers (Sales) Regulations 1974, Reg. 7

VEHICLE PARTICULARS

THIS VEHICLE IS <u>NOT PROVIDED WITH WARRANTY</u> UNDER THE MOTOR VEHICLE DEALERS ACT 1973

YEAR OF MANUFACTURE (Compliance Plate)	ODOMETER READING (at time vehicle acquired from last owner)	CASH PRICE OF VEHICLE	
MAKE AND MODEL	V.I.N/CHASSIS No.		
ENGINE No	LICENCE PLATE	No	
LICENCE/REGISTRATION	LICENCE/REGISTRATION YEAR OF FIRST REGISTRATION		
EXPIRES ON			
(If vehicle not licensed under Road Traffi	c Act 1974, insert "Unlicensed")		
DATE OF SALE ODOMETER READING AT TIME OF SALE kms/miles			
REGISTER REFERENCE/STO	CK No DEALER — NA	AME & ADDRESS	
SIGNATURE OF DEALER, YAOR SALESPERSON	ARD MANAGER SIGNA	ATURE OF PURCHASER	

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION ABOUT THIS VEHICLE PURCHASE

ALWAYS CONTACT THE DEALER FIRST TO DISCUSS ANY PROBLEMS

(reverse)

STATUTORY WARRANTY

This vehicle is not covered by the terms of the statutory warranty under section 34 of the *Motor Vehicle Dealers Act 1973*. This is because—

- the cash price paid for the vehicle is \$2 000 or less; or
- the vehicle was sold at auction on behalf of a member of the public; or
- the vehicle is exempted from the statutory warranty under the *Motor Vehicle Dealers Act 1973*.

Exempted vehicles include—

- Four wheel drive vehicles which are designed for use 'off-road'.
- Reconstructed vehicles commonly called 'Beach Buggies'.
- Caravans
- A passenger car originally constructed as a 'left hand drive' vehicle, whether or not that vehicle
 has since been converted to 'right hand drive' and licensed in this State.
- Motor cycles that are designed for competitive sport (unlicensed).
- Commercial vehicles, such as a utility that is not designed as a passenger vehicle. However, a
 utility derived from a passenger car design must generally be provided with a statutory warranty.

WARRANTIES IMPLIED UNDER FAIR TRADING AND TRADE PRACTICES LAWS

The Fair Trading Act 1987 and Trade Practices Act 1974 (C'th) require the dealer selling this vehicle to ensure that the vehicle matches any description given and that it is of 'merchantable quality'. This means that it must be fit for the purpose for which a vehicle of that nature is normally used. The amount of money you have paid for the vehicle is taken into account when determining merchantable quality.

For example, even though a vehicle is not covered by the statutory warranty under the *Motor Vehicle Dealers Act 1973*, you are entitled to expect the dealer to repair any major defects that were present at the time of sale which prevent the vehicle from being used in the normal way. This also applies to anything that makes it unsafe to drive (eg. faulty brakes, faulty steering or major structural rust).

The requirement of merchantable quality does not apply —

- to defects specifically drawn to your attention before the contract of sale is made; or
- if you examine the vehicle for defects before the contract is made, to defects that examination should have revealed.

VEHICLES BOUGHT AT AUCTION

Vehicles purchased at auction do not carry a 'statutory warranty' if they are being auctioned on behalf of a member of the public.

MORE INFORMATION

If you have any questions or require further information about statutory warranties or this notice, contact the Ministry of Fair Trading's telephone advice service on 9222 0666, or 1800 199 117 for country callers. TTY 9222 0742 (hearing impaired).

Internet http://www.wa.gov.au/gov/mft

Form 7.

WESTERN AUSTRALIA

Motor Vehicle Dealers Act 1973 Motor Vehicle (Sales) Regulations 1974, Regs. 8 and 9

NOTICE OF SALE

	NOTICE OF SALE
Trade	Buyer
Busin	ess Address
Seller	's Name
Addre	ess
Year Engin	tration Number of Vehicle
is \$	rade-in value ascribed to the vehicle
	Be Completed Where Disposal Frade Owner
(e)	Name of Last Owner (other than a trade owner — if same as seller write "as above").
(f)	Address
	in (e) above).
(g)	Reference Number in Dealer's Register
of and that thations I tale that h	fy that the above information is true and correct to the best of my knowledge and t the vehicle *is/is not subject to an order under the <i>Vehicle Standards</i> 977 and that there are no financial encumbrances of any kind assigned to this ave not been declared. which is not applicable.
	Signature of Seller
	Signature of Buyer
	Date
form is t	o be made out in duplicate, one copy to be retained by each signatory.
is form is t	o be made out in duplicate, one copy to be retained by each signatory.
	[Form 8 deleted in Gazette 28 May 1976 p.1614.]

Form 9.

WESTERN AUSTRALIA

Motor Vehicle Dealers Act 1973 (Section 28)

Motor Vehicle Dealers (Sales) Regulations 1974, Reg. 10 NOTICE PROHIBITING SALE OF SECOND-HAND VEHICLE

At the time of inspection by a member of the Police Force, authorized officer or Traffic Inspector examining or testing second-hand vehicles, this vehicle required attention to comply with the law relating to the equipment, serviceability or roadworthiness of vehicles.

The sale of this vehicle is prohibited, except for the purposes of breaking up, unless and until this label has been removed by a member of the Police Force, authorized officer or Traffic Inspector.

Reverse Side (Form 9)

This vehicle must not be sold, except for the purposes of breaking up, unless and until this notice has been removed by a member of the Police Force, authorized officer or Traffic Inspector.

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

WARNING

This label must NOT be removed EXCEPT by a member of the Police Force, authorized officer or a Traffic Inspector, in accordance with the *Motor Vehicle Dealers Act 1973*.

[First Schedule amended in Gazette 11 October 1974 pp.3885-6; 23 May 1974 pp.1428-9; 14 November 1975 p.4220; 28 May 1976 p.1614; 27 August 1976 p.3259; 21 December 1979 p.3989; 26 June 1981 p.2364; 2 February 1982 p.396; 27 August 1982 p.3426; 29 October 1982 p.4355; 30 November 1984 p.3997; 26 June 1998 pp.3377-80.]

Second Schedule

(Section 41 Regulation 12)

Undesirable practices

- 1. Failing to hand over at the time of sale or to forward to a purchaser within 2 days of the sale the registration papers in respect of a motor vehicle.
- 2. Offering for sale by a person licensed under the Act of a second-hand vehicle other than a second-hand vehicle of which he or his employer is not the trade owner from a place that is not a registered premises under the Act.
- 3. Advertising or displaying a telephone number for the purpose of selling a vehicle the vendor of which is the trade owner or is employed by the trade owner except
 - (a) a telephone number of a registered premises under the Act; and
 - (b) an "after-hours" telephone number that is advertised or displayed
 - (i) at a registered premises;
 - (ii) on business cards or letterheads; or
 - (iii) in a telephone directory.
- 4. Offering for sale or the advertising of a second-hand vehicle for sale by a person who is not the owner or assignee of the second-hand vehicle.
- 5. The giving, by a dealer, yard manager or salesman, of misleading advice to a person (in this item called "the representee") concerning
 - (a) the nature of a written offer to purchase a motor vehicle, which offer has been prepared by a person other than the representee; and
 - (b) the effect of the offer referred to in paragraph (a) if signed by the representee or any other person.

[Second Schedule amended in Gazette 11 October 1974 p.3885; 14 November 1975 p.4220; 5 August 1988 p.2629.]

Third Schedule

Third Schedule

(Regulation 13)

Prescribed accessories

- 1. Radios.
- 2. Tape Players.
- 3. Refrigerated air conditioning units.

[Third Schedule amended in Gazette 11 October 1974 p.3885.]

Notes

This reprint is a compilation as at 2 July 1999 of the *Motor Vehicle Dealers* (*Sales*) *Regulations 1974* and includes the amendments in the reprint of 10 April 1984 and amendments effected by the other regulations referred to in the following Table.

Table of Regulations

Table of Regulations				
Citation	Gazettal	Commencement	Miscellaneous	
Motor Vehicle Dealers (Sales) Regulations 1974	14 June 1974 pp.1926-36			
(Regulations effecting amendments included in the previous reprint are not referred to in this Table)	16 April 1984 pp.1061-74		Previous reprint as at 10 April 1984	
Motor Vehicle Dealers (Sales) Amendment Regulations 1984	30 November 1984 p.3997	1 January 1985 (see regulation 2)		
Motor Vehicle Dealers (Sales) Amendment Regulations 1988	5 August 1988 p.2629	2 September 1988 (see regulation 2)		
Motor Vehicle Dealers (Sales) Amendment Regulations 1989	25 August 1989 p.2874	25 August 1989		
Motor Vehicle Dealers (Sales) Amendment Regulations 1998	26 June 1998 pp.3375-80	26 December 1998 (see regulation 2)		
Motor Vehicle Dealers (Sales) Amendment Regulations (No. 2) 1998	18 September 1998 pp.5157-8	26 December 1998 (see regulation 2 and <i>Gazette</i> 26 June 1998 p.3375)		