



Western Australia

Motor Vehicle Repairers Act 2003

Motor Vehicle Repairers Regulations 2007

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Motor Vehicle Repairers Regulations 2007

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Defined terms

Motor Vehicle Repairers Regulations 2007

Part 1 — Preliminary

1. Citation

These regulations are the *Motor Vehicle Repairers Regulations 2007*¹.

2. Commencement

These regulations come into operation on the day on which the *Motor Vehicle Repairers Act 2003* Part 3 comes into operation¹.

3. Terms used

- (1) In these regulations, unless the contrary intention appears —
- accessory*** when used in connection with a motor vehicle, includes an accessory originally fitted to the vehicle in the course of manufacturing the vehicle, but does not include —
- (a) a component that forms, or will form, part of any of the following of the vehicle and that, but for this definition, would be an accessory —
 - (i) the fuel system;
 - (ii) the air induction system;
 - (iii) the engine;
 - (iv) the ignition system;
 - (v) the engine management system;

- (vi) the cooling system;
- (vii) the driveline;
- (viii) the electronic drive management system;
- (ix) the braking system;
- (x) the steering system;
- (xi) the suspension system;
- (xii) the exhaust system;

or

- (b) an air conditioning system that is, or is to be, fitted to the vehicle;

air conditioning work means any work required to install, service, repair, overhaul, remove or retrofit an air conditioning system in a heavy vehicle or light vehicle;

apprentice has the meaning given in the *Vocational Education and Training Act 1996* section 60A;

autogas work means any work required to do any of the following —

- (a) to service, repair, overhaul or modify a gas fuel system that is, was, or may be, fitted to a heavy vehicle or light vehicle;
- (b) to convert a fuel system in a heavy vehicle or light vehicle to a gas fuel system or to a system that consists partly of a gas fuel system;
- (c) to convert a fuel system that consists partly of a gas fuel system —
 - (i) to a fuel system that is not a gas fuel system; or
 - (ii) to a gas fuel system;

body building work —

- (a) means any work required to do any of the following —
 - (i) to fabricate or modify a body of a motor vehicle to fit the vehicle's chassis;

(ii) to fit the chassis of a motor vehicle with a fabricated or modified body;

but

(b) does not include any of the following —

(i) realigning the chassis of a motor vehicle;

(ii) realigning, repairing, preparing for painting or painting a panel, frame or other component of the body of a motor vehicle;

(iii) installing or removing any glass in the body of a motor vehicle,

other than installing or removing any moveable glass, if required;

brake work means any work required to service, repair, overhaul or modify a braking system that is, was, or may be, fitted to a motor vehicle;

Class E permit or authorisation, in relation to a type of gas fuel system, means a permit, or authorisation, as defined in the *Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999* —

(a) that is of a grade designated as Class E under those regulations; and

(b) under which the holder is authorised to do gasfitting work on that type of gas fuel system;

cooling system work means any work required to service, repair, overhaul or modify a cooling system that is, was, or may be, fitted to a motor vehicle;

cylinder head reconditioning work means any work required to overhaul a cylinder head of an engine that is, was, or may be, fitted to a motor vehicle;

diesel fitting work means any work required to do any of the following —

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- (a) to service, repair, overhaul or modify any of the following that is, was, or may be, fitted to a heavy vehicle or light vehicle —
 - (i) a diesel fuel system;
 - (ii) a diesel engine;
- (b) to service, repair, overhaul or modify any of the following that is, was, or may be, fitted to a heavy vehicle or light vehicle propelled by a diesel engine —
 - (i) an air induction system;
 - (ii) an ignition system;
 - (iii) an engine management system;
 - (iv) a cooling system;
 - (v) a hydraulic system;
- (c) to do any of the following in respect of a heavy vehicle or light vehicle propelled by a diesel engine —
 - (i) to fabricate, service, repair or modify the exhaust system;
 - (ii) to repair or replace a rim, tyre or tube;
 - (iii) to balance a wheel;

diesel fuel and engine work means any work required to do any of the following —

- (a) to service, repair, overhaul or modify a diesel fuel system that is, was, or may be, fitted to a heavy vehicle or light vehicle;
- (b) to service or repair a diesel engine that is, was, or may be, fitted to a heavy vehicle or light vehicle;
- (c) to service or repair any of the following that is, was, or may be, fitted to a heavy vehicle or light vehicle propelled by a diesel engine —
 - (i) an air induction system;
 - (ii) an ignition system;

- (iii) an engine management system;

driveline when used in connection with a motor vehicle, means the following in the propulsion system of the vehicle —

- (a) for a motor vehicle described in paragraph (a) of the definition of **motor cycle** —
 - (i) any clutch operating system and clutch assembly;
 - (ii) the transmission;
 - (iii) any drive chain, drive belt or drive shaft;
 - (iv) any wheel assembly component that forms part of the propulsion system;
- (b) for any other motor vehicle —
 - (i) any clutch operating system and clutch assembly;
 - (ii) the transmission;
 - (iii) any tail shaft;
 - (iv) the final drive assembly (whether or not its differential is integrated with the transmission);

driveline servicing and repairing work means any work required to service or repair a driveline that is, was, or may be, fitted to a motor vehicle;

driveline work means any work required to service, repair, overhaul or modify a driveline that is, was, or may be, fitted to a motor vehicle;

electrical accessory means an off the shelf accessory that is designed to be fitted to a motor vehicle principally by way of electrical connection, such as an immobiliser, audio or audio-visual equipment, spotlights, a horn, an electric winder for a window, a navigation system or a parking sensor;

electrical accessory fitting work means any work required to install or remove an electrical accessory to a motor vehicle;

electrical work means any work required to install, service, repair, overhaul or remove any of the following in a motor vehicle —

- (a) any electrical equipment or system (including any electrical accessory and any electrical component associated with any other prescribed accessory);
- (b) any electrical part of any other thing or system;

emergency servicing or repair, when used in connection with a thing diagnosed as the cause or possible cause of the breakdown of a vehicle, means servicing, or repair, that is on-the-spot and of a minor nature and that a person providing a breakdown service is reasonably expected to be required to carry out for the purpose of restoring, or attempting to restore, the vehicle's mobility, including, if applicable, any of the following —

- (a) carrying out minor electrical servicing and minor electrical repair;
- (b) cleaning or lubricating the thing or any of its components;
- (c) replenishing any oil, lubricant, coolant or other liquid that requires replenishment;
- (d) replacing the thing or any of its component;
- (e) tightening or otherwise adjusting the thing or any of its component,

but not including refuelling a vehicle that has run out of fuel;

engine reconditioning work means any work required to overhaul an engine (including a cylinder head of an engine) that is, was, or may be, fitted to a motor vehicle;

exempt motorised wheelchair means a motorised wheelchair —

- (a) that is fitted with 3 or more wheels; and
- (b) for which a vehicle licence is not required under the Road Traffic Act while the vehicle is being used on a road;

exhaust system work means any work required to fabricate, service, repair or modify the exhaust system in a motor vehicle;

existing repair business means a person or firm to whom the Act Schedule 3 clause 1 applies and who is an applicant for a business licence;

fabricate when used in connection with a thing or system, means to fabricate the thing or system otherwise than in the course of manufacturing a motor vehicle to which the thing or system is to be fitted;

final drive assembly when used in connection with a motor vehicle, means the following in the propulsion system of the vehicle —

- (a) the differential;
- (b) the drive shafts;
- (c) any wheel assembly component that forms part of the propulsion system;

gas fuel system means any of the following types of system —

- (a) a compressed natural gas (or CNG) fuel system;
- (b) a liquefied natural gas (or LNG) fuel system;
- (c) a liquefied petroleum gas (or LPG) fuel system;
- (d) a hydrogen (or H₂) fuel system;

glazing work means any work required to install, repair or remove a windscreen or other glass in the body of a motor vehicle;

gross vehicle mass of a motor vehicle, means the maximum loaded mass of the vehicle —

- (a) as specified by the manufacturer; or
- (b) as specified by the relevant authority if —
 - (i) the manufacturer has not specified a maximum loaded mass; or
 - (ii) the manufacturer cannot be identified; or
 - (iii) the vehicle has been modified to the extent that the manufacturer's specification is no longer appropriate;

heavy vehicle means a motor vehicle that has a gross vehicle mass of more than 8 000 kg;

heavy vehicle servicing work means any work required to do any of the following —

- (a) in respect of a heavy vehicle to which paragraph (b) does not apply, to carry out minor electrical servicing or to service any of the following —
 - (i) the fuel system;
 - (ii) the air induction system;
 - (iii) the engine;
 - (iv) the ignition system;
 - (v) the engine management system;
 - (vi) the cooling system;
 - (vii) the driveline;
 - (viii) any electronic drive management system;
 - (ix) the braking system;
 - (x) the steering system;
 - (xi) the suspension system;
 - (xii) a wheel assembly;
 - (xiii) any hydraulic system;
- (b) in respect of a heavy vehicle during an emergency breakdown —
 - (i) to diagnose the cause of the breakdown;
 - (ii) to carry out emergency servicing or repair on a thing diagnosed as the cause or possible cause of the breakdown;

heavy vehicle work means any work required to do any of the following in respect of a heavy vehicle —

- (a) to service, repair, overhaul or modify any of the following —
 - (i) the fuel system;

- (ii) the air induction system;
- (iii) the engine;
- (iv) the ignition system;
- (v) the engine management system;
- (vi) the cooling system;
- (vii) the driveline;
- (viii) any electronic drive management system;
- (ix) the braking system;
- (x) the steering system;
- (xi) the suspension system;
- (b) to fabricate, service, repair or modify the exhaust system;
- (c) to service, repair or replace a wheel assembly;
- (d) to balance a wheel or align the wheels;
- (e) to service or repair any hydraulic system;
- (f) to carry out minor electrical servicing or minor electrical repair;
- (g) to install or remove a prescribed accessory;

ignition system does not include an immobiliser;

install when used in connection with a thing or system, means —

- (a) to install the thing or system in a motor vehicle otherwise than in the course of manufacturing the vehicle; and
- (b) to ensure that the thing or system operates properly, including repairing it if necessary;

light vehicle means a motor vehicle, not being a motor cycle, that has a gross vehicle mass of not more than 8 000 kg;

light vehicle servicing work means any work required to do any of the following —

- (a) in respect of a light vehicle to which paragraph (b) does not apply, to carry out minor electrical servicing or to service any of the following —
 - (i) the fuel system;
 - (ii) the air induction system;
 - (iii) the engine;
 - (iv) the ignition system;
 - (v) the engine management system;
 - (vi) the cooling system;
 - (vii) the driveline;
 - (viii) any electronic drive management system;
 - (ix) the braking system;
 - (x) the steering system;
 - (xi) the suspension system;
 - (xii) a wheel assembly;
 - (xiii) any hydraulic system;
- (b) in respect of a light vehicle during an emergency breakdown —
 - (i) to diagnose the cause of the breakdown;
 - (ii) to carry out emergency servicing or repair on a thing diagnosed as the cause or possible cause of the breakdown;

light vehicle work means any work required to do any of the following in respect of a light vehicle —

- (a) to service, repair, overhaul or modify any of the following —
 - (i) the fuel system;
 - (ii) the air induction system;
 - (iii) the engine;

- (iv) the ignition system;
 - (v) the engine management system;
 - (vi) the cooling system;
 - (vii) the driveline;
 - (viii) any electronic drive management system;
 - (ix) the braking system;
 - (x) the steering system;
 - (xi) the suspension system;
- (b) to fabricate, service, repair or modify the exhaust system;
 - (c) to service, repair or replace a wheel assembly;
 - (d) to balance a wheel or align the wheels;
 - (e) to service or repair any hydraulic system;
 - (f) to carry out minor electrical servicing or minor electrical repair;
 - (g) to install or remove a prescribed accessory;

mechanical accessory —

- (a) means an off the shelf accessory that is designed to be fitted to a motor vehicle principally by way of mechanical connection (whether or not the fitting also requires any electrical connection), such as a towbar, protection bar, sunroof, roof-rack, wheel-chair lift or winch; and
- (b) includes any electrical component associated with the accessory;

mechanical accessory fitting work means any work required to install or remove a mechanical accessory to a motor vehicle;

minor electrical repair means replacing a fuse, bulb or terminal, carrying out wiring repairs or otherwise rectifying any open circuit, short circuit or earthing faults;

minor electrical servicing means any of the following —

- (a) replacing a spark plug or spark plug lead;
- (b) charging or replacing a battery;

motor cycle means —

- (a) a motor vehicle that is designed to travel on 2 wheels or, with a sidecar attached, 3 wheels; or
- (b) a motor vehicle —
 - (i) that has 3 wheels arranged so that the axis of rotation of 2 wheels lies on the same straight line and each of those 2 wheels is equidistant from the 3rd; and
 - (ii) that is designed to be steered using a handlebar and to have a significant portion of its other controls on the handlebar;

motor cycle servicing work means any work required to do any of the following —

- (a) in respect of a motor cycle to which paragraph (b) does not apply, to carry out minor electrical servicing or to service any of the following —
 - (i) the fuel system;
 - (ii) the air induction system;
 - (iii) the engine;
 - (iv) the ignition system;
 - (v) the engine management system;
 - (vi) any cooling system;
 - (vii) the driveline;
 - (viii) any electronic drive management system;
 - (ix) the braking system;
 - (x) the steering system;
 - (xi) the suspension system;
 - (xii) a wheel assembly;

- (b) in respect of a motor cycle during an emergency breakdown —
 - (i) to diagnose the cause of the breakdown;
 - (ii) to carry out emergency servicing or repair on a thing diagnosed as the cause or possible cause of the breakdown;

motor cycle work means any work required to do any of the following in respect of a motor cycle —

- (a) to service, repair, overhaul or modify any of the following —
 - (i) the fuel system;
 - (ii) the air induction system;
 - (iii) the engine;
 - (iv) the ignition system;
 - (v) the engine management system;
 - (vi) any cooling system;
 - (vii) the driveline;
 - (viii) any electronic drive management system;
 - (ix) the braking system;
 - (x) the steering system;
 - (xi) the suspension system;
- (b) to fabricate, service, repair or modify the exhaust system;
- (c) to service, repair or replace a wheel assembly;
- (d) to balance a wheel or align the wheels;
- (e) to carry out minor electrical servicing or minor electrical repair;
- (f) to install or remove a prescribed accessory;
- (g) to realign the chassis;

moveable glass means a component, in the body of a motor vehicle, that is made wholly or partly of glass and —

- (a) is designed to be capable of having the position of the component or the glass adjusted; or
- (b) is an accessory;

number of repairers of an applicant for a business licence or renewal of a business licence, means the number of full-time equivalent individuals that the applicant employs (if the applicant is an existing repair business or a licensee), or proposes to employ (in the case of any other applicant), to carry out or supervise repair work in connection with the business to which the application relates, including —

- (a) any individual whom the applicant engages, or proposes to engage, as the case requires, under a contract for services (other than a contract with a person or firm who holds a business licence); and
- (b) if the applicant is an individual and personally carries out or supervises repair work in connection with the business, or proposes so to do, as the case requires — the applicant; and
- (c) if the applicant is a firm and any individual member of the firm personally carries out or supervises repair work in connection with the business, or proposes so to do, as the case requires — the individual member,

but not including any apprentice;

overhaul means —

- (a) when used in connection with a thing —
 - (i) to dismantle the thing; and
 - (ii) to reassemble it after reconditioning or replacing its components so that the useful life of the thing is comparable to its useful life when it was new;
- (b) when used in connection with a system —
 - (i) to dismantle the system; and

- (ii) to dismantle any thing in the system; and
- (iii) to reassemble the thing after reconditioning or replacing its components so that the useful life of the thing is comparable to its useful life when it was new; and
- (iv) to reassemble the system;

painting work —

- (a) means any work required to prepare for painting or to paint a panel, frame or other component of the body of a motor vehicle, otherwise than in the course of manufacturing the vehicle; but
- (b) does not include any of the following —
 - (i) realigning the chassis of a motor vehicle;
 - (ii) realigning or repairing a panel, frame or other component of the body of a motor vehicle;
 - (iii) installing or removing any glass in the body of a motor vehicle,
other than installing or removing any moveable glass, if required;

panel beating work —

- (a) means any work required to do any of the following —
 - (i) to realign the chassis of a motor vehicle;
 - (ii) to realign or repair a panel, frame or other component of the body of a motor vehicle;but
- (b) does not include installing, repairing or removing any glass (other than installing or removing any moveable glass) in the body of a motor vehicle;

power assisted pedal cycle means a vehicle designed to be propelled through a mechanism operated solely by human power, to which is attached one or more auxiliary propulsion

motors having a combined maximum output not exceeding 200 watts;

prescribed accessory means any of the following —

- (a) an electrical accessory;
- (b) a mechanical accessory;
- (c) any of the following accessories (whether off the shelf or custom-made), including any electrical component associated with the accessory —
 - (i) a moveable platform designed to raise and lower things being loaded onto or unloaded from a heavy vehicle or light vehicle;
 - (ii) a canopy;
 - (iii) a tray, a tray lid or a tray liner;
 - (iv) a tool rack;
 - (v) a side step;
 - (vi) a storage drawer;
 - (vii) shelving;

register of certificates means the register referred to in the Act section 50(1)(b);

relevant authority when used in connection with the gross vehicle mass of a motor vehicle, means —

- (a) if —
 - (i) the vehicle has never been licensed or registered but the vehicle is used or is intended to be used in this State; or
 - (ii) the vehicle was last licensed in this State, the chief executive officer of the department of the Public Service principally assisting in the administration of the licensing provisions of the Road Traffic Act; or
- (b) if the vehicle was last licensed or registered in another State or a Territory — the authority in that State or

Territory whose functions most nearly correspond to those of the chief executive officer mentioned in paragraph (a);

repair when used in connection with a thing or system, means —

- (a) to diagnose and detect any fault, or to detect any damage, in the thing or system; and
- (b) to rectify the fault or mend the damage, including, if applicable, replacing the thing or system or any of its components;

repairer of a licensee, means an individual employed by the licensee, whether on a full-time, part-time or casual basis, to carry out or supervise repair work in connection with the business to which the licence relates, and includes —

- (a) an individual engaged by the licensee under a contract for services (other than a contract with a person or firm who holds a business licence); and
- (b) if the licensee is an individual and personally carries out or supervises repair work in connection with the business — the licensee; and
- (c) if the licensee is a firm and any individual member of the firm personally carries out or supervises repair work in connection with the business — the individual member,

but does not include any apprentice;

retrofit an air conditioning system, means to modify the air conditioning system so that it uses another coolant as required under the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995* of the Commonwealth;

Road Traffic Act means the *Road Traffic Act 1974*;

service when used in connection with a thing or system, means to maintain the thing or system in order to maximise its useful life, including, if applicable, any of the following —

- (a) cleaning or lubricating any of its components;
- (b) replenishing or replacing any oil, lubricant, coolant or other fluid that requires periodic replenishment or replacement;
- (c) replacing any of its components that requires periodic replacement;
- (d) tightening or otherwise adjusting any of its components that requires periodic adjustment;

steering, suspension and wheel aligning work means any work required to do any of the following in respect of a motor vehicle —

- (a) to service or repair the steering system or suspension system;
- (b) to balance a wheel or align the wheels;

transmission work means any work required to service, repair, overhaul or modify any of the following that is, was, or may be, fitted to a heavy vehicle or light vehicle —

- (a) a transmission;
- (b) a final drive assembly the differential of which is integrated with a transmission;
- (c) an electronic drive management system;

trimming work means any work required to fabricate, repair or replace a seat or any interior lining or floor covering in a motor vehicle;

tyre fitting (heavy) work means any work required to do any of the following in respect of a heavy vehicle —

- (a) to repair or replace a rim, tyre or tube;
- (b) to balance a wheel;

tyre fitting (light) work means any work required to do any of the following in respect of a light vehicle or motor cycle —

- (a) to repair or replace a rim, tyre or tube;

- (b) to balance a wheel;

underbody work means any work required to do any of the following in respect of a light vehicle —

- (a) to service or repair any of the following —
 - (i) the braking system;
 - (ii) the steering system;
 - (iii) the suspension system;
- (b) to fabricate, service, repair or modify the exhaust system;

vintage vehicle means a vehicle that displays the description “veteran”, “vintage”, “post-vintage” or “invitation class” above its number plate as required by the department of the Public Service principally assisting in the administration of the licensing provisions of the Road Traffic Act.

- (2) In a definition in subregulation (1), unless the contrary intention appears —
 - (a) a reference to an engine that is, was, or may be, fitted to a motor vehicle (whether or not those words are expressly used) is a reference to the internal combustion engine, and any electric motor, in the propulsion system of the vehicle;
 - (b) a reference to any of the following systems that is, was, or may be, fitted to a motor vehicle (whether or not those words are expressly used) is a reference to such a system that is associated with the internal combustion engine in the propulsion system of the vehicle —
 - (i) a fuel system;
 - (ii) an air induction system;
 - (iii) an ignition system;
 - (iv) an engine management system;
 - (v) a cooling system;
 - (vi) an exhaust system;

- (c) a reference to any of the following things or systems that is, was, or may be, fitted to a motor vehicle (whether or not those words are expressly used) is a reference to such a thing or system in the propulsion system of the vehicle —
 - (i) a driveline;
 - (ii) a transmission;
 - (iii) a final drive assembly (whether or not its differential is integrated with a transmission);
 - (iv) an electronic drive management system;
- (d) a reference to a fuel system in a motor vehicle —
 - (i) does not include a reference to a gas fuel system; and
 - (ii) if the fuel system consists partly of a gas fuel system, is a reference only to the part of the fuel system that is not a gas fuel system;
- (e) a reference to modifying a fuel system in a motor vehicle does not include a reference to converting the fuel system to a gas fuel system or to a system that consists partly of a gas fuel system;
- (fa) a reference to modifying a gas fuel system in a motor vehicle includes a reference to converting the gas fuel system —
 - (i) to a fuel system that is not a gas fuel system; or
 - (ii) to a system that consists partly of a gas fuel system;
- (f) a reference to a thing or system that is, was, or may be, fitted to a motor vehicle (whether or not those words are expressly used) includes a reference to any electrical or other part of the thing or system (including any accessory that forms part of the thing or system);
- (g) a reference to any electrical equipment or system, electrical component or electrical part includes a

reference to any electronic equipment or system, electronic component or electronic part, as the case requires.

- (3) Without limiting the generality of a definition in subregulation (1), unless the contrary intention appears, a reference to any work required in connection with a thing or system that is, was, or may be, fitted to a motor vehicle (whether or not those words are expressly used) includes a reference to any of the following that is required —
- (a) checking the condition and operation of the thing or system by looking at it, listening to it, measuring it or testing it;
 - (b) disconnecting and reconnecting any electrical circuit;
 - (c) removing the thing or system or any other thing or system from, and refitting it to, the vehicle.

[Regulation 3 amended in Gazette 24 Jun 2008 p. 2803-11; 28 Jul 2009 p. 2975-6; 18 Nov 2014 p. 4320.]

4. Exclusions from definition of motor vehicle

Each of the following is excluded from the definition of *motor vehicle* in the Act section 3(1) —

- (a) a box-trailer without brakes;
- (b) a vintage vehicle;
- (c) a power assisted pedal cycle;
- (d) an exempt motorised wheelchair.

5. Classes of repair work prescribed (Act s. 5)

[(1) deleted]

- (2) For the purposes of the Act Part 3, each kind of work listed in the Table to this regulation is prescribed to be a class of repair work.

Table

| Item | Class of repair work |
|-------------|--|
| 1. | Air conditioning work |
| [2A | <i>deleted</i>] |
| 2. | Body building work |
| 3. | Brake work |
| 4. | Cooling system work |
| 5. | Cylinder head reconditioning work |
| 6. | Diesel fitting work |
| 7. | Diesel fuel and engine work |
| 8. | Driveline servicing and repairing work |
| 9. | Driveline work |
| 10. | Electrical accessory fitting work |
| 11. | Electrical work |
| 12. | Engine reconditioning work |
| 13. | Exhaust system work |
| 14. | Glazing work |
| 15. | Heavy vehicle servicing work |
| 16. | Heavy vehicle work |
| 17. | Light vehicle servicing work |
| 18. | Light vehicle work |
| 19. | Mechanical accessory fitting work |
| 20. | Motor cycle servicing work |
| 21. | Motor cycle work |
| 22. | Painting work |
| 23. | Panel beating work |
| 24. | Steering, suspension and wheel aligning work |
| 25. | Transmission work |
| 26. | Trimming work |
| 27. | Tyre fitting (heavy) work |
| 28. | Tyre fitting (light) work |
| 29. | Underbody work |

*[Regulation 5 amended in Gazette 24 Jun 2008 p. 2811;
18 Nov 2014 p. 4320.]*

6. Work that is not repair work prescribed (Act s. 5)

Each of the following kinds of work is prescribed not to be repair work for the purposes of the Act —

- (a) washing or otherwise cleaning or polishing a motor vehicle for the sole purpose of improving its appearance;
- (b) installing, removing, repairing or otherwise working on a refrigeration unit in a refrigerated trailer;
- (c) installing, removing, repairing or otherwise working on a fridge, stove, sink, toilet or other article of furnishings normally associated with human habitation that is, was, or may be, fitted to a motor vehicle;
- (d) installing, removing, repairing or otherwise working on —
 - (i) a crane, air compressor, concrete mixer, welder or other industrial or commercial plant that is, was, or may be, permanently affixed to a heavy vehicle or light vehicle and is not a prescribed accessory; and
 - (ii) any component, that is, was, or may be connected to the vehicle, the sole purpose of which is associated with the use of the plant;
- (e) the removal or dismantling by a wrecker of a thing or system that is, or was, fitted to a motor vehicle.

**Part 2A — Licensing of motor vehicle
repair businesses**

[Heading inserted in Gazette 24 Jun 2008 p. 2812.]

7A. Fees prescribed (Act s. 13)

- (1) For the purposes of the Act section 13(3)(a)(ii), the prescribed fee is —

[(a), (b) deleted]

- (c) for an application under the Act section 15, 17 or 19, the sum of —

- (i) \$165; and
- (ii) the amount determined in accordance with subregulation (6) in respect of the application.

[(2)-(5) deleted]

- (6) For the purposes of subregulation (1)(c)(ii), the amount in respect of an application is the amount specified in the Table to this regulation in the item that specifies the number of repairers of the applicant at the time the application is made.

Table

| Item | Number of repairers | Amount |
|-------------|----------------------------|---------------|
| 1. | 1 or 2 | \$698 |
| 2. | 3 | \$973 |
| 3. | 4 | \$1 215 |
| 4. | 5 to 7 | \$1 766 |
| 5. | 8 to 10 | \$2 248 |
| 6. | 11 or more | \$2 833 |

[Regulation 7A inserted in Gazette 24 Jun 2008 p. 2812-15; amended in Gazette 23 Jun 2009 p. 2447; 22 Jun 2011 p. 2370; 30 Jun 2011 p. 2667; 15 Jun 2012 p. 2595-6; 27 Jun 2013 p. 2697-8; 17 Jun 2014 p. 1971; 15 Jul 2014 p. 2463; 18 Nov 2014 p. 4320.]

[7B.] Deleted in Gazette 18 Nov 2014 p. 4320.]

7C. Duplicate business licence, fee for (Act s. 25)

For the purposes of the Act section 25, the prescribed fee is \$41.

[Regulation 7C inserted in Gazette 24 Jun 2008 p. 2817; amended in Gazette 23 Jun 2009 p. 2448; 22 Jun 2011 p. 2371; 15 Jun 2012 p. 2596; 27 Jun 2013 p. 2698; 17 Jun 2014 p. 1971.]

7D. Conditions and restrictions attached to business licences (Act s. 28)

For the purposes of the Act section 28, the following conditions and restrictions are prescribed —

- (a) any premises at or out of which the licensee carries out autogas work must comply with Australian Standard AS 2746-1999, *Working areas for gas-fuelled vehicles*, published by Standards Australia on 5 January 1999 (ISBN 0-7337-2399-3);
- (b) the licensee must not permit a repairer of the licensee to carry out autogas work on a type of gas fuel system unless the repairer —
 - (i) holds a Class E permit or authorisation for that type of gas fuel system; or
 - (ii) carries out the autogas work under the supervision of a person who holds a Class E permit or authorisation for that type of gas fuel system and who is, under the Class E permit or authorisation, authorised to so supervise.

r. 7E

*[Regulation 7D inserted in Gazette 24 Jun 2008 p. 2817-18;
amended in Gazette 18 Nov 2014 p. 4321.]*

7E. Duration of business licence (Act s. 30)

For the purposes of the Act section 30, a business licence is to be issued or renewed for the period of 3 years.

[Regulation 7E inserted in Gazette 18 Nov 2014 p. 4321.]

7F. Renewal of licence, fees for (Act s. 31(3)(b))

- (1) For the purposes of the Act section 31(3)(b), the prescribed fee is the sum of —
 - (a) \$165; and
 - (b) the amount determined in accordance with subregulation (2) in respect of the application.
- (2) For the purposes of subregulation (1)(b), the amount in respect of an application is the amount specified in the Table to this regulation in the item that specifies the number of repairers of the applicant at the time the application is made.

Table

| Item | Number of repairers | Amount |
|-------------|----------------------------|---------------|
| 1. | 1 or 2 | \$698 |
| 2. | 3 | \$973 |
| 3. | 4 | \$1 215 |
| 4. | 5 to 7 | \$1 766 |
| 5. | 8 to 10 | \$2 248 |
| 6. | 11 or more | \$2 833 |

[Regulation 7F inserted in Gazette 24 Jun 2008 p. 2819; amended in Gazette 23 Jun 2009 p. 2448; 22 Jun 2011 p. 2371; 15 Jun 2012 p. 2596-7; 27 Jun 2013 p. 2699; 17 Jun 2014 p. 1971-2; 15 Jul 2014 p. 2463; 18 Nov 2014 p. 4321.]

7G. Change of certain information, licensee to notify Commissioner of

- (1) In this regulation —
qualified repairer of a licensee means —
 - (a) a repairer of the licensee who holds a certificate for the class, or any of the classes, of repair work carried out by the licensee; and
 - (b) if the licensee carries out autogas work — a repairer of the licensee who holds a Class E permit or authorisation for the type, or any of the types, of gas fuel system on which the licensee carries out autogas work.
- (2) This regulation applies to a licensee if any of the following events occurs —
 - (a) a person ceases to be a qualified repairer of the licensee;
 - (b) a person becomes a qualified repairer of the licensee.
- (3) The licensee must, within 14 days after an event mentioned in subregulation (2) occurs, notify the Commissioner in writing of the event, specifying —
 - (a) the full name of the person concerned; and
 - (b) the day on which the person ceases to be, or becomes, a qualified repairer of the licensee.

Penalty: a fine of \$2 000.

[Regulation 7G inserted in Gazette 24 Jun 2008 p. 2819-20; amended in Gazette 30 Jun 2011 p. 2667; 18 Nov 2014 p. 4321.]

[7H. Deleted in Gazette 18 Nov 2014 p. 4321.]

Part 2 — Certification of individuals performing repair work

7. Repairer's certificate, fee for (Act s. 41(2)(b))

For the purposes of the Act section 41(2)(b), the prescribed fee, regardless of the number of classes of repair work, is \$77.10.

[Regulation 7 amended in Gazette 17 Jun 2008 p. 2555; 24 Jun 2008 p. 2820; 23 Jun 2009 p. 2448; 22 Jun 2011 p. 2372; 15 Jun 2012 p. 2597; 27 Jun 2013 p. 2699; 17 Jun 2014 p. 1972.]

8. Qualifications prescribed (Act s. 42(2)(a)(i))

- (1) In this regulation, unless the contrary intention appears —
AUR05 means version 1 of the training package AUR05 entitled *Automotive Industry Training Package Retail, Service and Repair*, published by Australian Training Products Ltd;
AUR99 means version 1, 2, 3 or 4 of the training package AUR99 entitled *Automotive Industry National Training Package — Retail, Service and Repair Sector*, published by Australian Training Products Ltd;
descriptor has the same meaning as it has in AUR05.
- (2) Subject to subregulation (3), for the purposes of the Act section 42(2)(a)(i), a person has the qualifications prescribed for a class of repair work listed in column 2 of the Table to this regulation if the person meets either of the following requirements —
 - (a) the person holds the qualification, issued under AUR99, of the code and title stated opposite that class in column 3 of the Table;
 - (b) the person —
 - (i) holds the qualification, issued under AUR05, of the code and title stated opposite that class in column 4 of the Table; and

- (ii) if a descriptor is stated opposite that class in column 4 — is entitled, under AUR05, to use the descriptor in conjunction with the qualification.
- (3) To have the qualifications prescribed for air conditioning work, a person must —
- (a) meet the requirements under subregulation (2) for that class of repair work; and
 - (b) hold an automotive air conditioning licence granted under Subdivision 6A.2.2 of the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995* of the Commonwealth.

Table

| Item | Class of repair work | Prescribed qualification under AUR99 | Prescribed qualification under AUR05 |
|------|-----------------------|---|---|
| 1. | Air conditioning work | <i>Code:</i> AUR20799 <i>Title:</i> Certificate II in Automotive (Mechanical — Air Conditioning) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Air Conditioning |
| 2. | Body building work | <i>Code:</i> AUR31599 <i>Title:</i> Certificate III in Automotive (Vehicle Body — Building) | <i>Code:</i> AUR30805 <i>Title:</i> Certificate III in Automotive Vehicle Body <i>Descriptor:</i> Body Building |
| 3. | Brake work | <i>Code:</i> AUR30399 <i>Title:</i> Certificate III in Automotive (Mechanical — Brakes) | <i>Code:</i> AUR30605 <i>Title:</i> Certificate III in Automotive Specialist <i>Descriptor:</i> Brake |

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| Item | Class of repair work | Prescribed qualification under AUR99 | Prescribed qualification under AUR05 |
|-------------|-----------------------------------|---|---|
| 4. | Cooling system work | <i>Code:</i> AUR21299 <i>Title:</i> Certificate II in Automotive (Mechanical — Radiator Repair) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Cooling System |
| 5. | Cylinder head reconditioning work | <i>Code:</i> AUR20899 <i>Title:</i> Certificate II in Automotive (Mechanical — Cylinder Head Reconditioning) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Cylinder Head Reconditioning |
| 6. | Diesel fitting work | <i>Code:</i> AUR30499 <i>Title:</i> Certificate III in Automotive (Mechanical — Diesel Fitter) | <i>Code:</i> AUR30605 <i>Title:</i> Certificate III in Automotive Specialist <i>Descriptor:</i> Diesel Fitting |
| 7. | Diesel fuel and engine work | <i>Code:</i> AUR30599 <i>Title:</i> Certificate III in Automotive (Mechanical — Diesel Fuel Specialist) | <i>Code:</i> AUR30605 <i>Title:</i> Certificate III in Automotive Specialist <i>Descriptor:</i> Diesel Fuel |

| Item | Class of repair work | Prescribed qualification under AUR99 | Prescribed qualification under AUR05 |
|-------------|--|---|--|
| 8. | Driveline servicing and repairing work | <i>Code:</i> AUR20999 <i>Title:</i> Certificate II in Automotive (Mechanical — Driveline) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Driveline/ Transmission |
| 9. | Driveline work | <i>Code:</i> AUR30699 <i>Title:</i> Certificate III in Automotive (Mechanical — Driveline) | <i>Code:</i> AUR30605 <i>Title:</i> Certificate III in Automotive Specialist <i>Descriptor:</i> Driveline |
| 10. | Electrical accessory fitting work | <i>Code:</i> AUR20699 <i>Title:</i> Certificate II in Automotive (Electrical — Accessory Fitting) | <i>Code:</i> AUR20405 <i>Title:</i> Certificate II in Automotive Electrical Technology |
| 11. | Electrical work | <i>Code:</i> AUR30199 <i>Title:</i> Certificate III in Automotive (Electrical) | <i>Code:</i> AUR30305 <i>Title:</i> Certificate III in Automotive Electrical Technology |
| 12. | Engine reconditioning work | <i>Code:</i> AUR30799 <i>Title:</i> Certificate III in Automotive (Mechanical — Engine Reconditioning) | <i>Code:</i> AUR30605 <i>Title:</i> Certificate III in Automotive Specialist <i>Descriptor:</i> Engine Reconditioning |

| Item | Class of repair work | Prescribed qualification under AUR99 | Prescribed qualification under AUR05 |
|-------------|------------------------------|--|---|
| 13. | Exhaust system work | <i>Code:</i> AUR21099 <i>Title:</i> Certificate II in Automotive (Mechanical — Exhaust Fitting & Repair) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Exhaust Fitting |
| 14. | Glazing work | <i>Code:</i> AUR22799 <i>Title:</i> Certificate II in Automotive (Vehicle Body — Glazing) | <i>Code:</i> AUR20905 <i>Title:</i> Certificate II in Automotive Vehicle Body <i>Descriptor:</i> Vehicle Glazing |
| 15. | Heavy vehicle servicing work | <i>Code:</i> AUR21799 <i>Title:</i> Certificate II in Automotive (Mechanical — Vehicle Servicing) | <i>Code:</i> AUR20505 <i>Title:</i> Certificate II in Automotive Vehicle Servicing <i>Descriptor:</i> Heavy Vehicle |
| 16. | Heavy vehicle work | <i>Code:</i> AUR30899 <i>Title:</i> Certificate III in Automotive (Mechanical — Heavy Vehicle Road Transport) | <i>Code:</i> AUR30405 <i>Title:</i> Certificate III in Automotive Mechanical Technology <i>Descriptor:</i> Heavy Vehicle Road Transport |

| Item | Class of repair work | Prescribed qualification under AUR99 | Prescribed qualification under AUR05 |
|-------------|-----------------------------------|---|---|
| 17. | Light vehicle servicing work | <i>Code:</i> AUR21799 <i>Title:</i> Certificate II in Automotive (Mechanical — Vehicle Servicing) | <i>Code:</i> AUR20505 <i>Title:</i> Certificate II in Automotive Vehicle Servicing <i>Descriptor:</i> Light Vehicle |
| 18. | Light vehicle work | <i>Code:</i> AUR31099 <i>Title:</i> Certificate III in Automotive (Mechanical — Light Vehicle) | <i>Code:</i> AUR30405 <i>Title:</i> Certificate III in Automotive Mechanical Technology <i>Descriptor:</i> Light Vehicle |
| 19. | Mechanical accessory fitting work | <i>Code:</i> AUR22499 <i>Title:</i> Certificate II in Automotive (Vehicle Body — Accessory Fitting “Mechanical”) | <i>Code:</i> AUR20205 <i>Title:</i> Certificate II in Automotive Aftermarket Manufacturing <i>Descriptor:</i> Accessory Fitting |
| 20. | Motor cycle servicing work | <i>Code:</i> AUR21799 <i>Title:</i> Certificate II in Automotive (Mechanical — Vehicle Servicing) | <i>Code:</i> AUR20505 <i>Title:</i> Certificate II in Automotive Vehicle Servicing <i>Descriptor:</i> Motorcycle |

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| Item | Class of repair work | Prescribed qualification under AUR99 | Prescribed qualification under AUR05 |
|-------------|--|--|--|
| 21. | Motor cycle work | <i>Code:</i> AUR31199 <i>Title:</i> Certificate III in Automotive (Mechanical — Motor Cycle) | <i>Code:</i> AUR30405 <i>Title:</i> Certificate III in Automotive Mechanical Technology <i>Descriptor:</i> Motorcycle |
| 22. | Painting work | <i>Code:</i> AUR31899 <i>Title:</i> Certificate III in Automotive (Vehicle Body — Vehicle Painting) | <i>Code:</i> AUR30805 <i>Title:</i> Certificate III in Automotive Vehicle Body <i>Descriptor:</i> Vehicle Painting |
| 23. | Panel beating work | <i>Code:</i> AUR31699 <i>Title:</i> Certificate III in Automotive (Vehicle Body — Panel Beating) | <i>Code:</i> AUR30805 <i>Title:</i> Certificate III in Automotive Vehicle Body <i>Descriptor:</i> Panel Beating |
| 24. | Steering, suspension and wheel aligning work | <i>Code:</i> AUR21399 <i>Title:</i> Certificate II in Automotive (Mechanical — Steering and Suspension) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Steering and Suspension |

| Item | Class of repair work | Prescribed qualification under AUR99 | Prescribed qualification under AUR05 |
|-------------|-----------------------------|--|--|
| 25. | Transmission work | <i>Code:</i> AUR30299 <i>Title:</i> Certificate III in Automotive (Mechanical — Automatic Transmission) | <i>Code:</i> AUR30605 <i>Title:</i> Certificate III in Automotive Specialist <i>Descriptor:</i> Transmission |
| 26. | Trimming work | <i>Code:</i> AUR31799 <i>Title:</i> Certificate III in Automotive (Vehicle Body — Trimming) | <i>Code:</i> AUR30805 <i>Title:</i> Certificate III in Automotive Vehicle Body <i>Descriptor:</i> Vehicle Trimming |
| 27. | Tyre fitting (heavy) work | <i>Code:</i> AUR21499 <i>Title:</i> Certificate II in Automotive (Mechanical — Tyre Fitting & Repair Heavy) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Tyre Fitting Heavy |
| 28. | Tyre fitting (light) work | <i>Code:</i> AUR21599 <i>Title:</i> Certificate II in Automotive (Mechanical — Tyre Fitting & Repair Light) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Tyre Fitting Light |

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| Item | Class of repair work | Prescribed qualification under AUR99 | Prescribed qualification under AUR05 |
|-------------|-----------------------------|--|---|
| 29. | Underbody work | <i>Code:</i> AUR21699 <i>Title:</i> Certificate II in Automotive (Mechanical — Underbody) | <i>Code:</i> AUR20705 <i>Title:</i> Certificate II in Automotive Mechanical <i>Descriptor:</i> Underbody |

Part 3 — Provisions applicable to business licences and to certificates

[Heading inserted in Gazette 24 Jun 2008 p. 2820.]

9. Particulars etc. to be recorded in register (Act s. 50(1)(a))

- (1) For the purposes of the Act section 50(1)(a), the following particulars and matters are prescribed in respect of each business licence that is issued —
 - (a) the number of the licence;
 - (b) the day on which the licence is issued;
 - (c) whether the licence is issued to an individual, a firm or a body corporate;
 - (d) the name of the person or firm to whom the licence is issued;
 - (e) the business name under which the person or firm carries on the business to which the licence relates;
 - (f) if the licence is issued to a body corporate — the address of its registered office;
 - [(g) deleted]*
 - (h) the address of each premises (other than any mobile premises) at which the licensee is authorised under the Act section 59 to carry on business under the authority of the licence;
 - (i) for each mobile premises (if any) out of which the licensee is authorised under the Act section 59 to carry on business under the authority of the licence —
 - (i) the make, model and registration number of the motor vehicle constituting the premises;
 - (ii) the address at which the vehicle is normally kept;
 - (j) any condition or restriction attached to the licence;

- (k) the day on which the licence expires;
 - (l) if the licence ceases to be in force under the Act section 30(2)(b), (c), (d) or (e) — the day on which it ceases to be in force.
- (2) For the purposes of the Act section 50(1)(b), the following particulars and matters are prescribed for each individual to whom a certificate is granted —
- (a) the full name and residential address of the individual;
 - (b) the day on which the individual first applied for a certificate under the Act section 41;
 - (c) if the individual is granted a provisional repairer's certificate —
 - (i) the day on which it is granted;
 - (ii) the class or classes of repair work for which it is granted;
 - (iii) any condition or restriction attached to it;
 - (iv) the day on which it expires;
 - (v) if it ceases to be in force under the Act section 46(2)(a) or (b) — the day on which it ceases to be in force;
 - (d) if the individual is granted a repairer's certificate —
 - (i) the day on which it is granted;
 - (ii) the class or classes of repair work for which it is granted;
 - (iii) any condition or restriction attached to it;
 - (iv) if it ceases to be in force under the Act section 46(1) — the day on which it ceases to be in force.

*[Regulation 9 amended in Gazette 24 Jun 2008 p. 2821-2;
18 Nov 2014 p. 4322.]*

10. Fees for inspecting, and obtaining copies of, register (Act s. 51)

For the purposes of the Act section 51, the prescribed fees in relation to a register are —

- (a) to inspect the register — \$19.20;
- (b) to obtain a copy of one or more specific entries of the register — \$19.20 for the first page and \$3.80 for each subsequent page;
- (c) to obtain a copy of all entries in the register — \$244.

[Regulation 10 inserted in Gazette 17 Jun 2014 p. 1972.]

11. Certified copy of certificate, fee for (Act s. 54(1))

For the purposes of the Act section 54(1), the prescribed fee is \$42.30.

[Regulation 11 amended in Gazette 17 Jun 2008 p. 2555; 23 Jun 2009 p. 2449; 22 Jun 2011 p. 2372; 15 Jun 2012 p. 2597; 27 Jun 2013 p. 2700; 17 Jun 2014 p. 1972.]

Part 4 — Miscellaneous

[Heading inserted in Gazette 24 Jun 2008 p. 2822.]

12. Changes of authorised premises, fees for (Act s. 61(1)(c))

(1) In this regulation —

fixed premises means any premises that are not mobile premises.

(2) For the purposes of the Act section 61(1)(c), the prescribed fee is —

- (a) if the application involves adding particulars of any mobile premises or substituting particulars of any premises with particulars of any mobile premises — \$63.80 for each of the mobile premises the particulars of which are to be added; and
- (b) if the application involves adding particulars of any fixed premises or substituting particulars of any premises with particulars of any fixed premises — \$127 for each of the fixed premises the particulars of which are to be added.

[Regulation 12 inserted in Gazette 24 Jun 2008 p. 2822-3; amended in Gazette 23 Jun 2009 p. 2449; 22 Jun 2011 p. 2373; 15 Jun 2012 p. 2598; 27 Jun 2013 p. 2700; 17 Jun 2014 p. 1973.]

13. Infringement notice offences and modified penalties (Act s. 98 and 99(1))

(1) The offences created by the provisions specified in column 2 in the Table to this regulation are prescribed under the Act section 98 as offences for which an infringement notice may be given under the Act section 100.

(2) For the purposes of the Act section 99(1), the modified penalty prescribed for the offence created by the provision specified in column 2 of an item in the Table to this regulation is —

- (a) for an individual — the amount specified in column 3 of that item;
- (b) for a body corporate — the amount specified in column 4 of that item.

Table

| Item | Provision | Modified penalty — individual | Modified penalty — body corporate |
|-------------|------------------|--------------------------------------|--|
| 1. | Section 14(2) | \$150 | \$300 |
| 2. | Section 27(6) | \$150 | \$300 |
| 3. | Section 33(2) | \$200 | \$400 |
| 4. | Section 38(1) | \$200 | \$400 |
| 5. | Section 38(2) | — | \$400 |
| 6. | Section 39(2) | \$500 | — |
| 7. | Section 39(3) | \$500 | \$2 500 |
| 8. | Section 40 | \$500 | — |
| 9. | Section 43(6) | \$150 | \$300 |
| 10. | Section 48(1) | \$150 | — |
| 11. | Section 57 | \$500 | \$2 500 |
| 12. | Section 63(3) | \$150 | \$300 |
| 13. | Section 64(2) | \$150 | \$750 |
| 14. | Section 69(2) | \$150 | \$300 |
| 15. | Section 71(3) | \$150 | \$750 |
| 16. | Section 108 | \$150 | \$300 |
| 17. | Regulation 7G | \$200 | \$400 |

[Regulation 13 inserted in Gazette 24 Jun 2008 p. 2823-4.]

14. Infringement notice and withdrawal notice, forms of (Act s. 101(1) and 103(1))

- (1) For the purposes of the Act section 101(1), Schedule 1 Form 1 is prescribed.

- (2) For the purposes of the Act section 103(1), Schedule 1 Form 2 is prescribed.

[Regulation 14 inserted in Gazette 24 Jun 2008 p. 2824.]

15. Refund of fee on withdrawal or refusal of certain applications

- (1) This regulation does not apply to or in relation to a transitional application or replacement application.
- (2) If an applicant withdraws an application made under the Act section 15, 17, 19 or 31, the Commissioner must refund to the applicant —
- (a) so much (if any) of the amount paid under regulation 7A(1)(c)(i) or 7F(1)(a), as the case requires, as the Commissioner determines to be appropriate; and
 - (b) the amount paid under regulation 7A(1)(c)(ii) or 7F(1)(b), as the case requires.
- (3) If the Commissioner refuses an application made under the Act section 15, 17, 19 or 31, the Commissioner must refund to the applicant the amount paid under regulation 7A(1)(c)(ii) or 7F(1)(b), as the case requires.
- (4) If an applicant withdraws an application made under the Act section 41 or 61, the Commissioner must refund to the applicant so much (if any) of the amount paid under regulation 7 or 12(2), as the case requires, as the Commissioner determines to be appropriate.

[Regulation 15 inserted in Gazette 24 Jun 2008 p. 2824-5; amended in Gazette 30 Jun 2011 p. 2667.]

[16. Deleted in Gazette 18 Nov 2014 p. 4322.]

[Part 5 (r. 17-20) deleted in Gazette 18 Nov 2014 p. 4322.]

Schedule 1 — Forms

[r. 14]

[Heading inserted in Gazette 24 Jun 2008 p. 2831.]

Form 1

| | | |
|---|---|-------------------------|
| <i>Motor Vehicle Repairers Act 2003</i> , s. 101(1) | | Infringement notice no. |
| Infringement notice | | |
| Alleged offender | Name: Family name _____ | |
| | Given names _____ | |
| | or Company name _____ ACN _____ | |
| | Address _____ Postcode _____ | |
| Alleged offence | Description of offence _____ | |
| | <i>Motor Vehicle Repairers Act 2003</i> s. _____ | |
| | OR <i>Motor Vehicle Repairers Regulations 2007</i> r. _____ | |
| | Date ____ / ____ /20 ____ Time ____ a.m./p.m. | |
| Modified penalty \$ _____ | | |
| Authorised officer issuing notice | Name _____ | |
| | Signature _____ | |
| Date | Date of notice ____ / ____ /20 | |
| Notice to alleged offender | <p>It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p>How to pay By post: Send this notice (or a copy) with a cheque or money order (made payable to the Commissioner) to: Department of Commerce - Consumer Protection Locked Bag 14 Cloisters Square Perth WA 6850</p> | |

| | |
|--|--|
| | <p>In person: Present this notice and your payment to the cashier at:</p> <p style="text-align: center;">Department of Commerce - Consumer Protection <i>[street address to be inserted]</i></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> |
| | <p>If you need more time to pay the modified penalty, you can apply for an extension of time by writing to:</p> <p style="text-align: center;">The Commissioner Department of Commerce - Consumer Protection Locked Bag 14 Cloisters Square Perth WA 6850</p> <p>If you want this matter to be dealt with by prosecution in court, sign here _____ and, within 28 days after it was given, post this notice to the above postal address.</p> |

[Form 1 inserted in Gazette 24 Jun 2008 p. 2831-2; amended in Gazette 30 Jun 2011 p. 2665-6; 20 Aug 2013 p. 3838; 18 Nov 2014 p. 4322.]

Form 2

| | | |
|--|---|----------------|
| <i>Motor Vehicle Repairers Act 2003, s. 103(1)</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 Repairers Act 2003 s.</i> | |
| | OR <i>Motor Vehicle Repairers Regulations 2007 r.</i> | |
| Date / /20 | | Time a.m./p.m. |
| Person 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 * If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to: The Commissioner Department of Commerce - Consumer Protection Locked Bag 14 Cloisters Square Perth WA 6850 | |
| <i>[*delete whichever is not applicable]</i> | Signature _____ / /20 | |

[Form 2 inserted in Gazette 24 Jun 2008 p. 2832-3; amended in Gazette 30 Jun 2011 p. 2666.]



Notes

¹ This is a compilation of the *Motor Vehicle Repairers Regulations 2007* and includes the amendments made by the other written laws referred to in the following table ^{1a}. The table also contains information about any reprint.

Compilation table

| Citation | Gazettal | Commencement |
|---|---------------------------|---|
| <i>Motor Vehicle Repairers Regulations 2007</i> | 9 Feb 2007 p. 391-426 | 19 Mar 2007 (see r. 2 and <i>Gazette</i> 9 Feb 2007 p. 451) |
| <i>Motor Vehicle Repairers Amendment Regulations (No. 2) 2008</i> | 17 Jun 2008 p. 2554-5 | r. 1 and 2: 17 Jun 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2008 (see r. 2(b)) |
| <i>Motor Vehicle Repairers Amendment Regulations 2008</i> | 24 Jun 2008 p. 2801-33 | r. 1 and 2: 24 Jun 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2008 (see r. 2(b) and <i>Gazette</i> 24 Jun 2008 p. 2885) |
| Reprint 1: The <i>Motor Vehicle Repairers Regulations 2007</i> as at 5 Sep 2008 (includes amendments listed above) | | |
| <i>Motor Vehicle Repairers Amendment Regulations 2009</i> | 31 Mar 2009 p. 1021-2 | r. 1 and 2: 31 Mar 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Apr 2009 (see r. 2(b)) |
| <i>Motor Vehicle Repairers Amendment Regulations (No. 2) 2009</i> | 23 Jun 2009 p. 2447-9 | r. 1 and 2: 23 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2009 (see r. 2(b)) |
| <i>Motor Vehicle Repairers Amendment Regulations (No. 3) 2009</i> | 28 Jul 2009 p. 2975-6 | r. 1 and 2: 28 Jul 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 28 Jul 2009 (see r. 2(b)(i)) |
| <i>Motor Vehicle Repairers Amendment Regulations (No. 2) 2011</i> | 22 Jun 2011 p. 2369-73 | r. 1 and 2: 22 Jun 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2011 (see r. 2(b)) |

| Citation | Gazettal | Commencement |
|--|----------------------------|--|
| <i>Motor Vehicle Repairers Amendment Regulations (No. 3) 2011</i> | 30 Jun 2011 p. 2665-7 | 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)) |
| Reprint 2: The Motor Vehicle Repairers Regulations 2007 as at 6 Jan 2012 (includes amendments listed above) | | |
| <i>Motor Vehicle Repairers Amendment Regulations 2012</i> | 15 Jun 2012 p. 2595-8 | r. 1 and 2: 15 Jun 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2012 (see r. 2(b)) |
| <i>Motor Vehicle Repairers Amendment Regulations (No. 3) 2013</i> | 27 Jun 2013 p. 2697-700 | r. 1 and 2: 27 Jun 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2013 (see r. 2(b)) |
| <i>Motor Vehicle Repairers Amendment Regulations (No. 2) 2013</i> | 20 Aug 2013 p. 3838 | 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 Repairers Amendment Regulations (No. 3) 2014</i> | 17 Jun 2014 p. 1970-3 | r. 1 and 2: 17 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2014 (see r. 2(b)) |
| <i>Motor Vehicle Repairers Amendment Regulations 2014</i> | 15 Jul 2014 p. 2462-3 | r. 1 and 2: 15 Jul 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Aug 2014 (see r. 2(b)) |
| <i>Motor Vehicle Repairers Amendment Regulations (No. 4) 2014</i> | 18 Nov 2014 p. 4319-22 | 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) |

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

| Citation | Gazettal | Commencement |
|---|-----------------------|---|
| <i>Motor Vehicle Repairers Amendment Regulations (No. 2) 2014</i> r. 3 and 4 ² | 8 Jan 2015 p. 91-3 | Operative on the day fixed under the <i>Road Traffic (Administration) Act 2008</i> section 2(b) (see r. 2(b)) |

² On the date as at which this compilation was prepared, the *Motor Vehicle Repairers Amendment Regulations (No. 2) 2014* r. 3 and 4 had not come into operation. They read as follows:

3. Regulations amended

These regulations amend the *Motor Vehicle Repairers Regulations 2007*.

4. Regulation 3 amended

- (1) In regulation 3(1) delete the definitions of:

power assisted pedal cycle

Road Traffic Act

- (2) In regulation 3(1) insert in alphabetical order:

power assisted pedal cycle means a vehicle —

- (a) designed to be propelled through a mechanism operated solely by human power; and
- (b) to which is attached one or more auxiliary propulsion motors having a combined maximum output not exceeding —
 - (i) 250 W, in the case of a pedalec, namely a vehicle that meets the standard of the European Committee for Standardization entitled EN 15194:2009 or EN 15194:2009+A1:2011 Cycles — Electrically power assisted cycles — EPAC Bicycles; or
 - (ii) 200 W, in any other case;

- (3) In regulation 3(1) in the definition of *exempt motorised wheelchair paragraph (b)* delete “Road Traffic Act” and insert:

Road Traffic (Vehicles) Act 2012

- (4) In regulation 3(1) in the definition of *relevant authority* paragraph (a) delete “licensing provisions of the Road Traffic Act; or” and insert:

Road Traffic (Vehicles) Act 2012 Part 2; or

- (5) In regulation 3(1) in the definition of *vintage vehicle* delete “licensing provisions of the Road Traffic Act.” and insert:

Road Traffic (Vehicles) Act 2012 Part 2.

Defined terms

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

| Defined term | Provision(s) |
|--|---------------------|
| accessory | 3(1) |
| air conditioning work | 3(1) |
| apprentice | 3(1) |
| AUR05 | 8(1) |
| AUR99 | 8(1) |
| autogas work | 3(1) |
| body building work | 3(1) |
| brake work | 3(1) |
| Class E permit or authorisation | 3(1) |
| cooling system work | 3(1) |
| cylinder head reconditioning work | 3(1) |
| descriptor | 8(1) |
| diesel fitting work | 3(1) |
| diesel fuel and engine work | 3(1) |
| driveline | 3(1) |
| driveline servicing and repairing work | 3(1) |
| driveline work | 3(1) |
| electrical accessory | 3(1) |
| electrical accessory fitting work | 3(1) |
| electrical work | 3(1) |
| emergency servicing or repair | 3(1) |
| engine reconditioning work | 3(1) |
| exempt motorised wheelchair | 3(1) |
| exhaust system work | 3(1) |
| existing repair business | 3(1) |
| fabricate | 3(1) |
| final drive assembly | 3(1) |
| fixed premises | 12(1) |
| gas fuel system | 3(1) |
| glazing work | 3(1) |
| gross vehicle mass | 3(1) |
| heavy vehicle | 3(1) |
| heavy vehicle servicing work | 3(1) |
| heavy vehicle work | 3(1) |
| ignition system | 3(1) |
| install | 3(1) |
| light vehicle | 3(1) |
| light vehicle servicing work | 3(1) |
| light vehicle work | 3(1) |

Defined terms

| | |
|--|-------|
| mechanical accessory | 3(1) |
| mechanical accessory fitting work | 3(1) |
| minor electrical repair | 3(1) |
| minor electrical servicing | 3(1) |
| motor cycle | 3(1) |
| motor cycle servicing work | 3(1) |
| motor cycle work | 3(1) |
| moveable glass | 3(1) |
| number of repairers | 3(1) |
| old licence | 3(1) |
| outstanding fee | 7B(1) |
| overhaul | 3(1) |
| painting work | 3(1) |
| panel beating work | 3(1) |
| power assisted pedal cycle | 3(1) |
| prescribed accessory | 3(1) |
| prescribed fee | 19(1) |
| proposed refund | 7B(1) |
| qualified repairer | 7G(1) |
| register of certificates | 3(1) |
| relevant authority | 3(1) |
| relevant day | 7H(1) |
| repair | 3(1) |
| repairer | 3(1) |
| retrofit | 3(1) |
| Road Traffic Act | 3(1) |
| round of licence notices | 18(1) |
| service | 3(1) |
| steering, suspension and wheel aligning work | 3(1) |
| transmission work | 3(1) |
| trimming work | 3(1) |
| tyre fitting (heavy) work | 3(1) |
| tyre fitting (light) work | 3(1) |
| underbody work | 3(1) |
| vintage vehicle | 3(1) |