



Western Australia

Motor Vehicle Dealers Act 1973

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

**Reprint 1: The regulations as at 23 January 2015**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, modifying or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

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

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Reprinted under the  
*Reprints Act 1984* as  
at 23 January 2015

Western Australia

Motor Vehicle Dealers Act 1973

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

### **1. Citation**

These regulations may be cited as the *Motor Vehicle Dealers (Infringements) Regulations 2002*<sup>1</sup>.

### **2. Commencement**

These regulations come into operation on the day on which the *Motor Vehicle Dealers Amendment Act 2002* comes into operation<sup>1</sup>.

### **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]

Column 1 Prescribed offence	Column 2 Modified penalty
<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
<i>[Schedule 1 amended in Gazette 28 Jan 2003 p. 267.]</i>	

**Form 1**

**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 <i>[street address to be inserted]</i>;</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

<i>Motor Vehicle Dealers Act 1973, s. 55A(7)</i>		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>[* <i>delete whichever is not applicable</i>]</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 reprint is a compilation as at 23 January 2015 of the *Motor Vehicle Dealers (Infringements) Regulations 2002* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<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)
<i>Motor Vehicle Dealers (Infringements) Amendment Regulations 2014</i>	18 Nov 2014 p. 4319	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)

**Reprint 1: The *Motor Vehicle Dealers (Infringements) Regulations 2002* as at 23 Jan 2015 (includes amendments listed above)**

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