

CE301*

Motor Vehicle Dealers Act 1973

Motor Vehicle Dealers (Sales) Amendment Regulations (No. 2) 2002

Made by the Lieutenant-Governor and deputy of the Governor in
Executive Council.

1. Citation

These regulations may be cited as the *Motor Vehicle Dealers (Sales) Amendment Regulations (No. 2) 2002*.

2. Commencement

These regulations come into operation immediately after the *Motor Vehicle Dealers (Sales) Amendment Regulations 2002* come into operation.

3. The regulations amended

The amendments in these regulations are to the *Motor Vehicle Dealers (Sales) Regulations 1974**.

[* Reprinted as at 2 July 1999.]

4. First Schedule amended

- (1) The First Schedule Form 4 is amended by deleting the text box headed "STATUTORY WARRANTY" and inserting instead —

“

STATUTORY WARRANTY

A motor vehicle is covered by the terms of a statutory warranty under the *Motor Vehicle Dealers Act 1973* because the cash price (inc. GST) paid is \$4 000 or more and the vehicle is not more than 12 years old and has travelled not more than 180 000 km. The length of time the vehicle is covered under warranty is determined by the age of the vehicle and kilometres it has travelled at the time of sale. Where a vehicle is —

- not more than 10 years old and has travelled not more than 150 000 km at the time of sale — warranty is for 3 months or 5 000 km, whichever happens first; or

- between 10 and 12 years old or has travelled between 150 000 and 180 000 km at the time of sale — warranty is for 1 month or 1 500 km, whichever happens first.

A motorcycle is covered by the terms of a statutory warranty because the cash price (inc. GST) paid is \$3 500 or more and the motorcycle is not more than 8 years old and has travelled not more than 80 000 km. The warranty is for 3 months or 5 000 km, whichever happens 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.

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- (2) The First Schedule Form 6 is amended by deleting items 1 to 4 under “The following vehicles are excluded —” and inserting instead —

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1. A caravan built to be towed by a motor vehicle.
2. A motor cycle —
 - (a) built for off-road use; and
 - (b) not built to carry any passengers.
3. A motor vehicle —
 - (a) built to be used primarily to carry goods or materials used in any trade, business or industry; and
 - (b) having only one row of seats.
4. A motor vehicle —
 - (a) built to be used primarily to carry people; and
 - (b) that seats more than 9 adults (including the driver).
5. A multi-wheeled open motor vehicle the driver of which sits astride the vehicle or part of the vehicle in a manner similar to that customary for the driver of a motor cycle.

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By Command of the Lieutenant-Governor
and deputy of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
