

Ref: FTMIN17/546

Statement of Regulatory Intent

Motor Dealers and Repairers Act 2013 **Motor Dealers and Repairers Regulation 2014**

This is a Statement of Regulatory Intent regarding the use of motor dealer notices prescribed under the *Motor Dealers and Repairers Act 2013* (the Act) and Motor Dealers and Repairers Regulation 2014 (the Regulation).

Section 62(1) of the Act requires that a dealer's notice must be in the form prescribed by the Regulation. This means that motor dealers licensed under the Act are required to use dealers' notices that are in the form specified in Schedule 2 of the Regulation.

On 8 July 2016, a number of minor and administrative changes commenced to the prescribed forms. It was also clarified that the prescribed forms do not have to be attached to motor vehicles such as motorcycles and trailers due to practical problems with weather exposure.

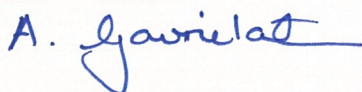
Subsequently there has been a complete review of motor dealers' forms with further changes to the forms.

This Statement of Regulatory Intent acknowledges that some motor dealer licensees will need to exhaust existing stock of forms and/or will not be able to use the forms as prescribed in the Regulation until suppliers of the forms have fully updated their products. It will be simpler for the industry if compliance with the updated prescribed forms is not required until all the changes have come into effect.

As such, until 31 December 2017, NSW Fair Trading intends to base its enforcement approach on the following:

For the purposes of section 62(1) of the Act, existing motor dealer licensees will be able to continue using dealers' notices that were in the form prescribed under the Motor Dealers and Repairers Regulation 2014 as was in force immediately prior to 8 July 2016.

This Statement of Regulatory Intent applies to all motor dealer licensees until the prescribed forms come into force.



Andrew Gavrielatos
Acting Commissioner

17/8/2017