

# Trade Show Guidelines

## Licensing requirements

If you are in the business of buying, selling or exchanging motor vehicles in NSW (including trailers and towable recreation vehicles) you are required to hold a NSW motor dealer's licence. With the exception of trade shows, all licensees must only offer or display motor vehicles at their notified premises.

## Trade show exception

A licensed NSW motor dealer is permitted to offer or display motor vehicles at a trade show without needing to notify NSW Fair Trading. A licensed NSW motor dealer may participate in a trade show and offer or display a motor vehicle for sale despite the fact that the location of the trade show is not a notified premises.

## Interstate and territory dealer exemption

Motor vehicle dealers who do not hold a licence in NSW may be able to participate in a NSW trade show, provided the show is a declared trade show by the Minister for Better Regulation and Innovation, following application by the organiser of the trade show for an interstate or territory dealer exemption.

An interstate dealer exemption is temporary and only valid for the duration of the declared trade show. Motor dealers from outside NSW, who do not hold a NSW motor dealer's licence, may participate in an declared trade show, provided they:

- only advise people on the quality performance and characteristics of motor vehicles,
- only make or receive offers in relation to entering into an agreement for the sale of **new** motor vehicles,
- comply with any conditions imposed as part of the trade show's declaration, and
- display a sign at the trade show that is easy to read and clearly identifiable that details that the dealer normally operates outside of NSW, details their registered business name/company name, address and any interstate licence name or number (if applicable). The sign must also state the contract of sale for any purchases will be signed outside of NSW.

Interstate dealers who are granted the exemption are not permitted to enter into a binding contract or agreement with trade show participants or take deposits.

Fair Trading inspectors attend trade shows to ensure compliance with these requirements.

## Applying for an interstate dealer exemption – trade show organisers

Only trade show organisers can apply for an interstate dealers' exemption. All applications must be made in writing to NSW Fair Trading by emailing:

[Licensing.Exemptions@customerservice.nsw.gov.au](mailto:Licensing.Exemptions@customerservice.nsw.gov.au)

Applications must be submitted **at least 8 weeks** before the proposed start date of the trade show. Any applications received within 8 weeks of the show's start date will be refused.

All applications must provide sufficient details about the trade show for the Minister to make a decision. As a minimum, applications should include:

- 1) the contact details of the relevant person responsible for organising the trade show.  
*This person must be available to be contacted by Fair Trading once the application is submitted. Where contact cannot be made with the nominated person, there may be insufficient time to allow the application to be processed before the start of the show.*
- 2) the expected commercial benefits of interstate dealers exhibiting at the trade show.  
*Include details of the expected benefits to consumers, organisers and trade show dealers if interstate dealers are allowed to exhibit. This should encompass supporting evidence of the positive impact interstate dealers are expected to have on the event and the host community.*
- 3) the name of the trade show and address where it will be held.
- 4) the start date and end date of the trade show.  
*Any changes to dates will require a new application to be submitted.*
- 5) details of the products and services that will be exhibited or made available at the trade show.
- 6) the number of years the trade show has been operating.
- 7) the expected number of exhibitors.  
*Include details of the expected number of exhibitors that hold a NSW motor dealer licence and the expected number of exhibitors from interstate.*
- 8) expected attendance / number of tickets sold.
- 9) details of the communications strategy for the trade show.  
*For example, how the trade show will be advertised or promoted (radio, website, newspaper).*

## Declared Trade Show

If an application is approved by the Minister, the trade show will be a 'declared trade show', meaning interstate dealers will be permitted to participate in the show (provided they comply with the requirements detailed above).

Once the trade show is declared, the applicant and/or trade show organiser will be notified and an order will be published in the NSW Government Gazette. Notification will not be provided to exhibitors.

It is the responsibility of the trade show organiser to notify any other interested parties and to ensure any interstate dealers are aware of their obligations with regards to making or receiving offers for the sale of new motor vehicles, signage requirements and any other conditions imposed as part of the approval. Of note, additional signage requirements were introduced on 12 June 2020. Interstate dealers are to include that they normally operate outside of NSW and that the contract of sale for any purchases will be signed outside of NSW. This is to provide consumers with clearer information at trade shows to assist them to make informed decisions.

## **Not Declared Trade Show**

If an application is not approved by the Minister as a “declared trade show”, the applicant and/or trade show organiser will be notified in writing and the reason for the refusal will be provided.

Trade shows that are not declared trade shows, will need to comply with existing legislative requirements and all exhibitors will be required to hold a NSW motor dealer’s licence.

## **Information for interstate exhibitors**

Only trade show organisers can apply for an inter-state dealers’ exemption. Individual inter-state exhibitors will need to contact the organiser of the show they wish to attend, to enquire if the trade show is a declared trade show. If the trade show is a declared trade show, then they have an exemption from holding a NSW licence and can attend the show.

## **More information**

- [Motor Dealers and Repairers Act 2013](#)
- [Motor Dealers and Repairers Regulation 2014](#)