

Motor Vehicle Dealers Regulations 1980

(SR 1980/33)

PURSUANT to section 148 of the Motor Vehicle Dealers Act 1975, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

Contents

	Page
1 Title and commencement	2
2 Interpretation	2
3 Forms	2
4 Registrar to give notice of hearing date	2
4A Multiple notices in respect of applications for approval of salesmen	3
5 Notices attached to secondhand vehicles	3
6 Fees	4
7 Revocations	4
Schedule 1	4
Purposes for which forms are prescribed	
Schedule 2	7
Forms prescribed for purposes of the Motor Vehicle Dealers Act 1975	
Schedule 3	46
Fees payable in respect of matters under the Motor Vehicle Dealers Act 1975	

Note

These regulations are administered in the Department of Justice.

1 Title and commencement

- (1) These regulations may be cited as the Motor Vehicle Dealers Regulations 1980.
- (2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

2 Interpretation

In these regulations, unless the context otherwise requires,—

The Act means the Motor Vehicle Dealers Act 1975

Words and expressions defined in section 2 of the Act have the meaning so defined.

3 Forms

Each form described in the first column of Schedule 1 to these regulations, and prescribed for the purposes of the section of the Act specified in the second column of that Schedule, shall be in the form of the number specified in the third column of that Schedule, being the form so numbered set out in Schedule 2 to these regulations.

4 Registrar to give notice of hearing date

- (1) Where the Institute under section 10(2) of the Act, or any other person under section 11(2) of the Act, gives notice of its or his intention to object to or be heard in respect of the issue of a licence under section 15 of the Act, the Registrar shall give any party so giving notice and the applicant at least 3 clear days' notice of the time and place for the hearing of the application.
- (2) Where the Institute under section 18(4) of the Act, or any other person under section 18(5) of the Act, gives notice of its or his intention to object to or be heard in respect of the renewal of any licence under section 15 of the Act, the Registrar shall give any party so giving notice and the applicant at least 3 clear days' notice of the time and place for the hearing of the application.
- (3) The Registrar shall give any applicant for a temporary licence under section 23 of the Act and the Institute at least 3 clear days' notice of the time and place for the hearing of an application under that section.

- (4) Where the Institute under section 83(1) of the Act, or any other person under section 83(2) of the Act, gives notice of its or his intention to object to or be heard in respect of the application by any person for approval as a salesman under that section, the Registrar shall give any party so giving notice and the applicant at least 3 clear days' notice of the time and place for the hearing of the application.
- (5) Where the Institute under section 87(4) of the Act gives notice of its intention to object to or be heard in respect of an application for the renewal of a certificate of approval under that section, the Registrar shall give the Institute and the applicant at least 3 clear days' notice of the time and place of the hearing.

4A Multiple notices in respect of applications for approval of salesmen

Where 2 or more persons, each being a licensee or an applicant for a licence, have applied to the Board for approval of any unregistered salesmen, they may give combined public notice, as required by section 81(6) of the Act, in form 18A in Schedule 2 to these regulations.

Regulation 4A was inserted, as from 1 January 1988, by regulation 2(1) Motor Vehicle Dealers Regulations 1980, Amendment No 2 (SR 1987/352).

5 Notices attached to secondhand vehicles

- (1) Any notice attached to a secondhand vehicle pursuant to any of the provisions of sections 90, 94, and 95 of the Act shall be in the form prescribed by regulation 3 of these regulations, and shall be on white paper of a size not less than 16cm in width and—
 - (a) In the case of a notice for the purposes of section 94 of the Act, 16 cm in length; or
 - (b) In the case of any other notice, 20cm in length.
- (2) The printing on the notice shall be in letters of a size that can be easily read from a fair and reasonable distance.
- (3) Except in the case of a motor cycle, the notice shall be firmly attached to any window of the secondhand vehicle to which it relates in a way that makes it clearly visible from the exterior of the vehicle.

- (4) In the case of a motor cycle, the notice shall be attached to some part of the cycle in a way that allows it to be easily read.
- (5) One copy of the notice, signed by the licensee (or an approved or registered salesman) and the purchaser at the time of the sale, shall be given to the purchaser, and one copy shall be retained by the licensee.

6 Fees

The fees payable in respect of the matters specified in Schedule 3 to these regulations shall be those specified in that Schedule:

Provided that where, in respect of any licensing year, an application for a licence or certificate of approval is granted after the 30th day of September in that licensing year, half only of the prescribed fee shall be payable in respect of the issue of the licence or certificate.

7 Revocations

The following regulations are hereby revoked:

- (a) The Motor Vehicle Dealers Regulations 1976¹
- (b) The Motor Vehicle Dealers Regulations 1976, Amendment No 1²
- (c) The Motor Vehicle Dealers Regulations 1976, Amendment No 2³.

Schedule 1

Reg 3

Purposes for which forms are prescribed

Description	Relevant section of Act	Number of Form
Record of motor vehicle sold at auction	5(2)	1

¹ SR 1976/29

² SR 1976/150

³ SR 1977/160

Description	Relevant section of Act	Number of Form
Application for exemption from the requirement to hold a licence in respect of a subsidiary place of business	7(5)	2
Application for a motor vehicle dealer's licence	9(1)	3
Declaration in support of an application by an individual for a motor vehicle dealer's licence	9(4)(b)	4
Declaration in support of an application by a company for a motor vehicle dealer's licence	9(4)(b)	5
Public notice of an application for a motor vehicle dealer's licence	11	6
Motor vehicle dealer's licence	15(2)	7
Application for the renewal of a motor vehicle dealer's licence and one or more certificates of approval.	18(1)	8
Application for the removal of a motor vehicle dealer's licence to different premises	18A(2)	9
Application for approval of the chief executive officer of a licensee company	20(2)	10
Application for approval of an officer of a licensee company	20(2)	11
Application for approval of a branch manager	21(2)	12

Description	Relevant section of Act	Number of Form
Application for a temporary motor vehicle dealer's licence	23(1)	13
Application for approval of a person to manage a licensee company's principal place of business	57(6)	14
List of salesmen currently employed by motor vehicle dealer	58(2)	15
Record of transactions entered into by a motor vehicle dealer	61(1)	16
Application for approval of a motor vehicle salesman	81(2)	17
Notice of application for approval of a motor vehicle salesman	81(6)	18
Combined notice of application for approval of motor vehicle salesmen	81(6)	18A
Certificate of approval of a motor vehicle salesman	84(3)	19
Notice of required particulars	90(1)	21
Standard form of secondhand motor vehicle warranty	93(1)	22
Notice of exemption of category C motor vehicle from warranty	94(1)	23
Notice of declared defects	95(1)	24

The item relating to form 8 in Schedule 1 was amended, as from 1 January 1982, by regulation 2(3)(a) Motor Vehicle Dealers Regulations 1980, Amendment No 1 (SR 1981/357) by inserting the words "and one or more certificates of approval".

The item relating to form 18A in Schedule 1 was inserted, as from 1 January 1988, by regulation 2(2) Motor Vehicle Dealers Regulations 1980, Amendment No 2 (SR 1987/352).

The item relating to form 20 in Schedule 1 was revoked, as from 1 January 1982, by regulation 2(3)(b) Motor Vehicle Dealers Regulations 1980, Amendment No 1 (SR 1981/357).

Schedule 2
Forms prescribed for purposes of the
Motor Vehicle Dealers Act 1975

Reg 3

Form 1
Record of Motor Vehicle Sold at Auction

Section 5(2)

Model designation of vehicle

Year of registration

Registration number

Engine number }
Chassis number } [*If no registration number*]

Odometer reading [*At time of sale*]..... miles/km

Name and address of owner immediately before sale

Name and address of purchaser

Purchase price of vehicle \$.....

Name of auctioneer

Business address

Date of sale

.....
Signature of auctioneer.

.....
Signature of purchaser.

NOTES

1. *A record in this form must be made by any auctioneer selling any motor vehicle in the course of his business as an auctioneer.*
2. *This record must be kept for not less than 6 years after the date of making of the last entry in any book containing more than one such record.*
3. *Every record made and every book containing more than one such record shall be open to inspection by any member of the Police, who may inspect the record or book at all reasonable times and take such copies as he thinks fit.*

Form 2 Section 7(5)
 Application for Exemption from the
 Requirement to Hold a Licence in Respect of a
 Subsidiary Place of Business

To:

The Motor Vehicle Dealers Licensing Board.

PURSUANT to section 7(5) of the Motor Vehicle Dealers Act 1975,
 [Full name of licensee] of [Business address], trading under the
 name or style of, being the holder of licence number issued in
 respect of premises situated at [Address of principal place of
 business or branch office to which the application relates], hereby applies for
 approval to carry on business as a motor vehicle dealer pursuant to that licence
 at [Address of proposed subsidiary place of business], and for
 an order exempting the applicant from the requirement to hold a licence in
 respect of that place of business, on the ground that [Full name of
 person who personally supervises, manages, and controls the conduct of the
 licensee's business as a motor vehicle dealer at the principal place of business
 or the branch office], who personally supervises, manages, and controls the
 conduct of the licensee's business as a motor vehicle dealer at the said principal
 place of business (or branch office) in his capacity as sole licensee (or branch
 manager or chief executive officer), will also be able to personally supervise,
 manage, and control the conduct of the licensee's business as a motor vehicle
 dealer at the proposed subsidiary place of business.

The fee of \$..... prescribed for this application is tendered herewith.

Dated at this day of 19.....

Signed OR Signed on behalf of the applicant
 (Applicant) company
 by
 [State position in company]

NOTES

[1. The approval of the Board is not required in respect of—

(a) Any proposed subsidiary place of business that is within a radius of 5 kilometres from the licensee's principal place of business or any of the licensee's branch offices; or

(b) Any other place of business at which only new motor vehicle business is carried on by the licensee.

[2. Personal supervision is not required in relation to the new motor vehicle business of any licensee (including a licensee company).

[3. A copy of this application must be served on the Motor Vehicle Dealers Institute Incorporated, together with a copy of every document filed with the application, other than a document dealing exclusively with the applicant's financial affairs.]

The notes to Form 2 were substituted, as from 13 September 1999, by regulation 2 Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261).

Form 3 Section 9(1)
Application for a Motor Vehicle Dealer's
Licence

To:

The Motor Vehicle Dealers Licensing Board.

PURSUANT to section 9(1) of the Motor Vehicle Dealers Act 1975,
.....[*Full name of applicant*], of[*Residential address or, in the case of a company, the address of its registered office*], [*Occupation or, in the case of a company, its principal business*] hereby applies for a licence to carry on business as a motor vehicle dealer at..... [Address of premises to which the application relates] as the applicant's principal place of business (or as a branch office).

The following information is supplied in support of this application:

PART A: *This Part of the form must be completed in all cases, whether the applicant is an individual or a company, and whether the application relates to the principal place of business or a branch office.*

<p>1. The name or style under which the applicant intends to carry on business as a motor vehicle dealer pursuant to the licence is: [Section 16, Motor Vehicle Dealers Act 1975]</p>	<p><i>Name or Style</i></p>
<p>[2. If this application relates to the applicant's principal place of business, the following address(es):</p> <p style="padding-left: 20px;">Branch office(s):</p> <p style="padding-left: 20px;">Subsidiary place(s) of business:</p> <p>If this application relates to a branch office of the applicant, the following address(es):</p> <p style="padding-left: 20px;">Principal place of business:</p> <p style="padding-left: 20px;">Any other branch office(s):</p> <p style="padding-left: 20px;">Subsidiary place(s) of business:</p> <p>[Section 9(2)(d), Motor Vehicle Dealers Act 1975]]</p>	<p><i>Address(es)</i></p>
<p>3. The address of the applicant's registered office is or will be: [Section 56, Motor Vehicle Dealers Act 1975]</p>	<p><i>Address</i></p>
<p>4. The name of the person who personally supervises, manages, and controls or whom it is proposed will personally supervise, manage, and control, [in accordance with section 57 of the Motor Vehicle Dealers Act 1975,] the conduct of business at the applicant's principal place of business is: [Section 57, Motor Vehicle Dealers Act 1975]</p>	<p><i>Name</i></p>

Form 3—continued

PART B: *This Part of the form must be completed where the applicant is an individual, whether the application relates to the principal place of business or a branch office.*

*I carry on, or intend to carry on, business as a motor vehicle dealer on my own account.	
OR	
*I carry on, or intend to carry on, business and as a motor vehicle dealer in partnership with the following person(s): [Section 19, Motor Vehicle Dealers Act 1975]	<i>Name(s) and Address(es)</i>

**Delete whichever is not applicable.*

PART C: *This Part of the form must be completed where the applicant is a company, whether the application relates to the principal place of business or a branch office.*

1. The full name and residential address of the person who is, or whom it is proposed will be, the company's chief executive officer are: [Section 2(1), Motor Vehicle Dealers Amendment Act 1976]	<i>Name and Address</i>
2. The full name and residential address of each person who is, or it is proposed will be, an officer of the company are: [Section 20, Motor Vehicle Dealers Act 1975]	<i>Name and Address</i>

PART D: *This Part of the form must be completed where the application relates to a branch office, whether the applicant is an individual or a company.*

The full name and address of the person whom it is proposed shall personally supervise, manage, and control, [in accordance with section 57 of the Motor Vehicle Dealers Act 1975,] the applicant's business as a motor vehicle dealer at the branch office is: [Section 57, Motor Vehicle Dealers Act 1975]	<i>Name and Address</i>
--	-------------------------

Form 3—*continued*

PART E: *This Part of the form must be completed, to the extent that it is applicable, in every case, whether the applicant is an individual or a company, and whether the application relates to the principal place of business or a branch office.*

1. The full name, residential address, occupation, and date of birth of each person whom it is proposed to employ as a salesman are: [Section 58, Motor Vehicle Dealers Act 1975]	<i>Name, Address, and Date of Birth</i>
2. The address of each subsidiary place of business in respect of which an exemption from the requirement to hold a licence is sought is: [Section 7(5), Motor Vehicle Dealers Act 1975]	<i>Address</i>

A certificate is attached to this form from the appropriate officer of the Motor Vehicle Dealers Institute Incorporated acknowledging receipt of all amounts payable in respect of this application by way of fees to the Institute and a contribution towards the Motor Vehicle Dealers Fidelity Guarantee Fund.

The fee of \$..... prescribed for this application is tendered herewith.

I certify that to the best of my knowledge and belief the above information is correct in every particular.

*I further certify that I am duly authorised to make this application on behalf of the company.

**Delete if the application is made on behalf of an individual.*

Dated atthis.....day of19....

Signed OR Signed on behalf of the applicant
(Applicant) company
by
[State position in company]

Form 3—continued

NOTES

1. *This application must be accompanied by a declaration in Form 4 (if the applicant is an individual) or Form 5 (if the applicant is a company) that the applicant is eligible to apply for and hold a motor vehicle dealer's licence, behalf of the company.*
2. *A copy of this application must be served on the Motor Vehicle Dealers Institute Incorporated, together with a copy of every document filed with it, other than a document dealing exclusively with the applicant's financial affairs.*
3. *Public notice of this application must be published in Form 6 at least twice in a newspaper approved for the purpose by the Registrar of the Board.*
4. *The application will not be dealt with until all the requirements mentioned in these notes have been complied with.*
5. *A licensee who holds a licence in respect of the licensee's principal place of business is not required to hold a separate licence in respect of any other place at which only new motor vehicle business is carried on by that licensee.*
6. *A place at which only new motor vehicle business is carried on by such a licensee is not, for the purposes of the Act, regarded as a subsidiary place of business.*
7. *Under section 57 of the Motor Vehicle Dealers Act 1975, personal supervision is not required in relation to the new motor vehicle business of any licensee (including a licensee company).]*

Form 3 Part A paragraph 2 was substituted, as from 13 September 1999, by regulation 3(1) Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261).

Form 3 Part A paragraph 4 was amended, as from 13 September 1999, by regulation 3(2) Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261) by inserting after the words "and control," the words "in accordance with section 57 of the Motor Vehicle Dealers Act 1975,".

Form 3 Part D was amended, as from 13 September 1999, by regulation 3(3) Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261) by inserting after the words "and control", the words "in accordance with section 57 of the Motor Vehicle Dealers Act 1975,".

Form 3 Notes Items 5-7 were inserted, as from 13 September 1999, by regulation 3(3) Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261).

Form 4

Sections 9(4)(b), 14

Declaration in Support of an Application by an
Individual for a Motor Vehicle Dealer's Licence

IN the matter of an application byfor a motor vehicle
dealer's licence.

To:

The Motor Vehicle Dealers Licensing Board.

I,[Full name of applicant] of [Residential address],
.....[Occupation], being the applicant for a motor vehicle dealer's
licence, hereby solemnly and sincerely declare as follows:

1. That I have attained the age of 20 years.
2. That I am not an undischarged bankrupt, nor am I subject to an order of discharge suspended for a term not yet expired or subject to conditions not yet fulfilled.
3. That no licence held by me has been cancelled under section 115 of the Motor Vehicle Dealers Act 1975 within the period of 12 months preceding the date of the application.
4. That there is no statutory bar to the grant to me of a motor vehicle dealer's licence.
5. That after payment of all my just and lawful debts I am worth not less than the sum of \$....., as shown by the attached statement of my assets and liabilities marked "A", which I hereby declare to be correct in every particular.
- [6. *That I was, immediately before the 6th day of February 1976, the holder of a licence under the Motor Vehicle Dealers Act 1958.

OR

*That I have had, in the period of 3 years immediately preceding the date of my application for a licence, at least 2 years' business experience, particulars of which experience are as follows:

.....
.....
.....

**Delete whichever is not applicable.]*

7. That on the day of 19... and on the
day of 19... I caused to be published in the newspaper
notice in the prescribed form of my application for a licence, copies of which
published notices are attached and marked "B" and "C" respectively.

Form 4—*continued*

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19.....

Before me:

(Solicitor of the [High Court] (or
Justice of the Peace (or) any other
person authorised to take statutory
declarations.)

.....

Signature of Applicant.

Schedule 2: Form 4 paragraph 6 was substituted, as from 1 October 1994, by regulation 2(1) Motor Vehicle Dealers Regulations 1980, Amendment No 4 (SR 1994/191).

Form 4 was amended, as from 13 September 1999, by regulation 4 Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261) by substituting the words “High Court” for the words “Supreme Court”.

Form 5

Sections 9(4)(b), 14

Declaration in Support of an Application by a
Company or a Motor Vehicle Dealer's Licence

IN the matter of an application byfor a motor vehicle dealer's
licence.

To: The Motor Vehicle Dealers Licensing Board.

I,[Full name of declarant], of [Residential
address], being [Position in company] of the applicant company,
hereby solemnly and sincerely declare as follows:

1. That the applicant company was incorporated at on the
..... day of19.....

2. That the applicant company is not in liquidation or receivership.

3. That in addition to the business of a motor vehicle dealer, the applicant
company carries on (or proposes to carry on) business as follows:

.....
.....

4. That there is no statutory bar to the grant to the company of a motor vehicle
dealer's licence.

5. That the person who will be the chief executive officer of the company if
the application is granted is[Full name], of
[Residential address], [Occupation], and that to the best of my
knowledge and belief that person is not disqualified under section 8(2) of the
Motor Vehicle Dealers Act 1975 from applying for and obtaining a licence
under that Act, and is, by reason of his relevant business experience, judgment,
and general knowledge, and his personal character and fitness, a proper person
to be the chief executive officer of a licensee company.

6. That the persons who will be the officers of the company (other than the
chief executive officer) if the application is granted are—

Full Name	Residential Address	Designation
.....
.....
.....
..... ,

and that to the best of my knowledge and belief none of those persons is
disqualified under section 8(2) of the Motor Vehicle Dealers Act 1975 from
applying for and obtaining a licence under that Act, and each of them is, by
reason of his relevant business experience, judgment, and general knowledge, a
proper person to be an officer of a licensee company.

7. *That the person who will be responsible for conducting the company's
business as a motor vehicle dealer at its principal place of business if the
application is granted is the said[the person named in
paragraph 5 of this declaration as the company's chief executive officer].

OR

Form 5—continued

*That the person who will be responsible for conducting the company's business as a motor vehicle dealer at its principal place of business if the application is granted is[Full name], of..... [Residential address],[Occupation], and that to the best of my knowledge and belief that person is not disqualified under section 8(2) of the Motor Vehicle Dealers Act 1975 from applying for and obtaining a licence under that Act, and is, by reason of his personal character and fitness, a proper person through whom to conduct the company's business as a motor vehicle dealer at its principal place of business.

**Delete whichever is not applicable.*

[8. *That to the best of my knowledge and belief the said..... [The person named in paragraph 5 of this declaration as the company's chief executive officer] was, immediately before the 6th day of February 1976, the holder of a licence under the Motor Vehicle Dealers Act 1958.

OR

*That to the best of my knowledge and belief the said..... [The person named in paragraph 5 of this declaration as the company's chief executive officer] has had, in the period of 3 years immediately preceding the date of the company's application for a licence, at least 2 years' business experience, particulars of which experience are as follows:

.....
.....
.....

**Delete whichever is not applicable.*

[+9. *That to the best of my knowledge and belief the said [The person named in paragraph 7 of this declaration as the person through whom the company intends to conduct its business as a motor vehicle dealer at its principal place of business] was, immediately before the 6th day of February 1976, the holder of a licence under the Motor Vehicle Dealers Act 1958.

OR

*That to the best of my knowledge and belief the said..... [The person named in paragraph 7 of this declaration as the person through whom the company intends to conduct its business as a motor vehicle dealer at its principal place of business] has had, in the period of 3 years immediately preceding the date of the company's application for a licence, at least 2 years' business experience, particulars of which experience are as follows:

.....
.....
.....

Form 5—*continued*

†*Delete if the applicant company intends to conduct its business as a motor vehicle dealer at its principal place of business through its chief executive officer.*

**Delete whichever is not applicable.]*

10. That after payment of all its just and lawful debts the said company is worth not less than the sum of \$....., as shown by the attached statement of its assets and liabilities marked “A”, which I hereby declare to be correct in every particular.

11. That the financial position of the said company, and the nature of all other business that the company is carrying on or proposes to carry on, are such that, having regard to the interests of the public, the company is a proper person to carry on the business of a motor vehicle dealer.

12. That on the day of 19..... and on the day of 19..... the applicant company caused to be published in the newspaper notice in the prescribed form of its application for a licence, copies of which published notices are attached and marked “B” and “C” respectively.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19...

Before me	Signed on behalf of the applicant
(Solicitor of the [High Court] of New Zealand (or) Justice of the Peace	company
(or) any other by person authorised to take statutory declarations).	by
	[State position in company]

Schedule 2: Form 5, paragraphs 8 and 9 were substituted, as from 1 October 1994, by regulation 2(2) Motor Vehicle Dealers Regulations 1980, Amendment No 4 (SR 1994/191).

Form 5 was amended, as from 13 September 1999, by regulation 4 Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261) by substituting the words “High Court” for the words “Supreme Court”.

Form 6

Section 11

Public Notice of an Application for a Motor
Vehicle Dealer's Licence

IN the matter of the Motor Vehicle Dealers Act 1975.

TAKE notice that[*Full name of applicant*], of
[*Residential address of individual applicant or address of registered office
of applicant company*] has applied to the Motor Vehicle Dealers Licensing
Board for a licence under section 9 of the Act to carry on business as a
motor vehicle dealer under the name or style of at the
following place(s) of business:

Principal place of business (or Branch office):

Subsidiary place(s) of business:

The application will be heard by the above Board after one month from
theday of19....., being the date of the first publication of this
notice.

Any person who wishes to object to the granting of this application must
give notice of the objection to the Board within one month after the said date of
the first publication of this notice. Appropriate forms for making objections are
available from the Registrar of the Board.

[NOTES

[1. *A motor vehicle dealer who holds a licence in respect of the motor
vehicle dealer's principal place of business is not required to hold a separate
licence in respect of any other place at which only new motor vehicle business
is carried on by that motor vehicle dealer.*

[2. *A place at which only new motor vehicle business is carried on by such
a motor vehicle dealer is not, for the purposes of the Act, regarded as a
subsidiary place of business.*]

Form 6 Notes were inserted, as from 13 September 1999, by regulation 6 Motor
Vehicle Dealers Amendment Regulations 1999 (SR 1999/261)

Form 7
Motor Vehicle Dealer's Licence
[Revoked]

Section 15(2)

No.....

MOTOR VEHICLE DEALER'S LICENCE

Issued by the Motor Vehicle Dealers

Licensing Board at

PURSUANT to section 15 of the Motor Vehicle Dealers Act 1975,

[Full name] of [Address of registered office] is hereby licensed to carry on business under the name or style of [Trade name] as a motor vehicle dealer from the day of 19..... until the 31st day of March 19.....

This licence authorises the licensee during the currency of the licence—

(a) To carry on the business of a motor vehicle dealer at the following place(s) if business:

Principal place of business (or branch office):

Subsidiary place(s) of business:; and

(b) To carry on new motor vehicle business anywhere.

The following persons are registered or approved salesmen, employees, or officers of the licensee at the date of issue of this licence:

Full name	Designation	Position Held in Licensee's Business

Given under my hand and the seal of the Board at this day of
..... 19

.....

Registrar

Form 7—*continued**Endorsements*

PURSUANT to section 19(1) of the Motor Vehicle Dealers Act 1975,
trading under the name or style of, is authorised to carry on business as a
motor vehicle dealer in partnership with....., the holder of motor vehicle
dealer's licence No

.....
Registrar

Additional place(s) of business approved since issue of licence:

Address(es)

Date granted

.....
Registrar

.....
Registrar

.....
Registrar

Form 7 was substituted, as from 13 September 1999, by regulation 6 Motor
Vehicle Dealers Amendment Regulations 1999 (SR 1999/261).

Form 8 Sections 18(1), 87(1)
**Application for the Renewal of a Motor Vehicle
Dealer's Licence and One or More Certificates
of Approval**

Instructions

1. Read the notes set out below.
2. Please check the details of your licence as printed below.
3. In the corresponding numbered spaces provided, please note any changes relating to the licence. Any new information must also be noted on the duplicate.
4. You must submit any necessary application to give effect to any desired amendments along with this application for renewal.

Information regarding licensee

1. Licence name..... Number.....
2. Trading as.....
3. Postal address.....
4. Postal code.....
5. Principal place of business.....
6. Phone number.....STD code ()
7. Registered office (Motor Vehicles Dealers Act s56).....
8. Partnership.....
9. Branch of.....
10. Other licensees on same premises.....
11. Subsidiary place of business.....
12. Chief Executive Officer.....
13. Other officers.....
14. Salesmen.....

Name	Class
.....
.....
.....

15. Renewal fees in accordance with the Third Schedule to the regulations:
Based on the information printed above the following fees are payable:
- | | | | |
|---|-----|-----|----|
| Renewal of your licence | ... | ... | \$ |
| Renewal of certificate of approval in respect of: | | | \$ |
| | | | \$ |
| | | | \$ |
| Total fees payable | ... | ... | \$ |

Form 8—continued

NOTES

1. An application for the renewal of a licence must be filed with the Board not earlier than the 1st day of January and not later than the 15th day of February preceding the date of the expiry of the licence.
2. A copy of this application as amended must be served on the Motor Vehicle Dealers Institute Incorporated, together with a copy of every document filed with it other than a document dealing exclusively with the applicant's financial details.
3. The application will not be considered unless all fees payable to the Institute, and any contribution payable to the Motor Vehicle Dealers Fidelity Guarantee Fund, have been paid.
- [4. A motor vehicle dealer who holds a licence in respect of the motor vehicle dealer's principal place of business is not required to hold a separate licence in respect of any other place at which only new motor vehicle business is carried on by that motor vehicle dealer.
- [5. A place at which only new motor vehicle business is carried on by such a motor vehicle dealer is not, for the purposes of the Act, regarded as a subsidiary place of business.]

Any Changes in "Information Regarding Licence"

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14

Name	Class
.....
.....
.....

15. The calculation of fees based on the amended information is:

Renewal of licence	\$
Renewal of certificates of approval in respect of:	\$
				\$
Total cheque herewith	\$

Form 8—*continued*

RENEWAL APPLICATION

Application for renewal of licence [to 31 March]

PURSUANT to section 18(1) of the Motor Vehicle Dealers Act 1975,
application is made byfor renewal of licence number.....

Application for renewal of Certificates of Approval [to 31 March]

PURSUANT to section 87(1) of the Motor Vehicle Dealers Act 1975,
..... of carrying on business under the name
or style of hereby applies for the renewal of certificates of
approval in respect of the following approved salesmen:

.....
.....
.....

I certify that the “Information Regarding Licence” as shown or amended
above is correct in every particular.

I certify that I am duly authorised to make this application. [*Delete if
applicant is not a company.*]

Dated at this day of19.....

Signed(Licensee)

OR

Signed on behalf of the applicant company by:

Position held within the applicant company:

Schedule 2: Form 8 was substituted, as from 1 January 1982, by regulation 2(1)
Motor Vehicle Dealers Regulations 1980, Amendment No 1 (SR 1981/357).

Form 8 Notes: Items 4 and 5 were inserted, as from 13 September 1999, by regu-
lation 7 Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261)

Form 9

Section 18A(2)

Application for the removal of a motor vehicle
dealer's licence to different premises

To: The Motor Vehicle Dealers Licensing Board.

PURSUANT to section 18A(2) of the Motor Vehicle Dealers Act 1975,
 [Full name of licensee], of [Address of
 registered office] hereby applies for permission to remove licence number
, issued to me on the day of 19..... at, from
 premises situated at, to premises situated at, with a view to
 conducting business as a motor vehicle dealer pursuant to the licence at the
 last-mentioned premises.

The following information is supplied in support of this application:

1. The licensee intends to use the proposed place of business, if this application is granted, as the principal place of business (or as a branch office
2. The full name, residential address, and occupation of the person who will be responsible for conducting the licensee's business as a motor vehicle dealer at the proposed place of business if the application is granted are—

.....
 [Full name] [Residential address] [Occupation]

3. The address of every subsidiary place of business from where it is proposed to carry on business under the licence if the application is granted is

The fee of prescribed for this application is tendered herewith.

Dated at this day of 19...

Signed OR Signed on behalf of the applicant
 (Applicant) company
 by
 [State position in company]

NOTES

1. Unless the Board otherwise orders,—
 - (a) A copy of this application must be served on the Motor Vehicle Dealers Institute Incorporated, together with a copy of every document filed with the application, other than a document dealing exclusively with the applicant's financial details:
 - (b) Public notice of this application must be published at least twice in a newspaper approved for the purpose by the Board.
2. If the applicant is a licensee company and the application relates to its principal place of business, it should be stated in the application whether or not the company proposes to conduct its business at the proposed premises through its chief executive officer. If it does not, the approval of the Board must be obtained, pursuant to section 57(2) of the Act, in respect of the person through whom it does propose to conduct its business at those premises.
3. Where the application relates to a branch office, the applicant must ensure that the person who will be the branch manager if the application is granted has been approved by the Board pursuant to section 21 of the Act.

Form 9—*continued*

4. *It should be noted that the Registrar cannot endorse the licence in respect of the proposed premises until he is satisfied that the licensee has the right under the Town and Country Planning Act 1977 to conduct the business of a motor vehicle dealer at those premises.*
5. *It should also be noted that the Board's approval in respect of any subsidiary place of business at which the licensee may be presently carrying on business as a motor vehicle dealer under the licence will be automatically revoked if this application is granted.*
- [6. *A motor vehicle dealer who holds a licence in respect of the motor vehicle dealer's principal place of business is not required to hold a separate licence in respect of any other place at which only new motor vehicle business is carried on by that motor vehicle dealer.*
- [7. *A place at which only new motor vehicle business is carried on by such a motor vehicle dealer is not, for the purposes of the Act, regarded as a subsidiary place of business.]*

Form 9 Notes Items 6 and 7 were inserted, as from 13 September 1999, by regulation 8 Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261)

Form 10 Section 20(2)
Application for approval of the chief executive
officer of a licensee company

To: The Motor Vehicle Dealers Licensing Board.

PURSUANT to section 20(2) of the Motor Vehicle Dealers Act 1975, [Full name of company], of [Address of registered office], trading under the name or style of, hereby applies for approval of [Full name of proposed chief executive officer], of [Residential address], [Occupation], to be the chief executive officer of the company.

I hereby declare that to the best of my knowledge and belief the said [Name of proposed chief executive officer] is not disqualified under section 8(2) of the Motor Vehicle Dealers Act 1975 from applying for and obtaining a licence under that Act, and is, by reason of his relevant business experience, judgment, and general knowledge, and his personal character and fitness, a proper person to be the chief executive officer of a licensee company.

[*I hereby further declare that to the best of my knowledge and belief the said [Name of proposed chief executive officer] was, immediately before the 6th day of February 1976, the holder of a licence under the Motor Vehicle Dealers Act 1958.

OR

*I hereby further declare that to the best of my knowledge and belief the said [Name of proposed chief executive officer] has had, in the period of 3 years immediately preceding the date of this application, at least 2 years' business experience, particulars of which experience are as follows:

.....
.....
.....

**Delete whichever is not applicable.*

The fee of \$..... prescribed for this application is tendered herewith.

Dated atthisday of.....19.....

Signed on behalf of the applicant company

by

[State position in company]

Form 10—*continued*

NOTES

1. *Any person acting as the chief executive officer of a licensee company for a period in excess of 14 days must be approved by the Board.*
2. *“Chief executive officer”, in relation to a licensee company,—*
 - (a) *In any case where the company conducts business only as a motor vehicle dealer, means the chief executive officer of the company, however designated or*
 - (b) *In any case where the company carries on any other business in addition to the business of a motor vehicle dealer, means the chief executive officer of the company, however designated, in respect of the company’s motor vehicle dealer’s business.*
3. *Where an application has been made for the chief executive officer to be approved, the Registrar may authorise the licensee company to employ the person in respect of whom the application is made for a period not exceeding 1 month. This period may be extended on application to the Board.*

Schedule 2: Form 10, those paragraphs beginning “*I hereby further declare ...” and ending “... not applicable”, were substituted, as from 28 October 1994, by regulation 2(1) Motor Vehicle Dealers Regulations 1980, Amendment No 5 (SR 1994/236).

Form 12 Section 21(2)
Application for approval of a branch manager

To: The Motor Vehicle Dealers Licensing Board.

PURSUANT to section 21(2) of the Motor Vehicle Dealers Act 1975,
.....[Full name of licensee], of [Business address],
trading under the name or style of hereby applies for approval of
.....[Full name of proposed branch manager], of.....
[Address],[Occupation], to be the branch manager of the
applicant's business as a motor vehicle dealer at [Address of branch
office].

I hereby declare that to the best of my knowledge and belief the said
[Name of proposed branch manager] is not disqualified under section 8(2) of
the Motor Vehicle Dealers Act 1975 from applying for and obtaining a licence
under that Act, and is, by reason of his personal character and fitness, a proper
person to be a branch manager.

[*I hereby further declare that to the best of my knowledge and belief the
said [Name of proposed branch manager] was, immediately
before the 6th day of February 1976, the holder of a licence under the Motor
Vehicle Dealers Act 1958.

OR

*I hereby further declare that to the best of my knowledge and belief the said
..... [Name of proposed branch manager] has had, in the period of 3
years immediately preceding the date of this application, at least 2 years'
business experience, particulars of which experience are as follows:

.....
.....
.....

**Delete whichever is not applicable.]*

The fee of \$..... prescribed for this application is tendered herewith.

Dated at thisday of19....:

Signed OR Signed on behalf of the applicant
(Applicant) company

by
[State position in company]

NOTES

1. Any person conducting a licensee's business at a branch office for any period exceeding 14 days must be approved by the Board.
2. Where an application has been made, but not determined, in respect of any person, the Registrar may authorise that person to conduct the business of a branch office for a period not exceeding 1 month. This period may be extended on application to the Board.

Schedule 2: Form 12, those paragraphs beginning "I hereby further declare..." and ending "... not applicable.", were substituted, as from 28 October 1994, regulation 2(2) Motor Vehicle Dealers Regulations 1980, Amendment No 5 (SR 1994/236).

Form 13 Section 23(1)
Application for a temporary motor vehicle
dealer's licence

To: The Motor Vehicle Dealers Licensing Board.

PURSUANT to section 23(1) of the Motor Vehicle Dealers Act 1975,
I, [Full name], of [Residential address],
[Occupation], hereby apply for authority to carry on (or to appoint
[Full name of proposed appointee], of [Residential address],
[Occupation], to carry on) business as a motor vehicle dealer pursuant to
licence number issued to [Full name of licensee] under the name
or style of, being the name or style under which the said
..... [Name of licensee] has conducted his business as a motor vehicle
dealer pursuant to that licence.

I am making this application in my capacity as [State whichever
capacity specified in section 23(1) of the Act is applicable].

The fee of \$..... prescribed for this application is tendered herewith.

Dated at this day of 19..

Signed.....

(Applicant)

NOTES

1. *Where an application for a temporary licence has been made, but not determined, under section 23 of the Act, the Registrar may authorise the applicant to carry on the licensee's business, either personally or by his agent, for a period not exceeding 2 months or such longer period as the Board may allow on application.*

2. *While any person carries on any business pursuant to an order made under section 23(1) of the Motor Vehicle Dealers Act 1975, he is for the purposes of the Act deemed to be the holder of a motor vehicle dealer's licence.*

Form 14

Section 57(6)

Application for approval of a person to manage
a licensee company's principal place of business

To: The Motor Vehicle Dealers Licensing Board.

PURSUANT to section 57(6) of the Motor Vehicle Dealers Act 1975,
[Full name of company], of [Address of registered office], trading
under the name or style of, hereby applies for approval of
[Full name of proposed manager of the applicant's principal place of
business], of[Residential address],[Occupation], as
the person who shall personally supervise, manage, and control [, in accordance
with section 57 of the Motor Vehicle Dealers Act 1975,] the conduct of
the applicant company's business as a motor vehicle dealer at the company's
principal place of business and at each subsidiary place of business named in
the licence relating to its principal place of business.

I hereby declare that to the best of my knowledge and belief the said
.....[Name of proposed manager of the applicant's principal place of
business] is not disqualified under section 8(2) of the Motor Vehicle Dealers
Act 1975 from applying for and obtaining a licence under that Act, and is, by
reason of his personal character and fitness, a proper person to personally
supervise, manage, and control [, in accordance with section 57 of the Motor
Vehicle Dealers Act 1975,] the conduct of the licensee's business as a
motor vehicle dealer at its principal place of business.

[*I hereby further declare that to the best of my knowledge and belief the
said [Name of proposed manager of the applicant's principal place
of business] was, immediately before the 6th day of February 1976, the holder
of a licence under the Motor Vehicle Dealers Act 1958.

OR

*I hereby further declare that to the best of my knowledge and belief the
said [Name of proposed manager of the applicant's principal place
of business] has had, in the period of 3 years immediately preceding the date
of this application, at least 2 years' business experience, particulars of
which experience are as follows:

.....
.....
.....

**Delete whichever is not applicable.*

The fee of \$..... prescribed for this application is tendered herewith.

Dated at this day of 19.....

Signed on behalf of the applicant company

by.....

[State position in company]

Form 14—continued

NOTES

1. *Under section 57 of the Motor Vehicle Dealers Act 1975, a licensee company must supervise the conduct of its business at its principal place of business through its chief executive officer or through a person approved by the Board.*

2. *A copy of this application must be served on the Motor Vehicle Dealer's Institute Incorporated.*

3. *Where an application has been made, but not determined, in respect of any person, the Registrar may authorise the licensee company to supervise its business at its principal place of business through that person for a period not exceeding 1 month. This period may be extended on application to the Board.*

[4. *Under section 57 of the Motor Vehicle Dealers Act 1975, personal supervision is not required in relation to the new motor vehicle business of any licensee (including a licensee company).]*

Schedule 2: Form 14, those paragraphs beginning "I hereby further declare..." and ending "...not applicable", were substituted, as from 28 October 1994, by regulation 2(3) Motor Vehicle Dealers Regulations 1980, Amendment No 5 (SR 1994/236).

Form 14 was amended, as from 13 September 1999, by regulation 9 Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261) by inserting the words, "in accordance with section 57 of the Motor Vehicle Dealers Act 1975", and by inserting Note 4.

Form 15 Section 58(2)
List of salesmen currently employed by motor
vehicle dealer

[Name and address of licensee]

[Name and style of business]

Model designation of vehicle

Year of registration

Registration number.....

Engine number } (If no registration number)
Chassis number }

Odometer reading (At time of sale).....

The name and address of the person from whom the motor vehicle was
purchased or accepted

The date when the motor vehicle was purchased or accepted by the licensee
.....

The total amount or value of the consideration (if any) passing from the
licensee to the person from whom the motor vehicle was purchased or accepted
.....

The status of the person supplying the motor vehicle to the licensee (that is,
as owner, agent, hirer, or otherwise)

Description of all known encumbrances (if any) secured over the motor
vehicle

Whether the vehicle has been purchased by the licensee, or accepted by him
for any trade purpose, and, if the vehicle has been so accepted, the trade purpose
for which it has been accepted

The name and address of the person to whom the licensee disposed of the
vehicle, and the date of the disposal

The total amount or value of the consideration passing from that person to the
licensee.....

Where the motor vehicle is disposed of by the licensee as agent-

The amount in cash received by the licensee

The value of any trade-in or other consideration

The amount of any commission charged

The amount of any sum left on hire-purchase or instalment account.....

The amount paid to the principal

The value of any motor vehicle or interest in any motor vehicle supplied to
the principal, and particulars of the same

Address of premises where transaction concluded

Form 15—*continued*

Name and address of salesman

.....
Signature of licensee.

NOTES

1. *Under section 61 of the Motor Vehicle Dealers Act 1975 every licensee must keep or cause to be kept a record, with the particulars listed above, in every case where the motor vehicle dealer in the course of his business purchases or accepts for the purpose of selling, exchange, or leasing, any motor vehicle. The licensee must also keep or cause to be kept such a record in any other transaction where he has acted as a dealer.*

2 *Such a record must be kept for at least 6 years, and must be made available for inspection by any member of the Police at all reasonable times.*

Form 16 Section 61(1)
**Record of transactions entered into by a motor
vehicle dealer**

[Name and address of licensee]

[Name and style of business]

Model designation of vehicle

Year of registration

Registration number.....

Engine number } (If no registration number)
Chassis number }

Odometer reading (At time of sale).....

The name and address of the person from whom the motor vehicle was
purchased or accepted

The date when the motor vehicle was purchased or accepted by the
licensee

The total amount or value of the consideration (*if any*) passing from the
licensee to the person from whom the motor vehicle was purchased or
accepted

The status of the person supplying the motor vehicle to the licensee (*that is,
as owner, agent, hirer, or otherwise*)

Description of all known encumbrances (*if any*) secured over the motor
vehicle

Whether the vehicle has been purchased by the licensee, or accepted by him
for any trade purpose, and, if the vehicle has been so accepted, the trade purpose
for which it has been accepted

The name and address of the person to whom the licensee disposed of the
vehicle, and the date of the disposal

The total amount or value of the consideration passing from that person to the
licensee.....

Where the motor vehicle is disposed of by the licensee as agent-

The amount in cash received by the licensee

The value of any trade-in or other consideration

The amount of any commission charged

The amount of any sum left on hire-purchase or instalment account.....

The amount paid to the principal

The value of any motor vehicle or interest in any motor vehicle supplied to
the principal, and particulars of the same

Address of premises where transaction concluded

Form 16—*continued*

Name and address of salesman

.....
Signature of licensee.

NOTES

1. *Under section 61 of the Motor Vehicle Dealers Act 1975 every licensee must keep or cause to be kept a record, with the particulars listed above, in every case where the motor vehicle dealer in the course of his business purchases or accepts for the purpose of selling, exchange, or leasing, any motor vehicle. The licensee must also keep or cause to be kept such a record in any other transaction where he has acted as a dealer.*

2 *Such a record must be kept for at least 6 years, and must be made available for inspection by any member of the Police at all reasonable times.*

Form 17
Application for approval of a motor vehicle
salesman

To: The Motor Vehicle Dealers Licensing Board.

PURSUANT to section 81(1) of the Motor Vehicle Dealers Act 1975,
[Full name of applicant], of [Address], [Occupation], being
the holder of a licence number and carrying on business as a motor
vehicle dealer pursuant to that licence under the name or style of
(or being the applicant for a licence), applies for approval of [Full
name of proposed salesman], of [Residential address],
[Occupation], as a motor vehicle salesman.

It is proposed that, if the application is granted, the said [Name
of proposed salesman] will be employed—

* At [Address of place of business], being the principal place of
business (or a branch office or a subsidiary place of business) of the applicant,
as a salesman of secondhand motor vehicles (or both secondhand motor
vehicles and new motor vehicles).

* At [Address of place of business], being the principal place of
business (or a subsidiary place of business) of the applicant, as a salesman of
both secondhand motor vehicles and new motor vehicles and, as a salesman of
new motor vehicles, at other places.

* As a salesman of new motor vehicles only.

* Delete whichever is not applicable

Two testimonials relating the the character of the proposed salesman are
attached to this application, and are given by:

Full name: Full name:

Address: Address:

Occupation: Occupation:

The fee of \$ prescribed for this application is tendered herewith.

Dated at this day of 19

Signed OR Signed on behalf of the applicant
(Applicant) company

by

[State position in company]

NOTES

1. A copy of this application must be served on the Motor Vehicle Dealers
Institute Incorporated.

2. Public notice of this application must be published at least twice in a
newspaper approved for the purpose by the Registrar of the Board.

Form 17 was substituted, as from 13 September 1999, by regulation 10 Motor
Vehicle Dealers Amendment Regulations 1999 (SR 1999/261).

Form 18 Section 81(6)
Notice of application for approval of a motor
vehicle salesman

IN the matter of the Motor Vehicle Dealers Act 1975.

Take notice that [*Full name of applicant*], of.....[*Address*]
[*Occupation*], carrying on business as a motor vehicle dealer under the name
or style of(*or being an applicant for a licence to carry on business
as a motor vehicle dealer*), has applied to the Motor Vehicle Dealers Licensing
Board for the approval of [*Full name of proposed salesman*], of
[*Residential address*], [*Occupation*], as a motor vehicle salesman.

The application will be heard by the above Board after one month from the
..... day of 19...., being the date of the first publication of this
notice.

Any person who wishes to object to the granting of this application must give
notice to the Board of his objection within one month after the said date of the
first publication of this notice. Appropriate forms for the making of objections
are available from the Registrar of the Board.

Form 18A Section 81(6)
**Combined notice of application for approval of
motor vehicle salesmen**

In the matter of the Motor Vehicle Dealers Act 1975.

Take notice that each of the persons described in the first column of the Schedule to this notice, carrying on business as a motor vehicle dealer under the name or style specified in the second column of that Schedule (*or* being an applicant for a licence to carry on business as a motor vehicle dealer), has applied to the Motor Vehicle Dealers Licensing Board for the approval of each of the persons described in the third column of that Schedule as a motor vehicle salesman.

The applications will be heard by the above Board after 1 month from the day of 19.., being the date of the first publication of this notice.

Any person who wishes to object to the granting of any of these applications must give notice to the Board of his or her objection within 1 month after the said date of the first publication of this notice. Appropriate forms for the making of objections are available from the Registrar of the Board.

SCHEDULE

Full name, address, and occupation of applicant	Business name or style	Full name, residential address, and occupation of proposed salesmen
1.		(a) (b) (c)
2.		
3.		

Schedule 2: Form 18A was inserted, as from 1 January 1988, by regulation 2(3) Motor Vehicle Dealers Regulations 1980, Amendment No 2 (SR 1987/352).

Form 19—continued

No.....

CERTIFICATE OF APPROVAL OF A MOTOR VEHICLE SALESMAN

Issued by the Motor Vehicle Dealers Licensing Board at

PURSUANT to section 84 of the Motor Vehicle Dealers Act 1975,

[Full name] is hereby approved as a motor vehicle salesman from the

day..... 19..... until the 31st day of March 19..... to be employed by

[Full name of licensee] of [Address of registered office],

carrying on business under the name or style of

Given under my hand and the seal of the Board at this day of
..... 19.....

.....

Registrar

Endorsements

Form 20

Application for the Renewal of a Certificate of

Approval

[Revoked]

Schedule 2, Form 20 was revoked, as from 1 January 1982, by regulation 2(2)
Motor Vehicle Dealers Regulations 1980, Amendment No 1 (SR 1981/357).

Form 21
Notice of required particulars

Section 90(1)

Motor Vehicle Dealers Act 1975

Year of registration
Odometer readingmiles/kilometres
Cash price of vehicle \$.....
Model designation
Engine capacitycubic centimetres
Registration number
Number of owners
Whether vehicle is or has been used as a taxi or rental car*
Dealer
Business address

**If the vehicle is or has been used as a taxi state "ex-taxi", and if the vehicle is or has been used as a rental car state "ex-rental car".*

In the case of category A, B, or C vehicles state:

"This vehicle is protected by a Secondhand Motor Vehicle Warranty in the standard form prescribed by the Motor Vehicle Dealers Act 1975 for the period of months or kilometres, whichever first occurs."

In the case of a category D vehicle, being a vehicle first registered more than 8 years previously or that has been driven over 100 000 kilometres, state:

"This vehicle is sold with a current warrant of fitness and is subject to the terms under the Sale of Goods Act 1908 as to merchantable quality and fitness for purpose."

In a case where, in terms of the Motor Vehicle Dealers Act 1975, no warranty is required, state:

"NO WARRANTY"

"TAKE notice that the dealer offering this vehicle for sale is not obliged to repair any defects or replace faulty parts in this vehicle."

Date of sale

.....
Signature of Dealer
(or duly authorised agent)
.....
Signature of Purchaser

Form 21—*continued*

NOTICE TO PURCHASER

The above dealer is legally required to hand to you a completed and signed copy of this notice at the time of sale.

NOTE

The notice shall be affixed to the window of the near side door of the vehicle in a way that ensures that the printing is clearly visible from the exterior of the vehicle.

Form 22 Section 93(1)
Standard form of second and motor vehicle
warranty

1. Parties—

Dealer Purchaser
Business address Address

2. Vehicle—

Category
Number of owners
Model designation
Registration No..... Serial No..... Engine No.....
Odometer reading (at time of delivery)
Date of sale

3. Term of Warranty— The warranty shall apply to any defect (as outlined below) which appears before the vehicle has been driven for kilometres or months after the date of sale whichever first occurs.

Category D vehicles must be sold with a current warrant of fitness and subject to the Sale of Goods Act 1908 warranties that the vehicle is reasonably fit for its purpose, and of merchantable quality.

4. Defect— Defect means any structural or mechanical flaw or malfunctioning that, having regard to the age of the motor vehicle, the total distance travelled by it, and the price obtained or sought for it by the licensee, has adversely affected or is likely to adversely affect—

- (a) The safety or roadworthiness of the motor vehicle; or
- (b) The market value of the motor vehicle; or
- (c) The serviceability of the motor vehicle.

However, it does not include any panel repair or any damage caused by corrosion unless, by reason of that repair or damage, the motor vehicle is not in the condition required for the issue of a warrant of fitness in accordance with the Traffic Regulations 1956.

5. What the dealer has to do— The dealer must repair or arrange to be repaired any defect that appears in the vehicle during the warranty period, whether that defect was in the vehicle when it was delivered or not. The defect must be repaired so as to put the vehicle in a reasonable condition having regard to its age and distance travelled.

6. What the purchaser must do— The purchaser must notify the dealer once a defect appears and make the vehicle available to the dealer for repair. If repair by the dealer is not practicable, the purchaser must keep any workshop records and defective parts available for inspection by the dealer. The purchaser should cease to use the vehicle as soon as possible after a defect appears. Normal maintenance on the vehicle must be carried out.

Form 22—*continued*

7. Warranty exclusions—

- (a) Any defects listed with the estimated cost of repair.
- (b) Any defects arising from or incidental to any accidental damage to the vehicle that occurred after the completion of the sale.
- (c) Any defects arising from misuse by or negligence on the part of a driver of the vehicle that occurred after the completion of the sale.
- (d) Any defects occurring in the tyres, battery, or any prescribed accessory to the vehicle.
- (e) Any defects arising from failure to carry out normal maintenance after the completion of the sale.
- (f) Any defect the extent of which is aggravated by failure to cause repairs to be carried out as soon as practicable after the defect becomes apparent.
- (g) Any defects arising out of the use of the motor vehicle in any form of motor sport.

8. Betterment— Repair of a defect may involve work or replacement of a ~~part~~ ^{part} necessary, and increases the running life of the vehicle. The purchaser must be notified before any betterment work is begun and written permission given to go ahead. The purchaser will be called upon to pay for the betterment work only where the total repair cost is over \$300 and the amount of betterment itself exceeds \$200.

9. Disputes— If there is any complaint about the vehicle, first endeavour to settle the matter directly with the dealer.

If the complaint is not handled promptly or to satisfaction, make a written complaint to the nearest branch of the Motor Vehicle Dealers Institute. Note that section 102(1) of the Act prescribes periods within which certain complaints may be made to the Institute. The Institute has itself 14 days to try and settle the matter between dealer and purchaser. If unsuccessful the matter must be referred to the Disputes Tribunal for determination.

If you consider that the dealer has not adequately effected any repairs that are his responsibility, you may have the necessary work done and apply to the Disputes Committee for repayment of the reasonable cost of that work. However, before having the work done you must give written notice of your intention to the dealer, and give him a reasonable opportunity to inspect the motor vehicle.

Date (to be time of sale)

.....
Signature of Purchaser

.....
Signature of Dealer

Form 23

Section 94(1)

Notice of exemption of category C motor
vehicle from warranty

Motor Vehicle Dealers Act 1975

A CATEGORY C. MOTOR VEHICLE

TAKE notice that the dealer offering this vehicle for sale is not obliged to repair any defects or replace faulty parts in this vehicle if—

1. The purchaser is given a reasonable opportunity to have the vehicle independently examined; and
2. The purchaser declares that he understands that on signing a copy of this notice he will have no rights under section 93 of the Motor Vehicle Dealers Act 1975 (which relates to the duty of a dealer to make repairs).

On copy only

I solemnly and sincerely declare that I understand that on purchasing the vehicle to which the notice of particulars that I have been given under section 90(6) of the Motor Vehicle Dealers Act 1975 relates I shall not have the rights to which I would otherwise be entitled under section 93 of that Act.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared atthisday of19.....

Before me

(Justice of the Peace, Solicitor of
the [High Court] of New Zealand,
or other person authorised to take
statutory declarations)

Form 23 was amended, as from 13 September 1999, by regulation 11 Motor Vehicle Dealers Amendment Regulations 1999 (SR 1999/261) by substituting the words “High Court” for the words “Supreme Court”.

Form 24

Section 95

Motor Vehicle Dealers Act 1975

Form 24—*continued*

NOTICE OF DECLARED DEFECTS

PART I

Dealer Registration No.....
 Business address Model designation.....

This vehicle contains the following defects, and the cost of repair, up to the estimates shown, becomes the responsibility of the purchaser.

The dealer remains liable under section 95 of the Motor Vehicle Dealers Act 1975 for the repair of any defects not listed, and for the actual and reasonable cost of the repair of any listed defect beyond the cost estimated by the dealer.

Listed Defects	Estimated cost of repair \$..... Total.....
	Signature of Dealer (or his duly authorised agent)

PART II

WARNING TO PURCHASER

Regardless of any price adjustment this notice should not be signed unless original copy (with the above details fully filled in) was displayed on the vehicle before your inspection and purchase.

Date of sale

.....
 Signature of Dealer
(or his duly authorised agent).

.....
 Signature of Purchaser

The above dealer is legally bound to hand to you a completed and signed copy of this notice at the time of sale.

Schedule 3

Reg 6

**Fees payable in respect of matters under
the Motor Vehicle Dealers Act 1975**

Schedule 3 was substituted, as from 1 January 1992, by regulation 2 Motor Vehicle Dealers Regulations 1980, Amendment No 3 (SR 1991/253).

	\$
1. On application for a licence	700
2. On renewal of a licence	140
3. On application for the removal of a licence	50
4. On application for the approval of a subsidiary place of business	50
5. On application for the approval of a chief executive officer of a licensee company	50
6. On application for the approval of a person to supervise a licensee's business during temporary absence or incapacity	50
7. On consent to employment of an officer of a licensee company or branch office, except where the consent is applied for with an application for the grant or renewal of a licence	50
8. On application for a certificate of approval	50
9. For the renewal of a certificate of approval	10
10. For the issue of a duplicate licence or certificate of approval	50
11. For the approval of a person (not being a chief executive officer of a company) to supervise the conduct of a licensee company's business from its principal place of business	50
12. For the provision of a written copy of an entry in any register the Registrar may charge a maximum fee of	10.

PG MILLEN,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations are made pursuant to the Motor Vehicle Dealers Act 1975. They consolidate, amend, and replace the Motor Vehicle Dealers Regulations 1976.

The principal changes relate to the forms, and are consequential upon the establishment, by the Motor Vehicle Dealers Amendment Act 1979, of the Motor Vehicle Dealers Licensing Board to exercise the licensing jurisdiction previously vested in the Magistrates' Courts.

Issued under the authority of the Regulations Act 1936
Date of notification in *Gazette*: 6 March 1980.
