

FACTS SHEET

Motor Vehicle Traders Amendment Bill 2011

The *Motor Vehicle Traders Act 2011* prescribes a positive licensing requirement for motor vehicle traders, imposes disclosure, statutory warranty and other obligations on traders, and contains a range of offences. The Act, and regulations under the Act, have not yet commenced.

Currently, in order for motor vehicle traders to avoid paying duty on the transfer of motor vehicle registration, an exemption certificate must be obtained. The State Revenue Office grants exemption certificates for 12 months. Current exemption certificates expire on 31 March 2012.

Grant of duty exemption will be automatic on issuance of a motor vehicle traders licence under the *Motor Vehicle Traders Act 2011*. Since current duty exemptions expire on 31 March 2012 it will be necessary to issue all licences effective 1 April 2012.

The Act as currently drafted makes it an offence to trade in motor vehicles without a licence. However there is no statutory authority to assess applications, or issue licences, until the Act commences. Therefore it is necessary to amend the Act to allow for different provisions to commence on different dates, including some consequential amendments.

The *Motor Vehicle Traders Amendment Bill 2011* amends the *Motor Vehicle Traders Act 2011* in order to allow for staged commencement of that Act.