

AUSTRALIAN CAPITAL TERRITORY

Sale of Motor Vehicles (Amendment) Ordinance 1985

No. 70 of 1985

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 12 December 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

G. SCHOLES
Minister of State for Territories

An Ordinance to amend the *Sale of Motor Vehicles Ordinance 1977*

Short title

1. This Ordinance may be cited as the *Sale of Motor Vehicles (Amendment) Ordinance 1985*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Sale of Motor Vehicles Ordinance 1977*.²

Interpretation

3. Section 3 of the Principal Ordinance is amended by inserting in subsection (1) after the definition of "model designation" the following definition:

“‘motor cycle’ means a motor vehicle that has less than 4 wheels and is steered by means of handlebars;”.

Action by dealer on sale of second-hand motor vehicle

4. Section 21 of the Principal Ordinance is amended by omitting from subparagraph (1) (a) (iv) all the words before “a statement” and substituting “in the case of a second-hand motor vehicle (other than a motor cycle) the cash price of which is less than \$3,000, or a second-hand motor cycle (other than a motor cycle of the kind referred to in paragraph 23 (1) (d))—”.

Dealer to repair vehicle in certain circumstances

5. Section 23 of the Principal Ordinance is amended—

- (a) by omitting from paragraph (1) (a) “other than a second-hand motor vehicle” and substituting “(other than a motor cycle or a second-hand motor vehicle)”;
- (b) by inserting in paragraph (1) (b) “(other than a motor cycle)” after “vehicle” (first occurring);
- (c) by omitting from paragraph (1) (b) “or” (last occurring);
- (d) by omitting from paragraph (1) (c) “to a person for the prescribed cash price” and substituting “(other than a motor cycle) to a person for a cash price that is within the prescribed price range”;
- (e) by inserting after paragraph (1) (c) the following word and paragraph:
 - “; or (d) a dealer sells to a person a motor cycle (other than a second-hand motor cycle) or sells to a person a second-hand motor cycle that the dealer represents or has represented to the purchaser as being a demonstrator motor cycle, not being a sale to the Commonwealth, and before—
 - (i) the motor cycle has been ridden for 10,000 kilometres after the sale; or
 - (ii) the expiration of the period of 6 months next following the date of the sale,whichever is the earlier, a defect in the motor cycle occurs or becomes apparent to the purchaser,”; and
- (f) by omitting sub-section (2) and substituting the following sub-sections:

“(2) For the purposes of paragraph (1) (b) the prescribed cash price is \$4,500.

“(2A) For the purposes of paragraph (1) (c) , the cash price of a motor vehicle is within the prescribed price range if the cash price is not less than \$3,000 but is less than \$4,500.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 19 December 1985.
2. No. 29, 1977 as amended by No. 46, 1978; No. 39, 1980; No. 38, 1982; Nos. 16 and 38, 1983.