



Australian Capital Territory

Sale of Motor Vehicles Regulation 1977

SL1997-21

made under the

Sale of Motor Vehicles Act 1977

Republication No 3

Effective: 2 November 2004 – 1 June 2005

Republication date: 2 November 2004

Last amendment made by A2001-70
(republishing includes editorial amendments
under Legislation Act)

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Sale of Motor Vehicles Regulation 1977*, made under the *Sale of Motor Vehicles Act 1977* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 2 November 2004. It also includes any amendment, repeal or expiry affecting the republished law to 2 November 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Sale of Motor Vehicles Regulation 1977

made under the

Sale of Motor Vehicles Act 1977

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R3
02/11/04

Sale of Motor Vehicles Regulation 1977
Effective: 02/11/04-01/06/05

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Australian Capital Territory

Sale of Motor Vehicles Regulation 1977

made under the

Sale of Motor Vehicles Act 1977

1 Name of regulation

This regulation is the *Sale of Motor Vehicles Regulation 1977*.

3 Additional information to be contained in applications for licences

An application for the grant of a licence must, in addition to containing the information required under the Act, section 10 or section 11, state—

- (a) if the applicant has at any time applied for a licence under the Act or under a law of a State relating to the licensing of motor vehicle dealers—
 - (i) when and to whom the application was made; and
 - (ii) whether the application was successful; and
- (b) if the applicant has previously been granted a licence under the Act or under a law of a State or other Territory relating to the licensing of motor vehicle dealers—
 - (i) whether the licence is still in force;
 - (ii) whether the licence has at any time been suspended; and
 - (iii) if the licence is not still in force—whether it was revoked or cancelled by the issuing authority; and
- (c) the name or names under which the applicant proposes to carry on business as a licensed dealer; and
- (d) in relation to each place where the applicant proposes to carry on business as a dealer in the ACT—the area of that part of the place where it is proposed to display motor vehicles for sale; and
- (e) for an application by a corporation—whether a director of the corporation is a bankrupt, or is for the time being taking the benefit of any law for the relief of bankrupt or insolvent

debtors, or is a person whose remuneration is, for the time being, assigned for the benefit of his or her creditors.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

This regulation was originally called the *Sale of Motor Vehicles Regulations* and was originally made under a Commonwealth ordinance—the *Sale of Motor Vehicles Ordinance 1977* No 29 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT, and the regulations made under them, into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. The *Sale of Motor Vehicles Ordinance 1977* and the *Sale of Motor Vehicles Regulations* were converted into ACT enactments on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name of the ordinance was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

This regulation was renamed by the *Justice and Community Safety Legislation Amendment Act 2001*, amdt 2.1 and under the *Legislation Act 2001*.

Before 12 September 2001, regulations commenced on their notification day unless otherwise stated (see *Interpretation Ordinance 1914* s 5, *Interpretation Ordinance 1937* s 16, *Interpretation Act 1967* s 50, *Subordinate Laws Act 1989* s 6).

Legislation before becoming Territory enactment

Sale of Motor Vehicles Regulation 1977 No 21

notified 2 September 1977
commenced 2 September 1977

as amended by

Sale of Motor Vehicles Regulations (Amendment) 1982 No 39

notified 18 August 1982
commenced 18 August 1982

Sale of Motor Vehicles Regulations (Amendment) 1983 No 18

notified 30 September 1983
commenced 1 October 1983 (s 2)

Endnotes

4 Amendment history

Legislation after becoming Territory enactment

Legislation (Consequential Amendments) Act 2001 No 44 pt 356

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 356 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Justice and Community Safety Legislation Amendment Act 2001 No 70 sch 2

notified LR 14 September 2001

commenced 14 September 2001 (s 2 (5))

4 Amendment history

Name of regulation

s 1 sub Act 2001 No 70 amdt 2.1
am R3 LA

Interpretation

s 2 om Act 2001 No 44 amdt 1.3867

Additional information to be contained in applications for licences

s 3 am Act 2001 No 70 amdt 2.2, amdt 2.3

Licence fee

s 4 om 1983 No 18 s 2

Contribution payable to compensation fund

s 5 om 1983 No 18 s 2

Fee for copy of licence

s 6 am 1982 No 39
om 1983 No 18 s 2

Fee for inspection of the register

s 7 om 1983 No 18 s 2

5 Earlier replications

Some earlier replications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised replication has been published in electronic pdf format on the ACT legislation register. A selection of authorised replications have also been published in printed format. These replications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised replication are identical.

Replication No	Amendments to	Replication date
1	SL 1983 No 18	30 June 1991
2	A2001-70	17 July 2002

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