

# Motor Dealers and Repairers (Declaration of Declared Trade Show – Primex Field Days) Order 2021

under the

## Motor Dealers and Repairers Regulation 2014

I, Kevin Anderson, Minister for Better Regulation and Innovation, in pursuance of clause 5A of the Motor Dealers and Repairers Regulation 2014, make the following Order.

Date: 18/03/21



### Kevin Anderson

Minister for Better Regulation and Innovation

### Explanatory note

Under clause 5A of the Motor Dealers and Repairers Regulation 2014, the Minister for Better Regulation and Innovation may, by order published in the Gazette, declare that a specified event, held at a place where a number of motor dealers, motor vehicle manufacturers or other industry participants display motor vehicles, is a declared trade show.

The object of this Order is to declare the Primex Field Days to be held at the Richmond Valley Events Centre, Bruxner Highway, Casino, NSW 2470 to be a declared trade show for the period of 20 May 2021 to 22 May 2021 (inclusive). The effect of the Order is to exempt motor dealers whose ordinary place of business is outside NSW from the need to hold a NSW motor dealer's licence in order to offer or display a motor vehicle for sale at the Primex Field Days Show. To receive the benefit of the exemption, eligible persons will need to satisfy the conditions of this Order and the Regulation.

The exemption will have effect only for the duration of the trade show and applies to participation in the Primex Field Days only to the extent that it involves advising persons with respect to the quality, performance and characteristics of motor vehicles and making offers to, or receiving offers from, persons to enter into agreements for the sale of motor vehicles (other than second-hand motor vehicles).

### 1. Name of Order

This Order is the Motor Dealers and Repairers (Declaration of Declared Trade Show – Primex Field Days Show) Order 2021

### 2. Commencement

This Order commences on the day on which it is published in the NSW Government Gazette.

### 3. Definitions

In this Order:

**Eligible person** has the same meaning given to it in the Regulation 2014.

**Primex Field Days** means the Primex Field Days held at the Richmond Valley Events Centre, Bruxner Highway, Casino, NSW 2470.

**Second-hand motor vehicles** has the same meaning given to it in the Regulation.

**The Act** means the Motor Dealers and Repairers Act 2013.

**The Regulation** means the Motor Dealers and Repairers Regulation 2014.

#### **4. Declaration of declared trade show**

Primex Field Days is declared to be a declared trade show for the period beginning at 12:01am on 20 May 2021 and ending at 11:59pm 22 May 2021.

#### **5. Conditions**

An eligible person must comply with the following conditions and the Regulation in order to receive the benefit of the exemption conferred by this Order:

- a) when making offers to, or receiving offers from, persons to enter into agreements for the sale of motor vehicles (other than second-hand motor vehicles) an eligible person must advise those persons in writing:
  - i. that the sale will be effected in the jurisdiction where the eligible person's ordinary place of business is;
  - ii. that the sale will not be subject to the dealer obligations or consumer protections provided under the Act or the Regulation;
  - iii. that the sale will be subject to the relevant dealer obligations, if any, or consumer protections that apply in the jurisdiction where the eligible person's ordinary place of business is;
  - iv. consumer protection under the Australian Consumer Law extends across all state and territory boundaries;
  - v. where the pick-up location would be for the vehicle if a sale is effected; and
  - vi. where the location would be for servicing and repair work for the vehicle if a sale is effected.
- b) display a sign at the stall or other place of business operated by the eligible person at the declared trade show that:
  - i. uses language and a format, and is in a position, that makes the sign easy to read by any person approaching the stall or place, and
  - ii. includes the registered business name, or company name, address and inter-State or Territory licence name or number (if applicable) of the business ordinarily operated by the eligible person.