



ANNO TRICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1986

No. 19 of 1986

An Act to amend the Second-hand Motor Vehicles Act, 1983.

[Assented to 20 March 1986]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Second-hand Motor Vehicles Act Amendment Act, 1986". Short title.
- (2) The Second-hand Motor Vehicles Act, 1983, is in this Act referred to as "the principal Act".
2. This Act shall be deemed to have come into operation on 1 January, 1986. Commencement.
3. Section 3 of the principal Act is amended by striking out subsection (2). Amendment of s. 3—
Repeal.
4. Section 30 of the principal Act is amended by striking out subsection (2) and substituting the following subsection: Amendment of s. 30—
Claim against Fund.
 - (2) Where, upon the application of a person (not being a dealer) who has—
 - (a) purchased a second-hand vehicle from a dealer;
 - (b) sold a second-hand vehicle to a dealer;
 or
 - (c) left a second-hand vehicle in a dealer's possession to be offered for sale by the dealer on behalf of the person,
 the Tribunal is satisfied—
 - (d) that the person has a valid unsatisfied claim against the dealer arising out of or in connection with the transaction but otherwise than in pursuance of this Act;
 and

(e) that, by reason of the death, disappearance or insolvency of the dealer, there is no reasonable prospect of the claim being satisfied,

the Tribunal may authorize payment of the amount of the claim to that person out of the Fund.

Insertion of
schedule.

5. The following schedule is inserted after section 48 of the principal Act:

SCHEDULE

TRANSITIONAL PROVISION

Where—

(a) a licence was in force under the repealed Act immediately before the commencement of this Act;

or

(b) a licence was in force under the repealed Act at any time during the period of 6 months immediately preceding the commencement of this Act and the holder of the licence had, in accordance with the repealed Act, applied for renewal of the licence,

the licence shall be deemed to be a licence granted and in force under this Act and shall, subject to this Act, continue in force.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor