



Victoria Government Gazette

No. S 47 Monday 25 May 1998
By Authority, Victorian Government Printer

SPECIAL

Subordinate Legislation Act 1994 **MOTOR CAR TRADERS** **REGULATIONS 1998**

A Regulatory Impact Statement for the proposed **Motor Car Traders Regulations 1998** was released for public comment on 20 March 1998. Submissions were received and have been considered. As a result of the submissions, the draft Regulations are to be amended to-

- raise the level of reasonable cost of repair of a damaged vehicle sold at public auction from \$2,000 to \$3,000 for the purposes of an exemption under proposed regulation 6(1)(c) to reflect the increase in the cost of motor car repairs;
- qualify the term "built date" where appearing in the prescribed forms to ensure that this date is provided, if it is available;
- remove the requirement to include the vehicle identification number (VIN) in the notices to be displayed on used vehicles and in advertisements for the sale of used motor cars, to protect the security of certain makes of European motor cars for which duplicate keys are available based on the last four digits of the VIN; and
- ensure that the notices to be displayed on used vehicles specify all of the circumstances in which the cooling off period will not apply to the sale of a used motor car.

I advise that I intend to recommend that the draft Regulations, as amended, be made.

JAN WADE MP
Minister for Fair Trading

Subordinate Legislation Act 1994 **PROPOSED RETAIL TENANCIES REFORM** **REGULATIONS 1998** Regulatory Impact Statement

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994**, that a Regulatory Impact Statement (RIS) has

been prepared in relation to the proposed Retail Tenancies Reform Regulations 1998.

The proposed Retail Tenancies Reform Regulations 1998 are to be made under the **Retail Tenancies Reform Act 1998** which comes into operation shortly. This Act will apply to leases of retail premises entered into after its commencement and replaces the **Retail Tenancies Act 1986**.

The proposed regulations are similar to regulations made under the **Retail Tenancies Act 1986**. The principal objective of the proposed regulations is to ensure an equitable distribution of various classes of expenses between the landlord and the tenant. The proposed regulations streamline the giving of notices between parties to a retail premises lease. The proposed regulations also ensure that tenants are not required to pay costs for which they derive no direct benefit or service.

The RIS considers the proposed regulations and examines regulatory alternatives. The cost benefit analysis in the RIS demonstrates that the benefits of the proposed regulations outweigh the costs, and are greater than the alternatives. The RIS concludes that the proposed regulations are the best means of achieving the objective.

The proposed regulations have been assessed in accordance with the Guidelines for the Application of the Competition Test to New Legislative Proposals. The assessment demonstrated that the proposed regulations do not impose a restriction on or otherwise impede competition.

Public comments are invited on the RIS and accompanying Regulations. Copies may be obtained by telephoning the Office of Regulation Reform on (03) 9651 9719.

All comments and submissions will be received at the following address up to 5.00 p.m. on Monday, 22 June 1998: The Office of Regulation Reform, P.O. Box 4509RR, Melbourne, Vic. 3000. All submissions will be treated as public documents.

LOUISE ASHER, MP
Minister for Small Business

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VGG General is published each Thursday and provides information regarding Acts of Parliament and their effective date of operation; Government notices; requests for tenders; as well as contracts accepted. Private notices are also published.

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The Victoria Government Gazette

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Periodical - \$113.00 each year

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to
The Craftsman Press Pty. Ltd.

Subscription enquiries:

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood Vic 3125

Telephone: (03) 9926 1233

Fax: (03) 9926 1292

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Government Printer for the State of Victoria
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ISSN 0819-5471

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Address all inquiries to the Government Printer for the
State of Victoria

1 Macarthur Street

Melbourne 3002 Victoria Australia

Subscriptions

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood

Victoria, Australia 3125

Telephone enquiries (03) 9926 1233

Facsimile (03) 9926 1292

Retail Sales

Information Victoria Bookshop

356 Collins Street Melbourne 3000.

Telephone enquiries 1300 366 356

City Graphics

2nd Floor, 4 Bank Place

Melbourne 3000

Telephone enquiries (03) 9600 0977

Price Code A