

Working as a second-hand vehicle dealer in SA

Information for interstate workers

This factsheet outlines your requirements for working as a second-hand vehicle dealer in South Australia.

If your principal place of residence:

- is in a state or territory other than South Australia, you can use the Automatic Mutual Recognition (AMR) process to work in SA under your interstate licence.
- changes to South Australia, you must hold an SA licence – not an interstate licence. You can apply for an SA licence under the [Mutual Recognition process](#) (rather than the automatic process).

Licences granted under mutual recognition (including via the automatic process) will appear on the [SA Licensing Register](#) so that members of the public can verify that a person is licensed to work in SA.

Licence requirements

If you buy, sell or offer for sale four or more vehicles in SA in a 12 month period you must be licensed as a second-hand vehicle dealer.

Compensation fund

If you trade from a premises in SA you will need to pay an annual fee to the Compensation Fund. The fee is \$200 if you sell motor vehicles and \$60 if you sell motorcycles only.

Providing information to prospective purchasers

You must attach to a vehicle for sale a notice providing certain details about the vehicle. The details you must provide include things such as the price, make and model, year of manufacture, registration number and year of first registration, engine number and odometer reading. The notice must also contain the name and address of the dealer offering the vehicle for sale and the name and address of the last owner of the vehicle. This notice must be provided to the purchaser.

Contracts

Contracts for the sale of a vehicle must:

- be in writing
- include all of the details required by legislation
- be signed by both parties
- be provided to the purchaser.

Cooling off

In SA consumers have two clear business days to consider the purchase of a second-hand vehicle from a second-hand vehicle dealer. Saturdays are considered to be business days.

A purchaser may cancel the contract by giving you written notice before the cooling-off period expires.

Payments

You may request a deposit of up to 10% of the contract price of the vehicle. If the purchaser decides not to go ahead with the purchase during the two-day cooling off period, you must refund the deposit minus 2% of the contract price or \$100 whichever is lesser.

Defects

You must repair defects under the Australian Consumer Law or the statutory warranty for second-hand vehicles.

For vehicles priced:

- between \$3,001 and \$6,000, the warranty covers the vehicle for up to 3,000 km or two months, whichever occurs first
- over \$6,000, the warranty covers the vehicle for up to 5,000 km or three months whichever occurs first.

The statutory warranty does not apply to vehicles that:

- sold for \$3000 or less
- have travelled over 200,000 kilometres before the sale
- were first registered more than 15 years ago.

Odometer repairs

You can only change an odometer on a second-hand vehicle if the Commissioner for Consumer and Business Services has given you written approval. This includes altering, removing, replacing or rendering the odometer inoperative or inaccurate. You will need to use the form [Request to alter or replace an odometer](#).

Legislation

- [Second-hand Vehicle Dealers Act 1995](#)
- [Second-hand Vehicle Dealers Regulations 2010](#)

Other relevant legislation

You must comply with all applicable laws while working in South Australia, including laws relating to:

- [Approved Codes of Practice in SA](#)
- [Employing people](#)
- [State taxes](#)
- [Safe Work SA](#)