

## R23 – Licensed Motor Vehicle Dealers – Business Arrangements

**Effective Date: 26 March 2001**

From 2001, Licensed Motor Vehicle Dealers (LMVDs) may continue to receive exemption from providing Proof of Acquisition/ownership (POA) if they enter into an Agreement with the Registrar of Motor Vehicles.

Should LMVDs choose not to enter into an Agreement with the Registrar they will need to provide full details (Proof of Acquisition/ownership, identity and residency) as applicable.

On execution of the Agreement an LMVD will be issued a Dealer Authorisation Identity Certificate (Certificate) which will provide exemption from Proof of Acquisition (POA), Proof of Residency (POR) and Proof of Identity (POI), to the bearer of the Certificate.

LMVDs who currently have a Certificate “Exempt POI” may have this extended to “Exempt POA/POR/” by entering into an Agreement.

**Example:** Joe Salesman comes to the counter with a Certificate “Exempt POI” for an LMVD, he will not need to prove his POI, as he is authorised by the LMVD to act on their behalf, by being in possession of the Certificate.

**Please note:** Existing holders of POI Certificates not wishing to participate in the exempt POA/POR scheme may continue to operate under the POI scheme.

- Upon entering into an Agreement, the Certificate will be endorsed ‘Exempt POA/POR & POI’. The holder will not need to prove residency (POR) or proof of acquisition/ownership (POA), at the time the transaction is processed at MVR.

**Example:** Joe Salesman comes to the counter with a Certificate “Exempt POI” and endorsed “Exempt POA & POR” the applicant (the LMVD) will not need to prove POA & POR by being in possession of the Certificate.

### Requirements for Certificate Holders

#### LMVDs Who are not members of the Motor Trades Association

The Manager/Secretary of a Dealership/Company may apply to enter into an Agreement with the Registrar of Motor Vehicles to obtain POA/POR & POI exemption status.

Applicants should direct enquiries to the Manager Registration Policy, Road Transport, 1st Floor Energy House, Cavenagh Street Darwin, (phone MVR 1800 654 628), or Manager MVR (in Regions), who will advise the requirements and arrange execution of the Agreement, as necessary.



Applications may also be in writing, and attached is a pro-forma example letter that may be used.

The Agreement with the Registrar requires the LMVD to keep relevant POA/POR & POI records at their business as detailed in the Motor Dealers Guide and the Agreement. The main requirements of the Agreement are:

- (a) In respect of the sale or purchase of any motor vehicle by the LMVD to obtain, keep and maintain accurate records of the information, pursuant to section 20 and section 92 of the Motor Vehicles Act;
- (b) Provide the information to the Registrar upon demand;
  - 1. Forward the information to the Registrar at the end of the period stipulated in the Agreement; and
  - 2. Provide an annual Auditors report to the Registrar (at the LMVDs expense).

The person signing the Agreement must be the appointed LMVDs Secretary/Manager, or their appointed representative (in writing from the appointed LMVDs Secretary/Manager), the Manager Registration Policy or Manager MVR (in Regions), and a witness (a person who is aged 18 years or over).

The original copy of the executed Agreement, AND the original of the Certificate (if one already exists for 'Exempt POI') from Regions, must be forwarded to the Manager Registration Policy for certification.

The original copies will be returned to the Manager MVR of the initiating Regional office who will keep a copy on the local file, and forward the certified originals to the appointed Manager/Secretary of the LMVD.

LMVDs without a CERTIFICATE will have to provide full POA/POR & POI, for every transaction, as the general public does now.

## **MTA LMVDs**

The MTA will sign a separate Agreement with the Registrar, whereby, individual Agreements for participating MTA LMVD members will not be required. The MTA will provide a list of MTA LMVDs wishing to participate in the scheme, having satisfied the Registrar that the MTA LMVD has met the requirements of the Agreement.

The Agreement will also require the MTA to provide an Auditors Report of those records, which are kept on behalf of the Registrar. The Agreement sets out in detail the requirements of Audit which is at the MTA's own expense.

LMVDs without a Certificate will have to provide full POA/POR/POI, for every transaction, as the general public does now unless they already have a Certificate "Exempt POI" in which case they will still need to provide POA.

A review "board" consisting of LMVD/MTA and MVR officials will assess negative audit findings, and provide recommendations to the Registrar regarding the implementation of penalties, if necessary.

## Lost or Damaged Certificates

Before any replacement Certificate is issued, the LMVD must repeat the application process described above, to ensure the bona fide intent of the applicant.

## Additional Information

### Authorisation

Section 20(1)(d) Motor Vehicles Act.

## Certificate Authority

A Certificate will provide the holder, exemption from providing POI; or POA/POR & POI,

## Definitions

“POA” – PROOF OF ACQUISITION/OWNERSHIP

“POR” – PROOF OF RESIDENCY

“POI” – PROOF OF IDENTITY

“EACH REGION” – For the purpose of this document “IN EACH REGION” means MOTOR VEHICLE REGISTRY OFFICES located in Katherine, Tennant Creek, Nhulunbuy, Jabiru, Alice Springs and Goyder Rd (Darwin).

## References

Information Bulletin R19 – Bulk Notice of Disposal (BNOD) – (to be Used By LMVDs)

Information Bulletin R20 – LMVD Dealers Manual and Dealer Authorisation Identity Certificates for Proof of Identity (POI)

Motor Dealers Guide – Vehicle Registration & Transfer Of Ownership

[COMPANY/BUSINESS LETTERHEAD]

Registrar of Motor Vehicles  
GPO Box 530  
DARWIN NT 0801

Attention: Manager Customer Services

RE: APPLICATION FOR DEALER AUTHORISATION IDENTITY CERTIFICATE

I hereby apply for a/[two or more] Dealer Authorisation ID Certificate/s to include the Company OR Business Name/s; and Trading Name/s, Address/es, LMVD No/s, as detailed below;

- 1.
- 2.
- 3.

Yours faithfully

Signed by an Appointed Managing Director/Manager or Secretary

Note: The above signatory MUST be one of the above appointed persons. On legal advice, the signature of a Director not appointed as Manager or Secretary cannot be accepted.

NOTE: The following must accompany all applications:

Proof of identity will be required for the person (Photocopy of above signatory's Drivers Licence).

Proof of Identity of the Company/Business. E.g. Company seal or copy of current Company or Business extract.

<b>Contact Details</b>	
<b>Motor Vehicle Registry</b>	
Telephone	1300 654 628
Facsimile	(08) 8999 3103
Email	<a href="mailto:mvr@nt.gov.au">mvr@nt.gov.au</a>
Web	<a href="http://www.mvr.nt.gov.au">www.mvr.nt.gov.au</a>
Postal Address	GPO Box 530 Darwin NT 0801