

COMPLIANCE CHECKS FOR PRESCRIBED FORMS MAY COMMENCE SOON

19 February 2025

To: WA AADA MEMBERS

From 7 June 2024, WA motor vehicle Dealers must have been disclosing to prospective buyers whether a used vehicle is listed on a written-off vehicle register. **Dealers are required to advise a prospective purchaser of a vehicles written- off status in writing.**

AADA previously reminded WA Dealers of this requirement in April and May 2024.

The WA Department of Energy, Mines, Industry Regulation and Safety has [reminded Dealers](#) to comply with the prescribed wording mandated under Regulation 5 (1)(c) of the *Motor Vehicle Dealers (Sales) Regulations* 1974 WA.

Dealers must indicate whether a used vehicle is classified as a repairable write-off (RWO) by ticking 'YES' or 'NO' on Form 4 (also known as the 'Vehicle Particulars' form). Form 4 is required under Section 33 of the *Motor Vehicle Dealers Act* 1974 (WA) and must be displayed in the window of every used vehicle for sale.

All required forms under the Act can be found [here](#).

Dealers are advised that the Department have forewarned of a focus on Dealer compliance with regards to the Form 4 in the upcoming weeks. The Department may take punitive action against Dealers who use incorrect, incomplete, or inaccurate forms. Penalties can include:

- Fines of up to \$2,000 per instance of non-compliance with Regulation 5 (1)(c).
- Penalties of up to \$5,000 for false or misleading statements on the form.
- Breach of Australian Consumer Law for failure to disclose the vehicle's true history.

If you have not already done so, it is recommended that Dealers implement a system to check a vehicle's written-off status before acquisition or disposal. The most complete method is through the [Personal Properties Security Register](#) (PPSR), which costs \$2 per search.

Dealers should also work with their DMS providers to ensure that the system generated forms have been altered to reflect the requirement. It is AADA's advice that your used vehicle contract of sale is also amended to reflect the law.

If you have any questions or need further information, please contact:

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