

BULLETIN

Licensed Motor Car Traders



Reference No: LMCT 04-18

Date issued: 07/03/2018

Forms to be used for sale of cars subject to Takata Recall

Members have been advised that on 25 February 2018 the Federal Government announced a compulsory recall for all vehicles affected with defective Takata Airbags.

VACC has issued bulletins to its members on how the future sale of new and used vehicles affected by the recall can be sold.

To assist members further VACC has taken advice from our national body, the Motor Trades Association of Australia (MTAA). The MTAA advice reaffirms previous advice generated by VACC and legal guidance provided by our legal advisors in previous bulletins.

Included in this advice are forms that dealers must use to communicate, as per Section 9(4)(c) of the Recall Notice to consumers that provides notification for future recall vehicles over six post manufacture and less than six years post manufacture. VACC thanks MTAA for these forms.

SELLING A FUTURE RECALL VEHICLE (LESS THAN SIX YEARS OLD)

A form to assist Dealers communicate prescribed information to consumers for vehicles that are less than six years post manufacture is available by [taking this link](#). The form should be included in your deal packs. One signed copy for dealer and one signed copy for the consumer.

SELLING A FUTURE RECALL VEHICLE (MORE THAN 6 YEARS OLD)

A form to assist dealers communicate to consumers prescribed information for vehicles that are more than six years post manufacture is available by [taking this link](#). The form should be included in your deal packs. One signed copy for dealer and one signed copy for the consumer.

Window and engine bay stickers with further prescribed information should be available for member purchase on the [VACC Auto iStore](#) by the end of this week.

WHOLESALE ARRANGEMENTS

- The MTAA is investigating with the ACCC what (if any) arrangements apply to Wholesalers and Auction Houses.
- At this stage it is believed that Wholesalers will be in the same position as Dealers in that they are unable to sell vehicles that are subject to the active recall, until the repair of the Takata Airbag Inflator has been completed; and that if selling a future recall vehicle then oral and written notification will need to be provided.
- This advice is subject to confirmation and the ACCC may issue further guidance materials in regard to this specific area.

DISMANTLING / RECYCLER ARRANGEMENTS

- MTAA has raised with the ACCC the matter of Dismantlers and Recyclers decommissioning vehicles with impacted TAKATA airbags and what, if any, requirements are needed.
- The matter of written off vehicles has also been raised with the ACCC
- The ACCC will provide further advice and this will be provided as soon as it is available.

You can also find attached to this bulletin ACCC guidance for second hand dealers by [taking this link](#).

VACC continues to work with government, industry and manufacturers in easing the burden as much as possible upon dealers.

Regards

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