

# BULLETIN

## Licensed Motor Car Traders



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### Urgent VACC Advice on sale of new and used cars

VACC has received many calls from LMCT's regarding the announcement made by the Assistant Minister to the Treasurer, The Hon. Michael Sukkar MP, in introducing a compulsory recall for all vehicles fitted with defective Takata airbags. You can access information about the [compulsory recall](#) by taking the highlighted link.

VACC members have queried what their required obligations will be moving forward in the sale and acquisition of a vehicle subject to the recall. The key question from industry is whether members can continue to sell used vehicles that are subject to the recall? ACCC has advised VACC that an "Active" recall means when recall action has been "initiated" in respect of an affected vehicle. That means when the vehicle manufacturer has taken steps to notify owners of that type of vehicle that they can schedule a replacement. When vehicle manufacturers initiate recall action for a category of vehicles, they must notify the ACCC via the Product Safety Australia website (PSA website) and these vehicles will be added to the list of affected vehicles [on the website](#)

VACC has taken legal advice on what is a most complex issue. That legal advice is available by [clicking here](#). It addresses the sale of new cars, sale of used cars (less than six years from manufacture and more than 6 years from manufacture) as well as addressing the issue of the private to private market and roadworthy status of vehicles subject to the recall.

After consultation with our legal advisors, and the ACCC, it is urged that all traders verify the recall status of any vehicle they have acquired via this [ACCC Link](#).

VACC is currently in the process of having attached recall notices and counter stands reviewed by our legal team. We will also have available for member purchase warning notifications (i.e. durable stickers) that LMCT's will be required to apply to any affected vehicle as well as more educational material that will help untwine some of the complexity of this recall.

Regards

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