

South Australia

Fair Trading (Motor Vehicle Insurance and Repair Industry Code of Conduct) Regulations 2023

under the *Fair Trading Act 1987*

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1—Short title

These regulations may be cited as the *Fair Trading (Motor Vehicle Insurance and Repair Industry Code of Conduct) Regulations 2023*.

2—Commencement

These regulations come into operation on 28 February 2023.

3—Interpretation

In these regulations—

Act means the *Fair Trading Act 1987*;

code means the *Motor Vehicle Insurance and Repair Industry Code of Conduct* declared under regulation 4;

Commissioner means the Small Business Commissioner.

4—Declaration of applicable industry code of conduct

- (1) The *Motor Vehicle Insurance and Repair Industry Code of Conduct* published in the *Gazette (Gazette 05.01.2023 p3)* is declared to be an applicable industry code of conduct for the purposes of Part 3B of the Act.
- (2) Pursuant to section 28I(2)(b) of the Act, a provision of the code that relates to the voluntary application of the code is excluded from the code.

5—Contravention of code subject to civil penalty

For the purposes of section 86C of the Act, the expiation fee for an alleged civil penalty contravention involving an alleged contravention or attempted contravention of the code is—

- (a) in the case of a body corporate—\$1 200; and
- (b) in the case of an individual—\$500.

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 February 2023

No 6 of 2023