South Australia

Fair Trading (Motor Vehicle Insurers and Repairers) (Exemption) Amendment Regulations 2023

under the *Fair Trading Act 1987*

Contents

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fair Trading (Motor Vehicle Insurers and Repairers) (Exemption) Amendment Regulations 2023*.

2—Commencement

These regulations come into operation on 1 June 2023 immediately after the *Fair Trading (Motor Vehicle Insurers and Repairers) Amendment Regulations 2023* come into operation.

Part 2—Amendment of *Fair Trading Regulations 2010*

3—Insertion of regulation 4C

After regulation 4B insert:

4C—Exempt transactions (section 28K of Act)

(1)   Pursuant to section 97(2)(c) of the Act, an insurer is exempt from the requirement to make a disclosure to the holder of an insurance policy under section 28K of the Act if—

(a)   the policy relates to a motor vehicle that is not a designated motor vehicle; or

(b)   the holder of the policy is not the owner of the motor vehicle to which repairs are to be undertaken under the policy.

(2) In this regulation—

class C licence means a motor vehicle licence of class C prescribed for the purposes of section 72(1) of the *Motor Vehicles Act 1959*;

designated motor vehicle means a motor vehicle authorised to be driven by a class C licence, other than—

(a) a quad bike; or

(b) a special purpose vehicle within the meaning of the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

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's Deputy

with the advice and consent of the Executive Council
on 1 June 2023

No 53 of 2023