

PERTH AND KINROSS COUNCIL

SECOND-HAND MOTOR VEHICLE DEALER'S LICENCE

CONDITIONS

These conditions apply to the second-hand motor vehicle dealer's licence granted to you by the Council and must be observed at all times:

1. The licence is valid to the date shown on the presentation licence which must be displayed clearly within the premises so that it can be seen by members of the public.
2. The licence holder shall keep or cause to be kept a record of all motor vehicles bought and sold.
 - 2.1 The record must be in the form of a properly bound book with consecutively numbered pages or in another form approved by the Council and each vehicle purchased by the licence holder must be numbered.
 - 2.2 The record must include the following details: date of purchase, purchase price, colour, make and model of vehicle; date of first registration; engine and chassis numbers and registration number, name and address of seller and name and address of any previous owner shown on the registration document; odometer reading both on purchase and on sale; name and address of purchaser; date of sale, sale price; and date of last M.O.T Certificate in accordance with the sample page issued and in a style approved by the Council. (See Note 1);
 - 2.3 Records must be preserved for at least three years;
 - 2.4 The licence holder shall not dispose of any item of his stock-in-trade until the expiry of 48 hours (excluding any time on Saturdays or Sundays) after he acquires it. This shall not apply to any article acquired by the licence holder in a public roun and disposed of by him without being brought to his place of business. The Council may order that this Section of the Act shall not apply to the disposal of the licence holder's stock-in-trade or any part of it. (See Note 2);
3. The licence holder shall store vehicles purchased in the course of his dealing only on the premises specified on the licence or on other premises approved by the Council.
4. A licence holder operating from business premises with the district shall comply with or ensure compliance with all fire precaution requirements to the satisfaction of Fire Scotland.
5. Notwithstanding the above or any other conditions annexed a licence holder while trading shall comply with any reasonable order or instruction given by a Constable of Police Scotland:
 - (i) for the prevention of obstruction or annoyance to the public or to the occupiers of any premises or
 - (ii) in connection with any emergency or disturbance.
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6. A licence holder shall notify the Council of any material change of circumstances affecting him/her or any other person or company named on the licence or affecting the activity to which the licence relates. A licence holder who ceases to act as such for the unexpired period of the licence or whose licence has been suspended by the Council shall, within seven days, return the licence to the Head of Legal Services.

NOTES

1. Dealers may use their V.A.T register as their record provided it is amended to include all the information required in condition 2.2 above or alternatively may use a computer record provided all the information required in condition 2.2 above is included and a separate bound print-out is maintained. If such records are used they should be readily available for inspection at all reasonable times and secondary records must be maintained if the V.A.T register is removed from the premises or the computer system is out of operation for any reason.
2. The Council will consider written applications from dealers requesting that condition 2.4, regarding the disposal of any stock-in-trade within 48 hours, shall not apply to their business.
3. The Council may, at any time, vary the terms of a licence on any grounds which they consider reasonable. Notice will be given to the licence holder at least seven days before any proposed variation is considered. The licence holder will be given an opportunity to be heard by the Council before any variation is made. The Council will consult the trade before making any significant variation conditions.
4. The Council may order suspension of licence if in their opinion:
 - (a) the holder is no longer a fit and proper person to be the holder of such a licence, whether because of convictions for offences which have taken place since the grant or renewal of the licence or for any other good reason;
 - (b) the activity to which the licence relates is being managed by or carried on for the benefit of a person other than the licence holder, who would have been refused the grant or renewal of a licence;
 - (c) the carrying on of the activity to which the licence relates has caused, is causing or likely to cause undue public nuisance or a threat to public order or public safety; or.
 - (d) a condition of the licence has been contravened.

Suspension of a licence will only be considered in the most serious cases of infringement of the conditions or for any of the other reasons above. Before suspending a licence, the Council must hold a Hearing and the dealer has a right to put his case to the Sub-Committee and may also appeal to the Sheriff against the decision.

5. The Council will issue a renewal notice to the last known address of the licence holder but it will be the duty of the licence holder to ensure that an application for renewal is made whether or not a renewal notice has been received.
6. It is an offence to contravene any condition attached to a second-hand dealer's licence.

Lisa Simpson

Head of Legal Services

SUGGESTED LAYOUT OF SECOND HAND DEALERS' REGISTER
(For use by Motor Vehicle Dealers)

Serial/ Stock No.	Reg. Mark	Make/ Model	Date of Reg.	Colour	Indicated Mileage at Purchase	Date of Last Test	Chassis/ VIN No.	Engine No.	Date of Purchase Purchase Price	Name and Address of Seller
1/88	ABC 123B	Ford Escort	12.09.64	White	95,764	03.11.87	BBATMB/ 112345	MB12345	19th September, 1987 £400	David Smith, 1 High Street, PERTH.

Name and Address of Previous Owner	Date of Sale Sale Price	Name and Address of Purchaser	Indicated Mileage at Sale	Remarks
Tom Brown Jones, 15 Smith Street, PERTH	17th December, 1987 £500	John Miller, 123 Dundee Road, PERTH.	95,764	

NOTE:- This layout is for guidance only and the above items may be listed in any order in the Register. Most dealers should be able to adapt their existing VAT or computer records to contain the additional information required (see Note 1 of conditions).

