



Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice
Minister for Training and Skills

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18 APR 2016

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr ^{Neil}Laurie

I refer to e-petition No. 2514-15 tabled in the Legislative Assembly on 17 March 2016 seeking the reinstatement of a statutory warranty for used vehicles more than 10 years old, or with more than 160,000 kilometres on the odometer.

In 2013, the former LNP Government introduced four Bills into the Legislative Assembly to repeal and replace the *Property Agents and Motor Dealers Act 2000* (PAMD Act) with a new legislative framework.

The Parliament passed the four Bills and from 1 December 2014, the PAMD Act was replaced by the *Property Occupations Act 2014*, *Motor Dealers and Chattel Auctioneers Act 2014*, *Debt Collectors (Field Agents and Collection Agents) Act 2014* and the *Agents Financial Administration Act 2014*.

The then Labor opposition did not oppose the split of the PAMD Act into industry-specific legislation. Indeed, a former Labor Government initiated this process and introduced legislation into the Legislative Assembly to repeal and replace the PAMD Act, although those Bills lapsed upon the dissolution of the 53rd Parliament.

However, during the debate of the former LNP Government's Bills to split the PAMD Act, the then Labor opposition expressed concern and did not support the former Government's removal of 'Class B' warranties that existed under the PAMD Act.

In general terms, 'Class B' warranties under the PAMD Act applied to used motor vehicles sold by motor dealers to consumers, where the vehicle was 10 or more years old, or had travelled more than 160,000 kilometres (noting that special arrangements applied for 'restorable' vehicles). The 'Class B' warranty protected buyers against particular defects and applied for 1 month or 1,000 kilometres travelled, commencing when the buyer took possession of the vehicle.

As Queensland's Minister responsible for fair trading and consumer protection, I want to ensure Queenslanders are treated fairly when they buy a motor vehicle, whether new or used.

The Palaszczuk Government understands the purchase of a motor vehicle is a significant cost to family budgets and the purchase of an expensive motor vehicle that has endless problems can cause significant distress. This is why the Palaszczuk Government referred the matters of consumer protection and remedies for buyers of

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new motor vehicles to the Legal Affairs and Community Safety Parliamentary Committee (the Committee) for inquiry.

On 30 November 2015, the Committee delivered its report to the Queensland Parliament. A copy of the Committee's report can be accessed at:

<https://www.parliament.qld.gov.au/documents/committees/LACSC/2015/04-Lemons/04-rpt-017-30Nov2015.pdf>.

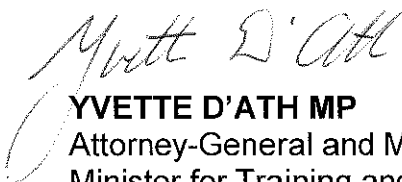
Nationally, I led discussions on 'lemon' motor vehicle laws via the Ministerial Council of Consumer Affairs Ministers, which considers proposed amendments to the Australian Consumer Law.

I am passionate about protecting the rights of Queensland consumers. I intend on giving careful consideration to the concerns raised by the petitioners.

In the meantime, I encourage Queenslanders with questions about their consumer rights when buying a used motor vehicle to visit the Office of Fair Trading website at: www.fairtrading.qld.gov.au or on 13 QGOV (13 74 68).

I appreciate the petitioners, and the petition sponsor Mr Robbie Katter MP, taking the time to inform the Government of their interest in consumer protection for buyers of used motor vehicles.

Yours sincerely



YVETTE D'ATH MP
Attorney-General and Minister for Justice
Minister for Training and Skills