

THE HIGHLAND COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

SECOND-HAND VEHICLE DEALER'S LICENCE – SCHEDULE OF CONDITIONS

These conditions apply to the second-hand vehicle dealer's licence granted to you by The Highland Council (hereinafter referred to as "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 register of all motor vehicles bought and sold.
 - 2.1 The register must be in the form of a properly bound book with consecutively numbered pages, or held by means of a device for storing and processing information, or in another form approved by the Council and each item purchased by the licence holder must be numbered. Where the register is held by means of a device for storing and processing information, the licence holder must, by means of the device or otherwise, keep details of all modifications made in the records kept by the device.
 - 2.2 The register must include the following details in a style approved by the Council:
 - date of purchase
 - purchase price
 - colour
 - make and model of vehicle
 - date of first registration
 - engine and chassis numbers
 - registration number
 - name and address of seller
 - name and address of any previous owner shown on the registration document
 - odometer reading both on purchase and sale
 - date of sale
 - sale price
 - date of most recent MOT Certificate

2.3 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 roup and disposed of by him without being brought to his place of business. The Council may order that this provision in section 25 of the Civic Government (Scotland) Act 1982 shall not apply to the disposal of the licence holder's stock-in-trade or any part of it.

2.4 (a) If the licence holder intends to display for sale/sell any vehicle to a member of the public he must -

- (i) carry out an inspection and prepare a full Used Vehicle Pre-Sales Inspection Report on the vehicle ***in a style approved by the Council*** prior to it being displayed for sale.
- (ii) display a Used Vehicle Pre-Sales Information Sheet, in a style approved by the Council, in a prominent position in the vehicle displayed for sale so that it is clearly visible.

(b) If the licence holder intends to sell/dispose of any vehicle to another dealer he must complete a Trade Sale of Vehicle form, in a style approved by the Council, to be signed by both dealers or a used vehicle sales invoice endorsed "Trade Sale";

(c) Dealers in motor cycles, mopeds or any other type of motor vehicle, shall comply as far as possible with the above conditions or with any other alternative conditions of which they are advised when a licence is issued.

3. The licence holder shall retain the register, Inspection Reports, Trade Sale of Vehicle forms and invoices referred to in Condition 2 above available for inspection at any reasonable time by any authorised officer of The Highland Council or Police Scotland. All documents/records must be preserved for at least 3 years.

4. The licence holder shall store vehicles purchased in the course of his dealing only on the business premises specified in the licence or on other premises approved by the Council.

5. A licence holder operating from business premises within the area of the Council shall comply with or ensure compliance with all fire precaution requirements to the satisfaction of the Firemaster.

6. 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 -

- (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.

7. 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 relevant Legal Manager.