

KENT COUNTY COUNCIL ACT 2001

Dealers in Second Hand Motor Vehicles

Any person who now carries on a trade or business in Kent the whole or part of which consists of transactions in second hand goods (which includes second hand vehicles and vehicle parts), is legally required to register with the Kent County Council. Identical requirements apply to Medway but a single registration will cover both local authorities. In addition you must register any business premises in Kent where second hand goods are bought and sold. If a dealer buys and sells from his home then those premises will be regarded as business premises.

Registration

Registration is free and will last for four years. You can register:

- ⇒ on-line at www.tradingstandards.gov.uk/kent/register.htm
- ⇒ by telephoning the Registration & Information Centre on **01233 898825**(weekdays between the hours of 9am and 5pm) or,
- ⇒ by completing the enclosed application form and returning it to us at the address shown on the form.

Please note that if any of the details on the registration form change then a new registration must be made even if it is within four years.

Record Keeping

The Act requires registered dealers to keep detailed records of certain goods bought and sold, including those bought and sold at auction. The records must be kept for two years and must be produced (if requested) to a police constable or to an authorised officer from the councils.

When **buying or acquiring a second hand motor vehicle** (which the registered dealer intends to offer for sale for more than £50) the dealer must record: -

- the date of the transaction
- a description of the vehicle – this should include the make, model, colour, registered number and odometer reading.
- the name and address of the person from whom the article was acquired. When buying goods from another registered dealer it will be sufficient to record the council's registered dealer certificate number in lieu of a name and address.
- In the case of plant and motor vehicles that do not have registered numbers, any serial number or vehicle identification number must be recorded.

When **selling a second hand motor vehicle** (where the selling price exceeds £100) the registered dealer must record the name and address of the purchaser. If the person purchasing the article is another registered dealer it will be sufficient to record his council registration number instead of his name and address.

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If a registered dealer acquires or sells goods at an auction it is sufficient to enter the name and address of the auctioneer in the dealer records in place of the name and address of the seller or purchaser.

If the business involves transactions in **second hand vehicle parts** (which the registered dealer intends to offer for more than £10) the dealer must record the following when **buying** stock: -

- the date of the transaction
- “a description sufficient, where reasonably possible, to identify the article” – this should include where appropriate, the number of articles; the colour; the brand name or manufacturer’s identity if revealed by a symbol or mark on each article; the serial number(s); any distinguishing mark or feature on each article; and any stock number or other information which is used to distinguish each article whilst in the dealer’s possession.
- the name and address of the person from whom the article was acquired. When buying goods from another registered dealer it will be sufficient to record the council’s registered dealer certificate number in lieu of a name and address.

When **selling second hand vehicle parts** (where the price exceeds £100) the registered dealer must record the name and address of the purchaser. If the person purchasing the article is another registered dealer it will be sufficient to record his council registration number instead of his name and address.

The councils are prepared to accept any form of record, including computer records, which incorporate the specified information. Existing VAT records, or any other record system which contains the information, or which can be adapted to include the information will be acceptable.

Dealers who have registered premises in the county, or who live and trade in the county, will have to keep records of all relevant transactions carried out, even where those transactions take place outside the county. If a dealer lives in the county but carries out his business **primarily** from premises occupied by him outside the county, he will only need to record those relevant transactions which take place in the county. Dealers who do not have business premises in the county and who live outside the county but sometimes visit to sell vehicles, need only record those relevant transactions which take place in the county.

Other Information

You are required to conspicuously display a copy of your certificate of registration when dealing in Kent. **You must not carry out any activities that require registration before you receive your certificate of registration.** Certificates will normally be forwarded to you within 3 days from the receipt of your application. If you have not received your certificate within 7 days please contact us on **01233 898825**.

It is a criminal offence if you fail to register when required to do so; if you fail to keep the required records and/or retain them for a period of 2 years; if you knowingly enter false information in any record kept under the Act; if you fail without reasonable excuse to produce the records on demand to an authorised officer or a police constable; or if you fail to display a copy of the certificate of registration when dealing in Kent.

Further information is available on our website at **www.tradingstandards.gov.uk/kent** or by contacting your nearest Trading Standards Office as detailed below: -

West Kent: 01732 525291

East Kent: 01233 898825