



# Statutory Declaration

Form MVTR-7

## Complete this part only if:

- › you have become concerned in the management of a company that is currently a registered a motor vehicle register and you spend more than 300 days each calendar year in New Zealand; or.
- › you have updated your name or date of birth details on your registration.

**Note:** This is a Statutory Declaration and must be witnessed in person by a solicitor, Justice of the Peace or a person authorised under the Oaths and Declarations Act 1957.

A declaration must also be completed by each listed person on the application, who is concerned in the management of the company. You will need to print and complete one Statutory Declaration per person.

Motor Vehicle Trader applicant name\*

MVT file number\*

I, (full legal name)

of, (residential address)

current occupation,

do solemnly and sincerely declare as follows:

1. My date of birth is (dd/mm/yyyy)  /  /
2. I am not disqualified from registration as a motor vehicle trader in my own right in terms of section 24 or 25 of the Motor Vehicle Sales Act 2003 (see attached information sheet).
3. I have made all necessary inquiries to ensure that the information contained in this application is true and correct.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Oaths and Declarations Act 1957.

Signature of person making this declaration\* *Note: You must sign this declaration in the presence of the authorised witness.*

**This section must be completed by the witness** (see attached information for qualification of who may witness)

Declared at

on the

day of

**Before me, being a person authorised under the Oaths and Declarations Act 1957:**

Witness name

(For example, a Justice of the Peace, solicitor or another person authorised to take a statutory declaration)

Signature and stamp of witness

## Information sheet

Please do not email or post back this page

**Section 24 and 25: Motor Vehicle Sales Act 2003** (to be read before signing the statutory declaration or certificate)

### Section 24: Persons disqualified from registration – individuals

An individual is disqualified from registration if he or she is:

- (a) under 18 years of age; or
- (b) a banned person; or
- (c) an undischarged bankrupt; or
- (d) *[Repealed]*
- (e) *[Repealed]*
- (f) a person who is an officer of a licensee company, a chief executive officer of a licensee company, or a branch manager and –
  - (i) in respect of whom the approval of the Board under section 20 or section 21 or section 57(2) of the former Act has been cancelled; or
  - (ii) who has been suspended under the former Act; or
- (g) *[Repealed]*
- (h) a person whose registration as a motor vehicle trader has been cancelled under section 42 within the preceding five years; or
- (i) a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, or the Financial Markets Conduct Act 2013, or the Takeovers Act 1993; or
- (j) a person who has been convicted of a crime involving dishonesty within the preceding five years; or
- (k) a person who has been convicted of an offence against sections 17 to 22 or 24 to 26 of the Fair Trading Act 1986 within the preceding five years; or
- (l) *[Repealed]*
- (m) subject to a property order made under section 30 or section 31 of the Protection of Personal and Property Rights Act 1998.

### Section 25: Persons disqualified from registration – companies

A company is disqualified from registration if:

- (a) the company is a banned person; or
- (b) *[Repealed]*
- (c) *[Repealed]*
- (d) the company is in liquidation; or
- (e) the name of the company has been removed from the register of companies kept under section 360(1)(a) of the Companies Act 1993; or
- (f) a person concerned in the management of the company is disqualified from registration in his or her own right under section 24; or
- (g) the company's registration as a motor vehicle trader has been cancelled under section 42 within the preceding five years.

### Section 9: Oaths and Declaration Act 1957

#### Section 9: Qualification of who may witness a Statutory Declaration

- (1) a declaration made in New Zealand must be in the form of Schedule 1, and must be made before:
  - (a) a person enrolled as a barrister and solicitor of the High Court; or
  - (b) a Justice of the Peace; or
  - (c) a notary public; or
  - (d) the Registrar or Deputy Registrar of the Court of Appeal; or
  - (e) a Registrar or Deputy Registrar of the High Court or a District Court; or
  - (f) some other person authorised by law to administer an oath; or
  - (g) a member of Parliament; or
  - (h) a person who:
    - (i) is a fellow of the body (incorporated under the Incorporated Societies Act 1908) that, immediately before the commencement of the Oaths and Declarations Amendment Act 2001 was called the New Zealand Institute of Legal Executives; and
    - (ii) is acting in the employment of the holder of a practising certificate as a barrister and solicitor of the High court; or
  - (i) an employee of the Land Transport Safety Authority of New Zealand, authorised for that purpose (by name, or as the holder for the time being of a specified office or title) by the Minister of Justice by notice in the Gazette; or
  - (ia) an employee of the public trust constituted under the Public Trust Act 2001, authorised for that purpose (by name, or as holder for the time being of a specified office or title) by the Minister of Justice by notice in the Gazette; or
  - (j) an officer in the service of the Crown, or of a local authority within the meaning of the Local Government Act 2002, authorised for that purpose (by name, or as the holder for the time being of a specified office or title) by the Minister of Justice by notice in the Gazette.

Information sheet (*continued*)

## Privacy Notice

The information you provide on this form is required, or requested, pursuant to the Motor Vehicle Sales Act 2003.

All personal information submitted with this application form will be kept and maintained by the Registrar of the Motor Vehicle Traders in accordance with the Privacy Act 2020.

The personal information provided will be used:

- › to determine whether your application for registration may be approved and in connection with auditing complaints and disciplinary processes;
- › for the maintenance and administration of the public register of motor vehicle traders;
- › for the maintenance and administration of the motor vehicle trader's registration regime.
- › to communicate information to you relating to the public register of motor vehicle traders, the motor vehicle trader's registration regime and motor vehicle trading.

Personal information may be disclosed by the Registrar of Motor Vehicle Traders in certain circumstances as authorised by the Motor Vehicle Sales Act 2003, another Act or as permitted by the Privacy Act 2020.

You have the right to access, and request correction to, any personal information about you that is held by the Registrar of Motor Vehicle Traders.