

# Media Release



Government of South Australia

Office of Consumer and  
Business Affairs

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## **DO YOU MIND IF I BORROW YOUR LICENCE?**

A Clovelly Park woman who allowed her de facto partner to operate a used car business under her second-hand vehicle dealer's licence has been disciplined in the District Court.

Cherry Galea was disqualified from being licensed under the *Second-hand Vehicle Dealers Act 1995* after she allowed her de facto partner, Anthony Ian Gunning to operate a second-hand dealership, Lifestyle Motors, under her licence.

Gunning, who is ineligible for a licence due to previous convictions, ran the business between 2004 and 2005 until investigations by the Office of Consumer and Business Affairs (OCBA) uncovered the scheme and shut it down.

Gunning was convicted and fined \$3000 in June 2008 for carrying on business as a second-hand vehicle dealer while unlicensed.

Further to the disqualification, Galea was also prohibited from being employed or otherwise engaged in the business of a second-hand vehicle dealer without the consent of the Commissioner for Consumer Affairs, or from having any interest in a second-hand vehicle dealership.

Acting Commissioner for Consumer Affairs Anne Gale said the outcome should set an example for others who may try to trade under the licence of family or friends.

"The licensing system is there to maintain the integrity of the industry and keep ineligible traders such as Gunning out."

Under the Act, a person who sells, or offers for sale, four or more second-hand vehicles in a 12 month period is presumed to be a dealer and must be licensed. Persons who carry on business without a licence face penalties of up to \$20,000.

OCBA has taken action against three other backyard car dealers in the past 12 months resulting in convictions for two dealers and a permanent ban from ever working in the industry again for another dealer.

"Consumers can be confident that OCBA is keeping a close eye on the industry and known rogue traders to ensure they stay out."

Consumers are encouraged to report suspected unlawful behaviour by car sellers to OCBA on 8204 9777 or 131 882 for country callers. Consumers can also visit the website at [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au).