

Media Release



Government of South Australia

Office of Consumer and
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10 June 2008

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Car “dealer” convicted

Today in the Adelaide Magistrates Court Anthony Ian Gunning was convicted and fined \$3,000 for unlicensed car dealing.

Gunning operated behind a licensed dealer, his de facto, Cherry Galea, in the business Lifestyle Motors which traded at 467 Torrens Rd, Woodville.

Commissioner for Consumer Affairs, Mal Hemmerling said “Gunning clearly overstepped the mark with his activities in the business. He performed tasks that should be left to the licensed dealer.”

Magistrate Harris noted that Gunning had worked in the industry for over 15 years and would have known the requirements to be licensed, and also that he was ineligible to be licensed for his dishonesty convictions. Gunning’s prior convictions include forge, utter and false pretences.

The latest offending involved Gunning purchasing vehicles at auction, in the name of Lifestyle Motors. He then on-sold some of those vehicles. The Court found that he had control of the business bank account and he also made decisions as a dealer.

Mr Hemmerling said “Just because a person’s name does not appear on the formal documentation for the business’ registration, it does not change the reality of the person’s involvement. If someone carries on business as a car dealer without a licence then they risk prosecution.”

The Court heard reports of Gunning’s unlicensed dealings over a five month period from March to July 2005. It appeared that the business was not making a large profit at that time.

“Swift intervention by compliance officers from the Office of Consumer and Business Affairs resulted in the illegal activities ceasing.”

Gunning pleaded guilty and was fined \$3000 and ordered to pay Court fees. Costs were also awarded to the Commissioner of \$2000.

Mr Hemmerling said “This case should serve as a warning to anyone who is precluded from holding a licence that should they operate behind another person they may still be held accountable.”