

MOTOR VEHICLE IMPORT POLICY

THIS MINISTRY PAPER SUPERSEDES ALL PREVIOUSLY APPROVED MINISTRY PAPERS GOVERNING THE IMPORTATION OF AND TRADE IN MOTOR VEHICLES

1.0 OBJECTIVES

This Ministry Paper has three (3) objectives:

- It introduces new policy measures in conjunction with the modification of other specific guidelines governing the importation of motor vehicles
- It provides a single and comprehensive reference document on Jamaica's motor vehicle Import Policy
- It provides a comprehensive view of Government's Motor vehicle Import Policy relative to local, regional and international industry trends.

2.0 INTRODUCTION

The regime governing the importation of motor vehicles operates within a trade regulatory framework which strives to enhance predictability, fairness and transparency via specific and selective policy guidelines that place emphasis on:

- Road Safety
- Consumer Protection
- Consumer Choice
- Competition Law and Policy
- Revenue Protection and Collection
- Efficiency and effectiveness of the motor vehicle market in Jamaica
- Safeguarding of Intellectual Property Rights
- Environmental Protection, among others.

Prior to the 1970s, there was no established regime to regulate and or monitor the importation of motor vehicles into Jamaica. Commencing in the 1970s, a regulatory framework, which initially embarked on the centralization of motor vehicle imports through the Jamaica Commodity Trading Company (JCTC) under the externally funded facility, emerged. Since then, over the decades various administrative and policy changes have taken place reflecting the gradual shift of the economy into an increasingly liberalized mode.

In March 1989, a special task force was established to review the then motor vehicle policy and make recommendations for the way forward. This review resulted in the establishment of Ministry Paper #21 in June 1989. The main guidelines of this Ministry Paper were:

- Limitation of the use of external funding for the importation of motor vehicles to the

following entities:

- Foreign companies with investments in Jamaica
 - Joint ventures approved by JAMPRO
 - Local companies with shareholder(s) living and earning overseas
 - Returning residents
 - Foreign recruits or contract officers
 - Lecturers, sportsmen, entertainers, consultants etc. who earned foreign exchange while on assignment overseas
 - Cases of inheritance, trust funds etc.
- Introduction of the sale of the proceeds from estimated customs duties and government charges, to the Bank of Jamaica in foreign currency.

The evolution of the motor vehicle import policy since 1989 was facilitated via the following Ministry Papers:

- July 1990 Ministry Paper 60
- December 1990 Ministry Paper 79
- May 1991 Ministry Paper 30
- April 1995 Ministry Paper 13
- April 1998 Ministry paper 19
- July 2004 Ministry Paper 73
- December 2011 Ministerial Order (Partial Age Limit Modification).

The regime is closely monitored and the several revisions/amendments to the policy guidelines over time reflect the dynamic nature of the processes and the Government's commitment to the objectives stated in Section 1.0.

The modifications reflected in this Policy were arrived at after consultation with all the key stakeholders who have all exhibited commitment to embrace the recommendations put forward.

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4.0 DEFINITIONS

4.1 Assembly

The authorized assembling of component parts resulting in vehicles (makes and models) that are being fabricated for the first time.

Note: *This does not include reassembly.*

4.2 Authorized Motor Vehicle Dealer

A business entity registered with the Companies Office of Jamaica and certified by the Minister through the responsible Agency/Ministry, to import motor vehicles.

Note: *The sale of imported motor vehicles is restricted solely to the importer on the Trade Board Register of Importers.*

4.3 Authorized Motor Vehicle Broker

A business entity registered with the Companies Office of Jamaica and certified by the Minister through the responsible Agency/Ministry, to trade in locally pre-owned motor vehicles (vehicles that were previously licensed to operate on public roads).

4.4 Car

As defined by the Road Traffic Act and Regulations Section 10.

4.5 Clip

Motor vehicle body parts and accessories from Chapter 87.08 of the Customs Tariff consisting of any section of the vehicle:

- a) Forward of the front windscreen including the chassis frame, not including the firewall.

OR

- b) Behind the rear windscreen.

Note: *The section of a motor vehicle resulting from that vehicle being cut in two (2) halves is not categorized as a clip. Any section of a motor vehicle forward of the front windshield, which includes the chassis frame and the firewall, will be categorized as a motor car for customs purposes.*

4.6 Kit

A package consisting of all parts required to assemble a complete vehicle. The parts must be new and the kit will be classified as a complete vehicle.

Note: *Disassembled used vehicles do not qualify.*

4.7 Light Commercial Vehicle

For the purposes of this Policy, light commercial vehicles include the following categories:

- Trucks with a seating capacity of 9–14 inclusive of driver, designed specifically for the transportation of passengers
- Pick ups
- Panel/window vans
- Trucks with unladen weight less than three thousand kilograms(3,000 kg) or three (3) tonnes, designed specifically for the transportation of cargo.

4.8 Motor Vehicle Manufacture

The fabrication or bringing into existence of an original motor vehicle with original make, model and vehicle identification number(VIN).

4.9 Market Value

Market value, for customs purposes, means in relation to:

- A new motor vehicle, the value set out on the invoice
- A used motor vehicle, the value set out on the invoice or the value accepted by the Commissioner of Customs.

4.10 Motor Vehicle

A "motor vehicle" means any self-propelled, wheeled vehicle that does not operate on rails and for which propulsion is provided by an internal combustion engine, an electric motor or a combination of the two. The Act defines categories of motor vehicles to include:

- Motor Cars
- Trucks
- Trailers
- Tractors
- Motor Cycles.

4.11 New Motor Vehicle Dealer (Franchise Dealer)

A motor vehicle dealer who holds a franchise from a manufacturer, to sell that manufacturer's new motor vehicles in Jamaica.

4.12 Rebuilt Title

Registration document issued by the relevant authority in the exporting country, after the vehicle has been refurbished or reconstructed and is now considered to be roadworthy.

4.13 Repair

In general, to restore something damaged, worn, or faulty to a fully functional condition. For the purposes of this Policy, repair relates to the restoration/reconstruction of a vehicle that was damaged, to a condition of roadworthiness that allows for its operation on public roadways, based on certification by the relevant authorities.

4.14 Returning Resident

For the purposes of this Policy a returning resident is a Jamaican national who has:

- Attained the age of eighteen (18) years
- Has been residing overseas for a minimum of three (3) consecutive years
- Will be returning to Jamaica or has returned to Jamaica for a maximum of six (6) months prior to the date of application for returning resident status, in both cases with the intention to reside permanently

Moreover:

- A non-Jamaican who has attained the age of eighteen (18) years and whose spouse is a Jamaican citizen may also qualify for returning resident status as it relates to motor vehicle importation.

4.15 Roadworthiness

As defined by the Road Traffic Act and Regulations Section 10.

4.16 Trade

Trade includes the buying, selling, leasing, advertising or exchanging an interest in a motor vehicle or negotiating or inducing or attempting to induce the buying, selling, leasing or exchanging of an interest in a motor vehicle.

4.17 Truck

As defined by the Road Traffic Act and Regulations Section 11.

A motor vehicle (not being classified as a motor car) which is designed/constructed to carry a load or passengers or both.

4.18 Used Motor Vehicle Dealer

A dealer in used motor vehicles, who does not have a franchise from a manufacturer or written permission from a motor vehicle manufacturer to sell new motor vehicles in Jamaica.

4.19 Vehicle Identification Number (VIN)

The Vehicle Identification Number, typically abbreviated to VIN and commonly known as the chassis number, is a unique serial number which by international standards (ISO 3779-1983) usually consists of seventeen (17) characters or fourteen (14) characters, used by the automobile industry to identify individual motor vehicles.

4.20 Vehicle Weight

4.21 Laden Vehicle Weight

The maximum recommended weight for a vehicle including the weight of the vehicle itself, full tank of fuel and other fluids, and passengers and or cargo weight, as set by the manufacturer based on established standards.

4.22 Unladen Vehicle Weight

For the purposes of this policy the weight of a vehicle relates specifically to the unladen vehicle weight which means the weight of the vehicle itself plus a full tank of fuel and other fluids.

4.23 Vehicle Year Designation

4.23.1 Year of Manufacture

The specific calendar year/production period in which a vehicle is physically assembled/constructed.

4.23.2 Model Year

The calendar year used to designate a discrete vehicle model irrespective of the calendar year in which the vehicle was actually produced, so long as the actual production period is not more than two (2) calendar years prior to the designated Model Year.

For purposes of the Motor vehicle Import Policy, the focus is on the model year for which the vehicle was manufactured as determined by the manufacturer and indicated in the VIN, the Japanese Automobile Age Verification Manual with respect to vehicles manufactured in Japan for the domestic market, the registration index for vehicles manufactured in Great Britain, or any other internationally accepted methodology used to determine the model year of motor vehicles.

5.0 IMPORT DOCUMENTATION/PROCEDURES FOR OBTAINING IMPORT PERMITS

All motor vehicles {cars, trucks designed specifically for the transportation of passengers, trucks designed specifically for the transportation of cargo, pick-up trucks, panel vans, motor cycles, tractors, trailers, all-terrain vehicles (ATVs)}, Two-Wheeled, Self-Balancing, Battery-Powered Electric Vehicles (such as Segway PTs), and specific motorized equipment require import permits (order and clearance permit) before shipment to Jamaica. Motor vehicle parts (front and back clip) of tariff heading # 87.08.99.9, pick up cab, pick up beds and truck cabs of tariff heading (87.07) also require import permits. The import permits are obtained from the Trade Board Limited.

The importation of All-Terrain Vehicles and two-wheeled, self-balancing, battery-powered electric vehicles (such as Segway PTs) is allowed for use on private property. The usage of these vehicles on public roads is prohibited.

Note: *On no account should the shipment of any item subject to import licensing by the Trade Board Limited be made prior to the importer acquiring a valid Import Licence from the Trade Board Limited.*

Importers who disregard this guideline and import vehicles within the stipulated age limits without first securing a valid import permit will incur a late permit fee (LPF) payable to the Trade Board Limited, prior to the permit being processed.

All documents required to obtain an import permit and facilitate clearance at Jamaica Customs must be in English.

5.1 Importation by Individuals and Returning Residents:

An individual or Returning Resident is allowed to import one (1) motor car and one (1) light commercial vehicle or two (2) light commercial vehicles; or one (1) light commercial vehicle and a regular commercial vehicle, according to the age guidelines specified in Section 6.0 of the Policy. Individuals residing in Jamaica are allowed to access this facility once every three (3) years. Returning residents, having accessed the facility within a particular current year would not be eligible to import vehicles in the capacity of an individual until three (3) years after the date of the importation as a returning resident.

A one (1) year restrictive clause (prohibiting the unauthorized disposal/sale or pledging of vehicles as collateral) will be incorporated in import permits approved for the importation of motor vehicles by individuals, inclusive of Returning Residents.

An individual can only access the returning resident benefits if he/she satisfies the following three (3) conditions:

- Is a Jamaican national who has attained the age of eighteen (18) years
- Has resided in a foreign country for a minimum of three (3) consecutive years
- Plans to relocate to/reside in Jamaica permanently.

A non-Jamaicans aged eighteen (18) years and over, whose spouse is Jamaican, can also access the Returning Resident benefit if he/she plans to accompany his/her spouse who is returning home.

These conditions are only relevant if the age of the vehicle to be imported exceeds the age guideline/limit stipulated in the Policy (Section 6.0). In such instances the importer must ensure that a valid import permit is secured prior to the vehicle landing in Jamaica.

Moreover, such vehicles must not be older than ten (10) years (based on Model Year) and must have been owned by the importer for a period of not less than six (6) months prior to the application to import being made. Additionally, the option of importing a motor vehicle under the returning resident category must be exercised within six (6) months of relocation to Jamaica.

A certified copy of the certificate of title or de-registration certificate together with evidence of the date of purchase or duration of ownership must be submitted to the Trade Board Limited at the time of applying for the import permit.

Documentary proof of the importer's status as a returning resident must be presented to the Trade Board Limited at the time that the application to import is filed.

In order to establish eligibility as returning residents, applicants must visit the Returning Resident Unit at Jamaica Customs Agency and submit the stipulated documents:

- Passport
- Validated Bill of Lading or Airway Bill
- Documentary evidence that will substantiate residence outside of Jamaica for three (3) consecutive years or more years (periodic short visits to Jamaica will not affect eligibility).

Due recognition must be accorded to the prerogative of other Governmental authorities such as Jamaica Customs and the Ministry of Foreign Affairs and Foreign Trade to modify the documentary requirements from time to time.

Documents to prove duration of overseas stay may include, but are not limited, to:

- Last three (3) consecutive years' tax returns
- Current retirement papers or pension advice (bus pass/freedom pass/social security letter)
- Separation letter from employer, stating among other things, the duration of employment. In the case of employment to an individual (e.g. as a household helper) the letter must be signed by a Notary Public/Justice of the Peace.
- Documentary evidence to substantiate intention to re-establish permanent residence in Jamaica.

Documentary evidence to substantiate the applicant's intention to re-establish permanent residence in Jamaica may include but not limited to:

- Evidence of property owned in Jamaica
- Contract or letter of employment from prospective employer in Jamaica (written on the company's letter head and signed by a director of the company)
- Rent receipt or rental/lease agreement in cases where residence in Jamaica will be leased or rented
- Notarized/certified residency letter from head of household if applicant will be living with family members or friends.
- In the case of students, there is a requirement to provide a letter or transcript from the institution last attended, or a copy of the student's I-20. The I-20 must be certified by the last institution attended
- Taxpayer Registration Number (TRN)
- Deportees are required to present their deportation orders.

An individual importer is required to complete and submit (either manually or online to www.tradeboard.gov.jm) an order and clearance permit application to the Trade Board Limited along with the prescribed fee for approval, prior to the vehicle being shipped. The application should be supported by the following documents:

- Invoice, Bill of Sale in applicant's name, detailing make, model year, VIN, seating capacity
- Registration Certificate or Certificate of Title if vehicle is pre-owned by the importer

- Importer's TRN in addition to one form of identification from the following: passport with details of photograph, name and signature pages (photocopied), drivers licence (both sides), national identification card/voter identification card (both sides)
- Where applicable, importers may be required to provide certified copy of work permit and/or other documentary proof of landed immigration or returning resident status.

5.2 Importation by Companies

Companies, with the exception of certified motor vehicle dealers are allowed to import three (3) units within the age limits specified in the Policy, over a three (3) year period. A twelve (12) month restrictive clause prohibiting the unauthorized sale, transfer or pledging of such vehicles will be incorporated in the import permits approved for importation by such companies. Any requirement for more than three (3) units within the specified period must be satisfied through purchases from local certified dealers.

In order to obtain an order and clearance permit, each company must be in possession of a Taxpayer Registration Number (TRN) and Tax Compliance Certificate (TCC).

The application should be submitted with documentary evidence to substantiate ownership of the vehicle (invoice, certificate of title, notarized bill of sale) as well as the legal status of the company (certificate of incorporation, business name registration).

To facilitate the importation of certain categories of vehicles, special recommendation is sought from relevant ministries or agencies. These include the following:

- | | |
|--|---|
| ○ Oversize Vehicles | Island Traffic Authority |
| ○ Ambulances | Ministry of Health |
| ○ Buses for Public Transportation | Transport Authority |
| ○ Buses for Tourism Ground Transportation | Ministry of Tourism |
| ○ Classic/Antique/Limited Edition Vehicles | Jamaica Classic Car Club,
Island Traffic Authority |
| ○ All Motor Cycles | Bureau of Standards,
Island Traffic Authority |
| ○ Motor Cycles 700cc and Above | Additional recommendation from
Ministry of National Security |
| ○ Vehicles Imported (<i>under concession</i>)
For the Agricultural Sector | Ministry of Agriculture. |

Note: *Onno account* should the shipment of any licensable motor vehicle be made prior to the importer acquiring a valid Import License from the Trade Board Limited. A Late Permit Fee (LPF) will be imposed by the Trade Board Limited for landing without a permit, of an item which requires an import permit.

5.3 Importation under Concessional Duty Structure

Any individual/company/organization enjoying a concessional duty rate on a motor vehicle must produce documentary proof of such concession to the Trade Board Limited at the time of application. Generally, concessional duty arrangements are the responsibility of the Ministry of Finance and Planning. However, depending on the sector to which the concession is applicable, the operational aspect of the concession process may be delegated by the Ministry of Finance and Planning to the Ministry responsible for the specific sector as indicated in the schedule below.

- Concession for ground transportation operators in the Tourism Sector - Ministry of Tourism
- Concession for operators in the Public Transportation Sector - Ministry of Transport & Works/Transport Authority
- Concession on vehicles for use in the Agricultural Sector - Ministry of Agriculture
- Concession on vehicles imported by schools – Ministry of Education.

The Ministry of Finance and Planning retains direct responsibility for granting of duty concessions in the two (2) following instances:

- Concession on vehicles for government travelling officers and other eligible government employees
- Transportation of staff by companies to which they are employed, churches and other charitable organizations.

All motor vehicle dealers are required to provide purchasers who benefit from duty concession, with a copy of the customs entry form (C87) and a sales invoice indicating base price (CIF value) as well as the percentage Special Consumption Tax(SCT),General Consumption Tax (GCT) and other applicable government charges.

5.4 Oversized/Special Purpose Units

Applications for the importation of special purpose or oversized vehicles must be made to the relevant Minister through the Island Traffic Authority in accordance with Section 192 of the Road Traffic Regulations, and approval given in writing prior to the import permit being granted by the Trade Board Limited.

5.5 Importation of Buses

In an effort to reduce congestion on the roads, maintain safety standards and to keep buses with seating capacity less than fifteen (15) from entering the public passenger transport sector, the importation of these units is closely monitored.

A concessional rate of duty is applied to buses with seating capacity fifteen (15) and over, imported for use in the public transportation sector. Applications for import permits for buses to be used in the public transportation sector must be accompanied by a letter from the Transport Authority indicating the status of the importer's road licence.

The Trade Board Limited will not approve applications for the importation of buses to be used in the public transportation sector at the concessional rate of duty unless such applications are accompanied by the relevant letter from the Transport Authority.

A concessional rate of duty is also applicable to vehicles with seating capacity ten (10) and over, imported for use in the Tourism Ground Transportation Sector. Applications for import permits for such vehicles must be accompanied by support letters from the Ministry of Tourism.

All vehicles imported under the concessional duty structure for use in the Public Transportation Sector or the Tourism Ground Transportation Sector will be subject to a clause for a period of three (3) years/thirty six (36) months, prohibiting their sale, transfer or pledging within the stipulated period, without prior approval from the Trade Board Limited.

If the vehicle is to be sold or disposed of outside the respective sector before the restrictive period expires, arrangements must be made with the Ministry of Finance and the Public Service to address the outstanding duties prior to the application to the Trade Board Limited for removal of the restriction, along with payment of the associated fee to the Trade Board limited.

If the prospective purchaser is an approved operator in the Tourism Ground Transportation Sector or Public Transportation Sector the remaining period of the restriction can be transferred to the purchaser after payment of the associated fee to the Trade Board Limited.

If the vehicle is involved in an accident and deemed a total loss by its insurers or is repossessed by a financial institution, an application must be made to the Trade Board Limited for removal of the restrictive period, after arrangements are made with the Ministry of Finance and the Public Service for settlement of the outstanding duties and payment of the associated fee to the Trade Board Limited.

The Ministry of Finance and the Public Service through its discretion, may allow reduced rates of duty on buses imported by companies for the transportation of staff, by churches and by other charitable organizations. The importing entity must submit in writing to the Trade Board

Limited, information to justify its request for the concessional duty rate. The relevant documents will be submitted to the Ministry of Finance and the Public Service for a decision.

6.0 AGE OF VEHICLE AT IMPORTATION

6.1 Importers may import and licence for the first time, vehicles according to the model year stipulated in the schedule below:

CARS: Not Exceeding Five (5) years

MOTOR CYCLES: Not Exceeding Five (5) Years

LIGHT COMMERCIAL: Not Exceeding Six (6) years.

TRUCKS:As Indicated Below

• Used for the transportation of passengers (seating capacity 15 and above)

Seating Capacity 15 -29	Not Exceeding Twelve (12) years
Seating Capacity 30- 44	Not exceeding Fourteen (14) years
Seating Capacity 45 &Over	Not exceeding Twenty(20) years.

• Used for the Transportation of cargo (Unladen weigh 3000KG/3Tonnes and above))

3,000 –4,000kg	Not Exceeding Fifteen (15) years
4,001-8,000 kg	Not Exceeding Twenty (20) years
Over8,000kg	NotExceeding Twenty Five(25)

years
Other heavy duty commercial equipment Not Exceeding Thirty(30) years.

Based on the useful life span of some trucks used for the transportation of passengers, (with seating capacity forty five {45} and above)and for the transportation of cargo, (with unladen weight of eight thousand {8,000} kg and above), all permit applications for such units must be accompanied by an engineer’s report (certificate of fitness, certificate of roadworthiness) from the exporting country along with clear pictures showing interior and exterior as well as the VINs or identification numbers of such trucks.

SPECIALIZED VEHICLES:

This category consists of Ambulances, Fire Brigades, Hearses, Limousines, Town Cars, vehicles to be imported by individuals that are granted returning resident status, and

vehicles modified for transportation of physically challenged individuals. Such vehicles not to exceed Ten(10)years in age.

Note: *A vehicle, although deemed "new" in terms of distance driven, but not manufactured for the current model year, will be considered as used.*

A vehicle of the current model year is considered used if:

- At the time of importation it was pre-owned by a party other than the manufacturer or an overseas dealer or agent who trades in new motor vehicles received from the manufacturer
- More than six (6) months have elapsed since the vehicle was first registered abroad
- The vehicle has been driven abroad for more than three thousand (3,000) miles or four thousand eight hundred and twenty seven (4, 827) kilometers.

At the time of importation, all used motorcycles require certified copies of their de-registration certificates or titles and the last road-use permit issued by the competent authority in the originating jurisdiction.

7.0 APPROVED METHODS FOR DETERMINING MODEL YEAR

7.1 The ISO Standard

Where a manufacturer conforms to the international standard (ISO 3779-1983) the accepted method for determining the model year of a motor vehicle is based on the character (alphabetic or numerical) in the VIN, that designates the year. This character indicating the model year is located at the eighth (8th) position in the fourteen (14) character VIN and at the tenth (10th) position in the seventeen (17) character VIN. See chart below:

Characters used for Designation of the Model Year

Year	Code	Year	Code	Year	Code	Year	Code	Year	Code
1971	1	1981	B	1991	M	2001	1	2011	B
1972	2	1982	C	1992	N	2002	2	2012	C
1973	3	1983	D	1993	P	2003	3	2013	D
1974	4	1984	E	1994	R	2004	4	2014	E
1975	5	1985	F	1995	S	2005	5	2015	F
1976	6	1986	G	1996	T	2006	6	2016	G
1977	7	1987	H	1997	V	2007	7	2017	H
1978	8	1988	J	1998	W	2008	8	2018	J
1979	9	1989	K	1999	X	2009	9	2019	K
1980	A	1990	L	2000	Y	2010	A	2020	L

Source: ISO/Wikipedia

7.2 The JIS Standard

For vehicles manufactured in Japan for the export market, the model year will be determined by the Japanese International Standard (JIS D-4901-1982).

7.3 Vehicle Registration Plates

For vehicles manufactured in the United Kingdom, the vehicle registration plates are the mandatory number plates used to display the registration marks of vehicles since 1904.

The United Kingdom Motor Car Act of 1903, effective January 1, 1904, requires all motor vehicles to be entered in an official vehicle register and to carry number plates.

Each registration index normally located at the top left hand corner of the registration certificate consists of seven (7) characters made up of:

- A local memory tag or area code
- A two (2) digit age identifier
- A three (3) letter sequence.

Vehicles with model years falling between 1984 and 1998 inclusive have their model years represented by the first character in the registration number, which is alphabetic. The alphabetic characters used do not include the letters **I**, **O** and **Q**.

Between 1998 and 2001 the alphabetic characters changed twice per annum, in March and September. Thus vehicles issued with registration between August 1, 1998 and February 28, 1999 would have "s" representing model year 1999.

Vehicles issued with registration between March 1, 1999 and August 31, 1999 would have "T" representing the model year which would be 1999. Thus the model year of both vehicles would be 1999 but represented by different alphabetic characters.

The two (2) digit age identifier also changes twice per annum, in March and September

- Since September 2001 the code representing the model year for a specific vehicle is represented by the last two (2) digits of the given year if issued between March and August of that year
- For example the code would be "13" for registration issued between March 1 and August 31, 2013 and the model year of this vehicle would be 2013
- If the registration is issued between September 1, 2013 and February 28, 2014 then fifty (50) is added to the last two (2) digits of the year resulting in "63", thus the model year of this vehicle would be 2014
- For a registration plate issued between March 1, 2014 and August 31, 2014 the code would be "14" and the model year of this vehicle would be 2014. See Schedule on page eighteen (18).

Alphabetic Characters Used for Designation of Model Year
(Vehicles Manufactured in Great Britain)

Age Identifier	Registration Period	Age Identifier	Registration Period
A	01 August 1983 – 31 July 1984	P	01 August 1996 – 31 July 1997
B	01 August 1984-31 July 1985	R	01 August 1997 – 31 July 1998
C	01 August 1985-31 July 1986	S	01 August 1998- 28 February 1999
D	01 August 1986- 31 July 1987	T	01 March 1999 – 31 August 1999
E	01 August 1987 -31 July 1988	V	01 September 1999-29 February 2000
F	01 August 1988- 31 July 1989	W	01 March 2000 – 31 August 2000
G	01 August 1989- 31 July 1990	X	01 September 2000-28 February 2001
H	01 August 1990- 31 July 1991	Y	01 March 2001- 31 August 2001
J	01 August 1991- 31 July 1992		
K	01 August 1992- 31 July 1993		
L	01 August 1993-31 July 1994		
M	01 August 1994 – 31 July 1995		
N	01 August 1995- 31 July 1996		

Source: Chiltern Vehicle Preservation Group (CVPG)

Numeric Characters Used for Designation of Model Year
(Vehicles Manufactured in Great Britain)

YEAR	1 March-31 August	1 September - 28/29 February	YEAR	1 March-31 August	1 September -28/29 February
2001/02	01	51	2026/27	26	76
2002/03	02	52	2027/28	27	77
2003/04	03	53	2028/29	28	78

2004/05	04	54	2029/30	29	79
2005/06	05	55	2030/31	30	80
2006/07	06	56	2031/32	31	81
2007/08	07	57	2032/33	32	82
2008/09	08	58	2033/34	33	83
2009/10	09	59	2034/35	34	84
2010/11	10	60	2035/36	35	85
2011/12	11	61	2036/37	36	86
2012/13	12	62	2037/38	37	87
2013/14	13	63	2038/39	38	88
2014/15	14	64	2039/40	39	89
2015/16	15	65	2040/41	40	90
2016/17	17	67	2041/42	41	91
2018/19	18	68	2042/43	42	92
2019/20	19	69	2043/44	43	93
2020/21	20	70	2044/45	44	94
2021/22	21	71	2045/46	45	95
2022/23	22	72	2046/47	46	96
2023/24	23	73	2047/48	47	97
2024/25	24	74	2048/49	48	98
2025/26	25	75	2049/50	49	99
			2050/51	50	00

Source: Chiltern Vehicle PreservationGroup (CVPG)

7.4 Age Verification Manual

Where a vehicle is manufactured specifically for the Japanese domestic market and not intended for export, the manufacturer does not conform to the international export standard, therefore the model year of the vehicle will be based on the serial number of the vehicle and determined by the Japanese Automobile Age Verification Manual (JAAVM).

The JAAVM lists all serial numbers for the specific production periods and the corresponding model year/year of manufacture.

The year of manufacture of some motor vehicles is consistent with the model year while in some instances it represents a close proxy for the model year. In cases when the Approved Methods fail to definitively verify the model year of these vehicles, there are available specified electronic media that should be utilized by the Trade Board Limited in verifying the model year of these vehicles.

7.5 Importer Obligations/Responsibilities

In all instances where the approved methods cannot be applied in verifying the model years of motor vehicles, irrespective of whether electronic media are consulted, the importer must complete a Declaration Form indicating that it stands by the information presented on the documents submitted to the Trade Board Limited and that this acceptance of responsibility indemnifies the Trade Board Limited and consumers from all present and future concerns relating to the model year or any other feature of the vehicle.

7.6 Competent Authority (TBL in collaboration with ITA)

The power of the Minister to determine the age of motor vehicles vested in the Trade Administrator. In order to facilitate the processes the following must be observed and adhered to:

- The importer shall ensure conformity between information on documents in relation to vehicles being imported and the identifying features/numbers on the actual vehicles
- The importer will be held liable where information on documents submitted does not correlate with the identifying features/marks on the actual vehicles imported
- The penalty for any such misrepresentation will be in accordance with the Customs Act.

Note: *The Ministry/Trade Board Limited (GOJ) shall not be liable for misrepresentation by the importer in relation to the documents submitted to facilitate the processing of import permits.*

In this regard The Island Traffic Authority (ITA) in addition to its general function of ensuring roadworthiness is the competent authority for determining and adjudicating on matters relating

to discrepancies in the model year of motor vehicles imported into Jamaica.

A vehicle, having been cleared from the wharf and issued with a:

- Valid import permit after verification by the competent authority, the Trade Board Limited, based on documents submitted;
- Customs Entry (C87) reflecting duty paid in accordance with the model year stipulated on the import permit;
- Valid certificate of fitness by the competent authority for adjudicating on matters relating to model year discrepancy, the Island Traffic Authority (ITA);
- Registration certificate by the Inland Revenue Department;

will have to be accepted by all stakeholders with respect to its model year and other features unless otherwise indicated by the Island Traffic Authority (ITA) and the Trade Board Limited.

Automobile valuers or any other stakeholders in the insurance or financing of the purchase of motor vehicles have no authority to adjudicate on behalf of the Government of Jamaica, on matters relating to the model year of motor vehicles.

Where the ISO, JIS, Registration Index, Age Verification Manual, electronic media such as Electronic Parts Catalogue (EPC) among others, are not applicable (in the identification/determination of model year for vehicles), the Island Traffic Authority may use any information available to determine the model year of a motor vehicle. This may include the make, model, the year of manufacture or other features as the ITA may consider relevant.

Where all authorized options cited above, including the use of available electronic measures and ITA's adjudication fail to definitively determine the model year of a vehicle, that vehicle cannot be imported into Jamaica and the Trade Board Limited will not issue a permit to facilitate its importation unless the importer:

- Submits documentary evidence from the manufacturer or local exclusive dealer indicating the year of manufacture of the vehicle and confirming the model year for which it was manufactured
- Completes a declaration form indicating to the Trade Board Limited that it stands by the information submitted on the importation documents submitted to the Trade Board and thus indemnifies the Trade Board Limited from present or future concerns relating to model year or any other feature of the vehicle.

8.0 MANDATORY REQUIREMENT FOR OPERATING AND MAINTENANCE MANUALS IN ENGLISH

A motor vehicle dealer shall provide a manual in English to every purchaser of a motor vehicle at the time of purchase, at no additional cost to the purchaser.

9.0 MOTOR VEHICLE DEALER & BROKER REQUIREMENTS – GUIDELINES FOR CERTIFICATION

Specific guidelines have been developed to assess the suitability of registered business entities for certification as motor vehicle dealers and brokers.

Motor Vehicle Dealer

Once the specified guidelines have been satisfied, the application for certification approved by the responsible Ministry or Agency, and the requirements for obtaining import permits, as stipulated by the Trade Board Limited are met, the Dealer will be able to import motor vehicles of any category for distribution/resale.

Motor Vehicle Broker

Additionally all entities engaging in the sale of or trade in motor vehicles (irrespective of whether the vehicle was previously issued with a certificate of fitness by the Island Traffic Authority and registered with the Inland Revenue Department for use on public roads) must be certified by the Trade Board Limited.

Note: *The certification and re-certification fee for all motor vehicle brokers will be a percentage of the certification fee applicable to motor vehicle dealers.*

Despite the most current and sophisticated safety measures and the best intentions of dealers, accidents do happen and if such accidents take place within the confines of the premises of a dealership and the dealer is liable, then a client or member of the public can claim against the business for compensation. In order to insulate the business against such claims while offering some level of protection to consumers, all certified motor vehicle dealers are required to provide public liability insurance.

Evidence of such insurance must be provided by the dealer to the Trade Board Limited within six (6) months of its being granted certification by the Trade Board Limited as well as prior to recertification.

Failure to conform to this requirement will result in immediate suspension of the certification. Any application for re-instatement resulting from this scenario will be treated as a new application and will only be accommodated two (2) months prior to the next anniversary date.

9.1 Guidelines for Certification

All duly registered companies desirous of participating in the motor vehicle trade as dealers or brokers will be required to undergo background checks so as to ensure that they are fit and proper to conduct business.

Note: *Applications for re-certification will be subject to checks to determine the entity's level of compliance with the Consumer Protection Act, the Fair Competition Act and the Sale of Goods Act.*

Applicants found to be in breach of the Consumer Protection Act, the Fair Competition Act or the Sale Of Goods Act via misrepresentation (whereby vehicles sold to consumers are valued for less than the current market value paid by the consumer because of model year discrepancy or any other variation between the actual vehicle and the description given, that impacts the price of the vehicle in the way stated above) will not be automatically re-certified by the Trade Board Limited.

The Trade Board Limited will only consider re-certification of such entities after they have served a minimum waiting period to be decided by the Minister, along with payment of the certification fee for the stipulated waiting period.

All locations engaged in the trade in motor vehicles, operated by an entity at the time of its applying for certification /re-certification must be declared in a listing by the applicant on the initial(primary) application form and a separate application made for the certification of each location by the Trade Board Limited. A certification fee representing a percentage of the initial certification fee will apply to the certification and subsequent re-certification of each other location or sub dealer.

Dealers and brokers found guilty of operating at locations which were not declared to the Trade Board Limited at the time of the application for certification or re-certification will face a Refusal To Declare Fee (RTDF) representing a percentage increase in the re-certification fee for the two (2) consecutive years subsequent to the year in which the breach is committed.

In order to receive certification and merit annual re-certification as importers of and/or traders in motor vehicles, all certified motor vehicle dealers and brokers must satisfy and maintain the following minimum requirements:

- Be registered under the Companies Act
- Have a current Tax Compliance Certificate (TCC) at all stages throughout the specified certification period. Evidence of registration with the relevant tax entities, (National Insurance Scheme, National Housing Trust, and Tax

Administration Jamaica) will be acceptable for applicants seeking certification but who have not obtained current Tax Compliance Certificates at the time of submitting their applications

- Have a valid Taxpayer Registration Number (TRN)
- Offer an expressed warranty on each unit sold in accordance with Section 9.2 of the Policy
- Comply with their obligations under the Consumer Protection Act, Sale of Goods Act and Fair Competition Act
- Have a permanent address and location of operation. The proposed location must be at least three thousand six hundred square feet (3,600Sq. ft./400 Sq. yd./334 Sq. m.) with adequate ground cover of a hard surface (gravel, concrete etc.) easily accessible from the public roadway and identified as a motor vehicle dealership.
- The location must have the following basic infrastructure:
 - Display lot to accommodate at least three (3) motor vehicles
 - not accommodate any other business activity unless of like nature
 - A permanent office with at least one hundred and eighty square feet/twenty square yards/seventeen square meters(180 sq. ft./20 Sq. yd./17 sq. M) of available and usable office space located at the same address as the display lot and must include at a minimum:
 - One (1) Desk
 - Two (2) Chairs
 - One (1) Filing Cabinet
 - Telephone
 - Space under roof for the service or repair of at least two (2) motor vehicles. Facility to be equipped with lift/ramp, fire extinguisher and other tools relevant to the servicing of modern vehicles
 - Documentary evidence from the National Environmental Planning Agency (NEPA) to indicate that the entity is equipped with adequate

facilities to address the proper disposal of waste oil, old batteries, old tires and other material that may be environmentally hazardous

- Documentary evidence to substantiate the employment on a full time or part time basis of at least one (1) trained mechanic/technician certified by arecognizedorganization as having the technical competency to work on modern vehicles.
- Space for the accommodation of parking for at least three (3) motor vehicles (for customers)
- Undergo an annual inspection of all existing locations after payment of the prescribed fees determined by the responsible Ministry orAgency. Based on the result of the initial visit, periodic spot checks may become necessary
- Stock spare parts in accordance with the ratio :
Value of current parts inventory (C) expressed as a percentage of net value of sales for related motor vehicles representing the two (2) calendar years immediately preceding the inspection date (M)must beat least ten percent (10%).That is, **$(C/M) \times 100$ is greater than or equal to ten percent(10%)**

In instances where the above ratio represents a percentage which is less than ten (10), the numerator of the ratio may be increased by incorporating the value of current parts stockorder (L), i.e. the value of current parts inventory plus the value of current parts stock order divided by the net value of motor vehicle sales for the two (2) years immediately preceding the inspection must be at least ten percent(10%). That is, **$(C+L/M) \times 100$ is greater than or equal to ten percent(10%)**.

New entrants to the industry must have accommodation for the stocking of the ten percent(10%) spare parts at the time they are submitting the application based on their projected sales for the current calendar year.

Note: *The stocking of spare parts, the provision of accommodation for the stocking of spare parts and the provision of service facilities do not apply to entities applying for certification as motor vehicle brokers.*

- A sign displaying the exact name of the entity as it appears on the registration documents (Certificate of Incorporation/Business Name Registration) and application for the certification must be prominently displayed, permanent in nature and properly maintained.

Certified entities and entities applying for certification have the option of outsourcing facilities for service and provision of spare parts by entering into contractual agreements with registered automobile repairers and auto parts dealers.

Certified dealers and prospective dealersexercising the option to outsource must:

- Submit to the Trade Board Limited along with the application:
 - Agreement for the provision of spare parts and/or service facilities
 - Copies of registration documents for the third party company
 - Copy of Tax Compliance Certificate (TCC) for the third party company
- Provide all customers with a copy of the agreement or written correspondence indicating the name and address of the entity responsible for the provision of spare parts and/or service facilities along with information for a contact person
- Pay a parts and service outsourcing fee (PSOF) representing a percentage increase on their annual certification fee.

All entities contracted to provide spare parts and service facilities to certified motor vehicle dealers will have to undergo annual inspection by the Trade Board Limited.

The above requirements must be met in orderfor entities to obtain and maintain certification as motor vehicle dealers or brokers for the entire certification period of

one(1) year and for subsequent annual applications for re-certification. Failure to conform will result in denial, suspension or revocation of the certification.

In instances where an application has been denied, suspended or revoked for failure on the part of the applicant to conform to the established guidelines, the applicant (directors of the specific company) will have to undergo a waiting period of three (3) years or such shorter periods as may be determined by the Minister, before being eligible for consideration to participate in the motor vehicle industry as a dealer or broker.

9.2 Warranty

All certified motor vehicle dealers must ensure that the warranty provided on new motor vehicles imported and sold by them is not materially less than that offered by the manufacturer i.e. the manufacturer's warranty on labour, parts, time owned or distance driven etc. must be passed on to the consumer. This requirement applies to dealers certified as importers of new motor vehicles and those certified as importers of used motor vehicles but which participate in the importation and sale of new motor vehicles. In such cases dealers are required to explicitly state the terms of the warranty for new vehicles purchased from them, on pro-forma documentation as well as on the contract for sale.

All certified used motor vehicle dealers and brokers must provide warranties in accordance with the following guidelines, determined by the vehicle's age and odometer reading.

- Class A Warranty: Twelve (12) Months or eighteen thousand km/eleven thousand one hundred and eighty five miles (18,000 KM/11,185 miles) whichever is attained first.

Class A Warranty is applicable to vehicles manufactured fewer than four(4) years before the sale date with an odometer reading of less than fifty three thousand kilometers/thirty two thousand nine hundred and thirty four miles(53,000 km/32,934 miles).

- Class B Warranty: Six(6)months or seven thousand five hundred kilometers/four thousand six hundred and sixty miles(7,500 KM/4,660miles) whichever is attained first.

Class B Warranty is applicable to vehicles manufactured more than four (4) years but fewer than seven (7) years before the sale date, with an odometer reading of less than one hundred and six thousand km/sixty five thousand eight hundred and sixty seven miles(106,000km/65,867miles).

- Class C Warranty: Three (3) Months or four thousand five hundred kilometers/two thousand seven hundred and ninety six miles(4, 5 00 KM/2,796 miles) whichever is attained first.

Class C Warranty is applicable to commercial vehicles manufactured more than six (6) years but fewer than eleven(11) years before the sale date with an odometer reading less than one hundred and seventy eight thousand kilometers/one hundred and ten thousand six hundred and seven miles (178,000km/110,607 miles).

The warranty covers the parts mentioned in the following schedule:

- Engine
- Transmission
- Differential
- Steering Gear
- Drive Chain
- Front End
- Major Electronic Components(computers, air conditioning system, general electrical system)
- Suspension system.

The warranty is extended for one (1) day for each day the vehicle is out of service and by one (1) kilometer for each kilometer it is driven while repairs are being undertaken. Additionally

each repair performed during the warranty period carries its own thirty (30) day warranty, this warranty period commences on the day repairs are completed and can continue after the original warranty has expired.

In instances where the defect on a motor vehicle is manifested during the stipulated warranty period but not satisfactorily resolved at the expiration of the warranty period, it shall be the responsibility of the dealer to resolve the problem to the satisfaction of the purchaser within a timeframe not exceeding forty five (45) days after the expiration of the initial warranty period. If the matter remains unresolved the issue may be resolved in keeping with Consumer Protection Act or the Purchaser may have the matter referred to the court.

Dealers are obliged to present each customer with a Job Card on completion of specific repairs.

The Job Card should among other things, stipulate the date(s) and time associated with the repair, the nature of the repairs conducted and an indication of the warranty attached to the repairs.

Defects are not covered if they are caused by:

- Negligence, abuse, vandalism, or by accident unrelated to the defect
- Repair attempts made by anyone other than the dealer or its representative
- Substantial change made by the purchaser/purchaser's representative to the vehicle.

The dealer must provide the purchaser with a signed, dated, copy of the warranty contract at the time of purchase. The warranty requires the dealer to address any defects by repairing or replacing defective parts or the vehicle at no cost to the consumer.

9.3 Documents Required

- Completed application for certification/re-certification of motor vehicle dealers and brokers. Application form available at the offices of the Trade Board Limited or online at www.tradeboard.gov.jm.
- Copies of Articles and Memoranda? of Association or Articles of Incorporation if the Company was registered after January 2004 (Limited Liability Company)
- Copy of Certificate of Incorporation (Limited Liability Company)
- Copy of Certificate of Business Name Registration (Sole Trader/Proprietorship)
- Copy of current Tax Compliance Certificate (TCC) and Taxpayer Registration Number(TRN) for the company. The dealer is responsible for ensuring that the Dealer Certification Unit of the Trade Board Limited is provided with a copy of the TCC at each point of its renewal. Copies must bear the company seal and signature of the director/manager
- TRN and certified passport size picture for each director and manager if the latter is not also a director
- Copy of rent or lease agreement if the premises is rented or leased or most recent property tax receipts if location is owned by the directors
- Evidence of work permit if directors are foreign nationals
- Copy of contractual agreement between overseas manufacturer and local dealership for dealers applying for certification as importers of new motor vehicles (franchise dealers)
- Copy of contractual agreement between dealer and entity providing service facilities and/or spare parts, where applicable
- Copy of registration documents and TCC for contracted entity, signed by the manager and bearing the company seal
- Completed Trade Board Limited Applicant Background Check Questionnaire(s)
- National Environmental Planning Agency certification re disposal of hazardous waste material.

The required documents along with the certification fee should be submitted to the Trade Board Limited. The forms will be reviewed to ensure that all requirements are

fulfilled, facilitating initiation of the process for inspection of the established place of business. Incomplete applications will be returned. Unsuccessful applicants will be notified of the decision not to approve their requests for certification or re-certification and the reason provided.

10.0 IMPORTATION OF USED VEHICLES BY NEW MOTOR VEHICLE DEALERS

Entities certified to specialize in the importation of new motor vehicles will be permitted to import used motor vehicles as per schedule contained at Section 6.0 of the Motor Vehicle Import Policy.

11.0 IMPORTATION OF NEW VEHICLES BY USED MOTOR VEHICLE DEALERS

Entities certified to specialize in the importation of used motor vehicles will be allowed to import new motor vehicles of any make or model for the retail trade. Dealers are reminded to be cognizant with the warranty requirements associated with the importation of new motor vehicles.

12.0 IMPORTATION OF NEWLY INTRODUCED MAKES AND MODELS

Certified motor vehicle dealers desirous of importing new makes and models of motor vehicles, that is, vehicles not current in the Jamaican motor vehicle market, must seek prior approval from the Trade Board Limited to do so.

Procedure:

- Written application submitted to the Trade Board Limited detailing the specifics of the new makes and models to be imported
- A manual affording the specifics of each make and model and the contractual agreement between the manufacturer and local dealer representative must be submitted along with the application
- The importer must import a demonstration unit of each model to be inspected and tested by the Island Traffic Authority
- The ITA will submit a written report to the Trade Board Limited detailing the suitability of the unit for importation
- Without a written report and recommendation from the Island Traffic Authority no approval will be granted or permits approved for the importation of new makes and models of:
 - Motor Cars
 - Trucks
 - Trailers
 - Tractors

- Motor Cycles
- Approval of the request will be influenced by:
 - The report and recommendation from the Island Traffic Authority.
 - The contractual agreement from the manufacturer detailing the arrangements for the provision of spare parts and service facilities
 - The potential for transfer of technology
 - The physical infrastructure at the location.
- The decision of the Trade Board Limited will be communicated to the applicant in writing with reason stated
- A processing fee for newly introduced makes and models (PFNIMM) will be charged by the Trade Board Limited for processing such applications.

13.0 IMPORTATION OF FRONT AND REAR CLIPS FOR REPAIRS

The Trade Board Limited may grant import permits to individuals and registered auto parts dealers for the importation of parts and accessories of motor vehicles commonly referred to as Clips as defined in Chapter 87.08 of the Customs Tariff.

Individual importers who are not registered as traders in automobile parts will be allocated a maximum of two (2) clips within a three (3) year period, for repairs to vehicles owned and registered in the names of the applicants.

Individuals importing/purchasing clips for repairs, where the existing chassis number (VIN) will be affected, are required to produce the following documents to the Island Traffic Authority (ITA) prior to applying for a new certificate of fitness:

- Photographs of the salvaged vehicle on which the clip is to be used
- A police report indicating the details of the accident
- Insurance documents and accident reports
- Proof of prior ownership, previous road registration and certificate of fitness
- The Customs C-87 entry regarding the importation of the clip showing chassis (front clip) number and full description of the imported item.

The Inland Revenue Department (IRD) will not license vehicles that do not conform to the age guidelines stipulated in Section 6.0 of the Motor Vehicle Import Policy or vehicles for which the chassis number/serial number/VIN does not appear on the Jamaica Customs database.

Where the identifying number of a vehicle does not exist or is not properly accounted for in the Jamaica Customs Database, those vehicles will not be licensed and may be referred to the Financial Investigations Division (FID) of the Ministry of Finance and the Public Service for further investigation.

Note: *The Importation of half cars is prohibited i.e. the Trade Board Limited will only issue permits for the importation of parts and accessories of motor vehicles commonly referred to as Clips and as defined in Section 4.0 of the Policy.*

14.0 CLASSIC/LIMITED EDITION CARS

The Motor Vehicle Import Policy allows for the importation of Classic/Limited Edition vehicles through the specific import licensing regime administered by the Trade Board Limited.

The Motor Vehicle Import Policy embraces the definition of a classic car as a motor vehicle but not a reproduction thereof, manufactured at least twenty (20) years prior to the current year and which has been maintained in or restored to a condition which is substantially in conformity with the manufacturer's specifications and its original appearance.

The submission for approval must be accompanied by documentary evidence to support:

- Proof of the unit's affiliation with, or registration in classic car clubs or related organizations in the country of export
- Technological characteristics and historical information on the unit through registration certificates, road licence, logbooks.
- Recommendation from registered local classic car club detailing characteristics of the vehicle that influenced their recommendation.

The documents presented should be sufficiently detailed/verifiable to convince the Trade Board Limited that the specified unit conforms to one (1) or more of the specific criteria (listed below) which are internationally accepted for categorizing classic cars:

- **Documentation:**

The provenance (source of origin) of a classic car must be clear; it should contain all sales contracts and maintenance records

- **Desirability/Uniqueness:**

A self-propelled vehicle, but not a reproduction thereof, of any age which because of discontinued production and limited availability is determined to be a make or model of significant value to collectors and which has been maintained in, or restored to a condition which is substantially in conformity with the manufacturer's specification and its original appearance. The value of a collectible car is largely determined by its desirability, which is influenced by the numbers manufactured and the numbers remaining in existence.

- **Distinguished Engineering:**

Significant engineering and design advantages that separate the given unit from the typical vehicle of its type. Most classic cars were recognized and continue to be admired/desired for innovative or trend setting engineering.

- **Price:**

Relatively high priced when new, out of production currently or in limited production. Cars designated as classics have a pricing history of depreciating less rapidly than the typical car and then appreciating until the current asking price is considerably higher than the original price.

- **Historic Preservation of Original:**

Particular technological as well as historical factors that attract interest from collectors worldwide. Must be comprised of original or restoration parts, may be over-restored but not modified.

- **Distinctive Style:**

Innovative and attractive styling which sets the vehicle apart, irrespective of its age.

Each category selected must be supported by documentary evidence or information on the vehicle that allows it to be placed under the umbrella of the selected category.

15.0 DISPOSAL OF VEHICLES PRIOR TO CUSTOMS CLEARANCE

Where it appears that a motor vehicle, imported by a certified dealer has been transferred, traded or otherwise dealt with, prior to being cleared from customs, the Trade Board shall impose a disposal of vehicle prior to customs clearance (DVPCC) fee to amend the import permit in favour of any other party.

16.0 IMPORTATION OF DAMAGED VEHICLES

The importation of motor vehicles that are considered to be in a damaged or salvaged state is **prohibited**, irrespective of:

- The extent of the structural damage
- Whether the damage was caused through flooding or any other natural disaster
- Whether the damage occurred in transit or not.

The Government may however vary this guideline depending on, among other factors, the micro and macro-economic issues guiding policies at specific times.

17.0 DEALER DISCLOSURE (Pre-Shipment Inspection Certificate)

Upon application for an import license from the Trade Board all used motor vehicle dealers are required to obtain, from reputable entities approved by the Trade Board, a pre-shipment inspection certificate for each vehicle detailing the following information and any other relevant information related to the vehicle:

- Year of Manufacture
- Model Year
- Distance (miles/kilometers) driven
- Laden/Unladen Weight (trucks used for transportation of cargo)
- Seating Capacity (trucks used for transportation of passengers)
- Country of Manufacture
- Country of Export
- Type and quality of fuel (e.g. whether 87 or 90 octane gasoline, diesel with sulphur content <50 ppm, etc.)
- Original manufactured colour
- Modifications (e.g. standard transmission converted to automatic and vice versa, change of engine)
- Whether vehicle had previous structural damage or damage resulting from flood or other natural disasters
- Percentage tire wear
- History of vehicle.

In the case of importation of used motor vehicles by non-dealer companies, the above requirement is also mandatory. In the case of importation of used motor vehicles by individuals, the above requirement is optional. This certificate must be provided to the customer prior to sale of motor vehicle.

18.0 CONSUMER RIGHTS/REMEDIES FOR BREACH OF CONTRACT

The relationship between a vendor and a consumer is normally expressed through a sales agreement (written or verbal). The Jamaican Government has instituted laws to protect the rights of the consumer while providing an avenue for outlining the responsibilities of vendors. These laws include the:

- Consumer Protection Act
- The sale of Goods Act
- The Fair Competition Act.

Consumers may seek redress for breaches relating to the sale of motor vehicles as well as breaches relating to contractual agreements, under the Consumer Protection Act 2005 by filing written complaints to the Consumer Affairs Commission (CAC) and copying these complaints to the Trade Board Limited and the Fair Trading Commission (FTC).

Issues relating to conduct prohibited under the Fair Competition Act (FCA), such as misleading

advertisement and sale above the advertised price, maybe addressed under the Fair Competition Act by filing written complaints to the FTC and copying these complains to the Trade Board Limited and the CAC.

The Consumer has a right to request from the vendor (dealer, broker) and the vendor has a responsibility to furnish the consumer with, the following documents:

- Copy of the sales contract
- Operators manual (in English)
- Copy of the Customs Entry form (C87)
- Warranty Agreement
- Vehicle fact sheet (must be supplied prior to concluding the sales agreement).

19.0 WARNING/DISCLAIMER

Anyone who imports a motor vehicle or a part thereof which requires an import licence without first obtaining a valid import permit will be liable to a fine in accordance with Section 210 of the Customs Act.

Certified dealers and brokers are reminded that the requirements of this Policy apply to the importer on record. The use of a sub-dealer or broker or facilitating importation by individuals and companies not certified as motor vehicle dealers does not exempt the certified dealers from their responsibilities.

The grant of a licence by the Trade Board Limited is not a warranty that the vehicle in question is as provided in the documentary evidence presented.

The Trade Board Limited is not a party to the contract and has not entered into a contractual relationship with regard to the purchase of the motor vehicle.

The role of the Trade Board Limited in the approval of import permits is facilitatory, and hence The Trade Board Limited is not responsible for any misrepresentation to the consumer.

20.0 APPEAL TRIBUNAL

Where an importer of motor vehicle is aggrieved by the decision of the Trade Board to refuse granting permit or licence the importation of motor vehicle or other related matter an appeal may be made to a quasi-judicial Appeal Tribunal appointed by the Minister to adjudicate and make a final determination on the matter. The decision of the Tribunal shall be issued in writing and shall be given within a specified period.

The decision of the Trade Board shall be upheld during the appeal and any cost incurred by importer during the period of the hearing shall be borne solely by the importer.

20.0 EFFECTIVE DATE

Amendments to the Motor Vehicle Import Policy become effective ()

G. Anthony Hylton, MP

MINISTER OF INDUSTRY, INVESTMENT AND COMMERCE