**Undertaking**

**Written-off vehicles with Alpha Affected Takata Airbag Inflators (Alpha ATAIs) under active recall**

**Background**

This undertaking document is for use in relation to vehicles that are statutory or repairable write-offs under active recall under the *Consumer Goods (Motor Vehicles With Affected Takata Airbag Inflators and Specified Spare Parts) Recall Notice 2018* (the **Recall Notice***)*.

The document must be completed where a person wishes to supply a written-off vehicle that is under active recall and contains an **Alpha ATAI** to a licensed auto wrecker or auto recycler[[1]](#footnote-1), as set out in the ACCC’s Guidance regarding its compliance and enforcement approach regarding written-off vehicles under active recall.

A separate undertaking document must be completed each time a vehicle or group of vehicles is supplied in a single transaction.

**Details of Purchaser and Seller**

|  |  |
| --- | --- |
| Name, ACN or ABN (if applicable), and contact details (contact person name and title, address, telephone, and email) of the person/entity purchasing the vehicle(s) (the Purchaser): |  |
| Purchaser’s auto wrecker or auto recycler license or registration details, including license number and State or Territory in which they are licensed: |  |
| Name, ACN or ABN (if applicable) and contact details (contact person name and title, address, telephone, and email) of the person/entity selling the vehicle(s) (the Seller): |  |
| Where the Seller is selling the vehicle(s) on behalf of another person/entity (e.g. an insurer), the name and contact details (contact person name and title, address, telephone, and email) of the person/entity on whose behalf the vehicle(s) is being sold: |  |
| Date of supply: |  |

**List of vehicle(s) being purchased[[2]](#footnote-2)**

|  |  |
| --- | --- |
| VIN | Make and model |
|  |  |
|  |  |
|  |  |

**Undertaking**

The Purchaser undertakes that:

1. the Alpha ATAI(s) in the vehicle(s) being purchased, as listed in this undertaking, will be destroyed with the vehicle in due course (that is, not removed and destroyed, but destroyed in the process of entire vehicle destruction);
2. the Purchaser **will not** on-supply the Alpha ATAI(s) (e.g. will not remove the Alpha ATAI and sell or supply it); and
3. the Purchaser will keep a written record of the destruction of the Alpha ATAI (e.g. vehicle destruction with the Alpha ATAI in it), including the date of destruction and the VIN, and will provide a copy of that record to the OEM.

|  |  |
| --- | --- |
| Name and position of the person giving the undertaking (with authority to do so on behalf of the Purchaser) [Please print]: |  |
| Signature: |  |
| Date: |  |

**Undertaking**

**Written-off vehicles with non-Alpha Affected Takata Airbag Inflators (non-alpha ATAIs) under active recall**

**Background**

This undertaking document is for use in relation to vehicles that are statutory or repairable write-offs under active recall under the *Consumer Goods (Motor Vehicles With Affected Takata Airbag Inflators and Specified Spare Parts) Recall Notice 2018* (the **Recall Notice).**

The document must be completed where a person wishes to supply a written-off vehicle that is under active recall and contains a **non-Alpha ATAI** to a licensed auto wrecker or auto recycler[[3]](#footnote-3), as set out in the ACCC’s Guidance regarding its compliance and enforcement approach regarding written-off vehicles under active recall.

A separate undertaking document must be completed each time a vehicle or group of vehicles is supplied in a single transaction.

**Details of Purchaser and Seller**

|  |  |
| --- | --- |
| Name, ACN or ABN (if applicable), and contact details (contact person name and title, address, telephone, and email) of the person/entity purchasing the vehicle(s) (the Purchaser): |  |
| Purchaser’s auto wrecker or auto recycler license or registration details, including license number and State or Territory in which they are licensed: |  |
| Name, ACN or ABN (if applicable) and contact details (contact person name and title, address, telephone, and email) of the person/entity selling the vehicle(s) (the Seller): |  |
| Where the Seller is selling the vehicle(s) on behalf of another person/entity (e.g. an insurer), the name and contact details (contact person name and title, address, telephone, and email) of the person/entity on whose behalf the vehicle(s) is being sold: |  |
| Date of supply: |  |

**List of vehicle(s) being purchased[[4]](#footnote-4)**

|  |  |
| --- | --- |
| VIN | Make and model |
|  |  |
|  |  |
|  |  |

**Undertaking**

The Purchaser undertakes that:

1. the non-Alpha ATAI(s) in the vehicle(s) being purchased, as listed in this undertaking, will either be destroyed with the vehicle in due course (that is, not removed and destroyed, but destroyed in the process of entire vehicle destruction) or will be made available to the relevant Original Equipment Manufacturer (OEM) for retrieval (in compliance with the Spare Parts provisions in the Recall Notice); and
2. if the ATAI is destroyed with the vehicle, the Purchaser will keep a written record of the destruction of the non-alpha ATAI (e.g. vehicle destruction with the ATAI in it), including the date of destruction and the VIN, and will provide a copy of that record to the OEM.

|  |  |
| --- | --- |
| Name and position of the person giving the undertaking (with authority to do so on behalf of the Purchaser) [Please print]: |  |
| Signature: |  |
| Date: |  |

1. *That is, an auto wrecker or auto recycler licensed to operate in accordance with applicable regulations in any state or territory of Australia.* [↑](#footnote-ref-1)
2. List the VIN for each vehicle being purchased in the same supply transaction. [↑](#footnote-ref-2)
3. *That is, an auto wrecker or auto recycler licensed to operate in accordance with applicable regulations in any state or territory of Australia.* [↑](#footnote-ref-3)
4. List the VIN for each vehicle being purchased in the same supply transaction. [↑](#footnote-ref-4)