



## IMDA Members: Code of Conduct

### Introduction

This code of conduct has been drawn up by the Independent Motor Dealers Association to reflect the standards expected by the members when conducting business with consumers, suppliers and with fellow members. As a member it is assumed that you will observe the Code of Conduct at all times and accept an occasional audit by the Association to ensure compliance with the Code of Conduct.

### Definitions

*Consumer:* An individual acting for purposes that are wholly or mainly outside that individual's trade, business, craft or profession.

*Motor Trader:* A person in business in the retail motor trader selling vehicles in a professional capacity.

*Retail Sale:* A vehicle that has had a provenance check, Pre-Sales Check and is prepared to a retail standard that a reasonable person would expect to find at a professional motor trade business. The vehicle is displayed or advertised as For Sale.

*Trade Sale:* The sale of a vehicle from one motor trade professional to another motor trade professional where the seller has established that the buyer is a genuine motor trader.

*Pre-Sales Check:*

The checking of a vehicle by a competent person to establish that the vehicle is roadworthy and fit for purpose. The details to be recorded, signed and archived for future reference.

*Warranty:* A documented undertaking whether from the supplying Motor Trader or a third party to cover the costs of a mechanical or electrical breakdown of the vehicle subject to express terms and conditions. The warranty must be set out in plain and intelligible language the term and cover provided together with a clear claims procedure. The cover must be fair and proportionate to the age and mileage of the vehicle.

### **Conduct-(Retail Consumer)**

1. Members should ensure that advertising is clear, accurate and not misleading.
2. Members must carry out a provenance check (e.g. HPI or Experian) on all vehicles sold and declare if any issues are found especially when selling vehicles that have been the subject to an insurance write off.
3. Members must carry out a pre-sale check on all vehicles sold.
4. Members must ensure there is a minimum of 6 months MOT on all vehicles.
5. Members must offer a road test to ensure the vehicle meets the consumer's needs.
6. Members must welcome any vehicle inspection by any other independent third party, prior to purchase.
7. Members should disclose any and all information which may cause a consumer to reach a different transactional decision.
8. Members must include in the purchase price a warranty for a minimum of 90 days from point of purchase on all vehicles sold.
9. Members must observe and adhere to the Consumer Rights Act 2015 and any other relevant law that applies to the sale of a vehicle.
10. Members must deal with complaints in a timely manner.
11. Members must promote feedback from consumers. Feedback both negative and positive to be easily accessible to potential consumers.
12. Members must act with integrity, honesty and professionally at all times.

### **Conduct-(Suppliers-Web based)**

1. Members must not share login/password details to third party websites with other parties.
2. Members must supply accurate information to suppliers who set a pricing structure based on the data provided.

### **Conduct-(Suppliers-Warranty Companies)**

1. Members to complete a pre-sales check prior to sale.
2. Members must offer an extension to the warranty included within the sale to all consumers.
3. Members to give a verbal and written explanation of the warranty cover to all consumers at point of sale.

### **Conduct-(Suppliers-Finance Companies)**

1. Member to record accurate proposal information and declare any information that may impact on the finance companies assessment of the consumer's credit risk.
2. Members are to supply vehicles to a retail standard.
3. Members to observe the rules set out by FCA.
4. Members must assist in any matters arising due to the consumer complaining directly to the finance company.

### **Conduct-(Fellow Members)**

1. Members to act with honesty and integrity at all times.
2. Members to support and promote the core values of the Association and not to bring the Association it into disrepute.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Company: \_\_\_\_\_