

Warnings

about bidder's obligations

As prescribed under the *Property, Stock & Business Agents Act 2002* (the Act), & the
Property, Stock & Business Agents Regulations 2014, Clause 17

1. PENALTY FOR COLLUSIVE PRACTICES

Required by Section 78 (3) of the Act

It is an offence against the *Property, Stock and Business Agents Act 2002* for a person to do any of the following as a result of a collusive practice, or to induce or attempt to induce another person by a collusive practice to do any of the following:

- (a) to abstain from bidding,
- (b) to bid to a limited extent only,
- (c) to do any other act or thing that might prevent free and open competition.

Severe penalties may be imposed on persons convicted of collusive practices.

2. SUCCESSFUL BIDDERS

Required by Section 83 (2) of the Act

The actual successful bidder at an auction sale must give to the auctioneer or an employee of the auctioneer:

- (a) the bidder's name, or
- (b) the name of the person on behalf of whom the successful bid was made.

3. PENALTY FOR DUMMY BIDDING

Required by Section 66 (4) of the Act

It is an offence against the *Property, Stock and Business Agents Act 2002* for a person to do any of the following:

- (a) make a bid as the seller,
- (b) make a bid on behalf of the seller (unless the person is the auctioneer),
- (c) procure another person to make a bid on behalf of the seller.

Any bid made with the dominant purpose of benefiting the seller constitutes a bid made on behalf of the seller.

A bid may be found to be a bid made on behalf of the seller even though the seller did not:

- (a) request the bid; or
- (b) have any knowledge of the bid.

Severe penalties may be imposed on persons convicted of dummy bidding.