

FIT AND PROPER DECLARATION AND CONSENT – APPLICANT

DETAILS

Name of applicant

Type of application: Heavy entry certification

DECLARATION

I declare that, to the best of my knowledge and belief, the Applicant is fit and proper to be appointed as an inspecting organisation.

I declare that the Applicant has disclosed in the application if the Applicant, or any director or person likely to be in control of the Applicant, has ever been:

- convicted of, charged with, or subject to an investigation that may lead to a charge with regard to:
 - any criminal offence (including any offence under any criminal law, company law, securities or tax legislation); or
 - any transport-related offence.
- involved in any business that was placed in statutory management or receivership;
- the subject of an adverse finding by a court; or
- expelled from, or prohibited from being a member of, a professional body or disciplinary body in any professional or business capacity.

I further declare that the Applicant has disclosed to Waka Kotahi NZ Transport Agency in this application any convictions, charges, investigations, business solvency issues, adverse court findings or professional expulsions or prohibitions *disclosed to the Applicant by one of its Key Personnel*.

I further declare that the Applicant has disclosed in the application any complaints within the last five years to or about the Applicant, or its Controlling Personnel, which relate to any vehicle or transport-related service (including a vehicle recovery service), which include details of any persistent or serious complaints made by users of any such service.

The Applicant consents to the disclosure to Waka Kotahi by the NZ Police and other relevant persons or authorities of all charges and convictions against the Applicant and other related information they hold about the Applicant, if relevant to this application.

The information about the Applicant that the NZ Police may consider relevant to this application and release to Waka Kotahi includes any conviction history, infringement/demerit reports, active investigations, charges and warrants to arrest, information received or obtained by NZ Police, any interaction the Applicant has had with NZ Police, even where the Applicant is not charged or charges are withdrawn, or if the Applicant has been acquitted (found not guilty) of a charge, or is discharged without conviction, and information subject to name suppression where that information is necessary for the purpose of the disclosure.

I authorise, on behalf of the Applicant, Waka Kotahi to make the above enquiries for the purposes of this application and, for the term of the Applicant's appointment as an inspecting organisation, enquiries as to the Applicant's character and suitability to operate an inspecting organisation.

Applicant, please note:

- *Information provided in this consent form may be used to update New Zealand Police records.*
- *The Applicant is entitled to a copy of the vetting result released to the Waka Kotahi if requested and can seek a correction by contacting the Police.*
- *Waka Kotahi will securely dispose of this consent form, copies of identification documents and the vetting result within 12 months of receiving the result unless a longer retention period is required by legislation.*
- *The Applicant may withdraw this consent, prior to Police disclosure of the vetting result, by notifying Waka Kotahi.*

Signature of authorised representative of the applicant

Name of authorised representative of the applicant

Role with the applicant

Signature of witness

Name of witness

Date

PRIVACY ACT 2020

Collection of this information is authorised by the Land Transport Rule: Vehicle Standards Compliance 2002 (the **Rule**).

The information contained in the application will be used to assess the application made by the Applicant under the Rule. If the application is successful, it may also be used to make an appointment, and to monitor and review the applicant under the Rule.

All information contained in the application form will be held by Waka Kotahi and subject to the Official Information Act 1982 and the Privacy Act 2020. The information contained in your application may be shared with NZ Police for the purposes of assessing the fitness and properness of the applicant and persons associated with the applicant in accordance with clause 2.6 of the Rule.

Under the Privacy Act 2020, natural persons have the right to request access to and correction of any personal information supplies as a part of this application process from Waka Kotahi. Should you wish to exercise these rights please contact Waka Kotahi NZ Transport Agency, Private Bag 11777, Palmerston North 4442 or email: info@nzta.govt.nz.

FIT AND PROPER DECLARATION AND CONSENT – KEY PERSONNEL

PERSONAL INFORMATION

Name

Relevant applicant organisation

Role at applicant organisation

Address

Email address

Date of birth

DECLARATION

Fit and proper

I declare that I am fit and proper to carry out my role at the Applicant organisation if it is appointed as an inspecting organisation.

I further declare I have disclosed to the Applicant in the Application if I have ever been:

- convicted of, charged with, or subject to an investigation that may lead to a charge, with regard to:
 - any criminal offence (including any offence under any criminal law, company law, securities or tax legislation); or
 - any transport-related offence.
- involved in any business that was placed in statutory management or receivership;
- the subject of an adverse finding by a court; or
- expelled from, or prohibited from being a member of, a professional body or disciplinary body in any professional or business capacity.

I consent to the disclosure to Waka Kotahi of any convictions, charges, investigations, business solvency issues, adverse court findings, professional expulsions or prohibitions that I have disclosed to the Applicant.

I consent to the disclosure to Waka Kotahi by the NZ Police and other relevant persons or authorities of all charges and convictions against me and other related information they hold about me if relevant to this Application.

The information about me that the NZ Police may consider relevant to this Application and release to Waka Kotahi includes any conviction history, infringement/demerit reports, active investigations, charges and warrants to arrest, information received or obtained by NZ Police, any interaction I have had with NZ Police, even where I have not been charged, or charges are withdrawn, or if I have been acquitted (found not guilty) of a charge, or I have been discharged without conviction, and information subject to name suppression where that information is necessary for the purpose of the disclosure.

Signatory, please note:

- *If you are eligible under the Criminal Records (Clean Slate) Act 2004, your conviction history will not be released unless Section 19(3) of the Clean Slate Act applies to this request (exceptions to the clean slate regime).*
- *Information provided in this consent form may be used to update New Zealand Police records.*
- *You are entitled to a copy of the vetting result released to Waka Kotahi (to be provided by Waka Kotahi) and can seek a correction by contacting the Police.*
- *Waka Kotahi will securely dispose of this consent form, copies of identification documents and the vetting result within 12 months of receiving the result unless a longer retention period is required by legislation.*
- *You may withdraw this consent, prior to Police disclosure of the vetting result, by notifying Waka Kotahi.*

Consent to other enquiries

I authorise Waka Kotahi to make the above enquiries for the purposes of this Application and, for the term of the Applicant's appointment as an inspecting organisation, enquiries as to my character and suitability to operate in my role with the Applicant.

Signature

Name

Applicant company

Role with applicant

Signature of witness

Name of witness

Address of witness

Title

PRIVACY ACT 2020

Collection of this information is authorised by the Land Transport Rule: Vehicle Standards Compliance 2002 (the **Rule**).

The information received as a result of this declaration and consent relating to you will be used to assess the application and to make an appointment to undertake heavy entry certification activities for used light vehicles. It may also be used and to monitor and review the Applicant under the Rule.

All information received as a result of this declaration and consent will be held by Waka Kotahi subject to the Official Information Act 1982 and the Privacy Act 2020. The information contained in the Application may be shared with NZ Police for the purposes of assessing your fitness and properness in accordance with clause 2.6 of the Rule (if applicable) and your suitability to perform your role generally.

Under the Privacy Act 2020, you have the right to request access to and correction of any personal information you supply as a part of this Application process from Waka Kotahi. Should you wish to exercise these rights please contact Waka Kotahi NZ Transport Agency, Private Bag 11777, Palmerston North 4442 or email: info@nzta.govt.nz.

FIT AND PROPER DECLARATION AND CONSENT – THIRD-PARTY SITE OPERATORS

The following organisation (**Third-party Organisation**) owns and manages site(s) at which heavy entry certification inspections of used vehicles occur. The inspections are conducted by the Inspecting Organisation(s) and by Vehicle Inspectors appointed by Waka Kotahi NZ Transport Agency under the Vehicle Standards Compliance Rule 2002.

PERSONAL INFORMATION

Name

Third-party organisation

Role at third-party organisation

Address

Email address

Date of birth

DECLARATION

Fit and proper

I declare that I am fit and proper to control and/or manage a site at which heavy entry certification inspections of used vehicles occur.

I further declare I have disclosed to the Applicant Inspecting Organisation if I have ever been:

- convicted of, charged with, or subject to an investigation that may lead to a charge, with regard to:
 - any criminal offence (including any offence under any criminal law, company law, securities or tax legislation); or
 - any transport-related offence.
- involved in any business that was placed in statutory management or receivership;
- the subject of an adverse finding by a court; or
- expelled from, or prohibited from being a member of, a professional body or disciplinary body in any professional or business capacity.

I consent to the disclosure to Waka Kotahi of any convictions, charges, investigations, business solvency issues, adverse court findings, professional expulsions or prohibitions that I have disclosed to the Applicant Inspecting Organisation.

I consent to the disclosure to Waka Kotahi by the NZ Police and other relevant persons or authorities of all charges and convictions against me and other related information they hold about me if relevant to this Application.

The information about me that the NZ Police may consider relevant to this Application and release to Waka Kotahi includes any conviction history, infringement/demerit reports, active investigations, charges and warrants to arrest, information received or obtained by NZ Police, any interaction I have had with NZ Police, even where I have not been charged, or charges are withdrawn, or if I have been acquitted (found not guilty) of a charge, or I have been discharged without conviction, and information subject to name suppression where that information is necessary for the purpose of the disclosure.

Signatory, please note:

- *If you are eligible under the Criminal Records (Clean Slate) Act 2004, your conviction history will not be released unless Section 19(3) of the Clean Slate Act applies to this request (exceptions to the clean slate regime).*
- *Information provided in this consent form may be used to update New Zealand Police records.*
- *You are entitled to a copy of the vetting result released to Waka Kotahi (to be provided by Waka Kotahi) and can seek a correction by contacting the Police.*
- *Waka Kotahi will securely dispose of this consent form, copies of identification documents and the vetting result within 12 months of receiving the result unless a longer retention period is required by legislation.*
- *You may withdraw this consent, prior to Police disclosure of the vetting result, by notifying Waka Kotahi.*

Consent to other enquiries

I authorise Waka Kotahi to make the above enquiries for the purposes of the Applicant Inspecting Organisation's application and, for the term of the Applicant's appointment as an inspecting organisation, enquiries as to my character and suitability to operate in my role within the Third-party Organisation.

Signature

Name

Third-party organisation

Role at third-party organisation

Signature of witness

Name of witness

Address of witness

Title

PRIVACY ACT 2020

Collection of this information is authorised by the Land Transport Rule: Vehicle Standards Compliance 2002 (the **Rule**).

The information received as a result of this declaration and consent relating to you will be used to assess the application and to make an appointment to undertake heavy entry certification activities for used light vehicles. It may also be used and to monitor and review the Applicant under the Rule.

All information received as a result of this declaration and consent will be held by Waka Kotahi subject to the Official Information Act 1982 and the Privacy Act 2020. The information contained in the Application may be shared with NZ Police for the purposes of assessing your fitness and properness in accordance with clause 2.6 of the Rule (if applicable) and your suitability to perform your role generally.

Under the Privacy Act 2020, you have the right to request access to and correction of any personal information you supply as a part of this Application process from Waka Kotahi. Should you wish to exercise these rights please contact Waka Kotahi NZ Transport Agency, Private Bag 11777, Palmerston North 4442 or email: info@nzta.govt.nz.