

Notice of Appointment as an Inspecting Organisation

Under clause 2.2(1) of the Land Transport Rule: Vehicle Standards Compliance 2002

- 1 ***** (Organisation)** is appointed by the New Zealand Transport Agency, Waka Kotahi, **(Agency)** as an inspecting organisation to carry out:
 - (a) used light vehicle entry inspection and certification; and
 - (b) the assignment, affixing and removal of Vehicle Identification Numbers **(VINs)** to vehicles. **(Activities)**.
- 2 The Organisation's appointment starts on ******* and ends ***** (Appointment)**.
- 3 If the Organisation intends on seeking renewal of this Notice of Appointment, they must notify the Agency an Expression of Interest to have their appointment renewed. This notification must be sent at least 3 months prior to the expiration date in (2) above. If notification is not received at least 3 months prior, the appointment will expire on the date specified in (2) above and a new application will be required.
- 4 The Organisation's Appointment is subject to the requirements and conditions contained in the following schedules, which may be amended by the Agency from time to time with reasonable notice.
 - (a) Schedule One: General requirements and conditions of appointment.
 - (b) Schedule Two: Specific requirements and conditions of appointment.
- 5 This Notice of Appointment also includes the following Appendices, as updated from time to time in accordance with this Notice:
 - (a) Appendix A: Organisation's corporate structure and key personnel.
 - (b) Appendix B: System for managing conflicts of interest, and inappropriate influences on inspection decisions.
 - (c) Appendix C: Actions required to address specific issues raised during the application assessment process.
 - (d) Appendix D1: template reporting spreadsheet.
 - (e) Appendix E: Reporting requirements.

Dated: *******

Signed for and on behalf of the New Zealand Transport Agency

Name
Manager Provider Licensing

Schedule One – General Requirements and Conditions relating to Used Light Vehicle Entry Inspection and Certification

Version: 1
Effective date: ***

1 Discretionary regulatory appointment

- 1.1 The Organisation must carry out the Activities in accordance with the following (as they may be amended or replaced from time to time):
- (a) Land Transport Rule: Vehicle Standards Compliance 2002 (Compliance Rule);
 - (b) This Notice of Appointment and attached Schedules;
 - (c) Guidelines and requirements issued by the Agency, including the Vehicle Inspection Requirement Manuals (**VIRM**); and
 - (d) Any other applicable legislative requirements, including the Health and Safety at Work Act 2015 and the Privacy Act 2020.
- 1.2 If there is any discrepancy between the above documents, the Organisation must comply with legislative requirements first (including the Compliance Rule and other legislative instruments) and then Agency requirements. Any discrepancy identified between legislative and Agency requirements must be reported by the Organisation to the Agency as soon as possible.
- 1.3 The Agency will monitor and review the performance and compliance of the Organisation, and if the Agency is satisfied the Organisation has failed to comply with any requirements and conditions of this appointment then it may require the Organisation to undergo an investigation and take compliance action (including requiring remedial action, amending, suspending or revoking this Appointment), as described in clause 6 of this Notice and the Compliance Rule.
- 1.4 The Agency may also amend, suspend or revoke this Appointment if there has been a change of circumstances that would have materially affected the Agency's assessment of the Organisation's application for appointment (including, for example, a change in the applicable law or a change in the Organisation's personnel).
- 1.5 The Agency may, in its discretion and applying the Compliance Rule, extend this Appointment based on the Agency's assessment of the Organisation's performance under this appointment and suitability for such an extension.
- 1.6 Nothing in this Notice of Appointment or the attached Schedules limit the powers of the Agency under any legislation, including the Compliance Rule.

2 Sites at which the Activities may be carried out

- 2.1 The Organisation may only carry out the Activities at the sites specified in Schedule Two.
- 2.2 The Organisation must ensure that each site at which it carries out the Activities meets on an ongoing basis the standards specified by the Agency (whether or not the Organisation owns the facilities or site), including:

- (a) technical standards specified by the Agency for sites, including in the VIRM; and
 - (b) integrity and conflict of interest standards specified by the Agency for sites.
- 2.3 The standards referred to at 2.2(b) above include the requirement that any person in control of a third party site¹ (being a site that is not controlled by the Organisation as owner or lessee) must be a fit and proper person to be in control of that site. The Organisation must ensure that any person in control of a third-party site has provided the Agency with a signed fit and proper declaration form and Code of Conduct in the form prescribed by the Agency and has been approved by the Agency.
- 2.4 The Organisation may apply to the Agency for an additional site to be approved for the organisation to carry out the Activities and added to Schedule Two using the application process specified by the Agency.
- 2.5 If the Organisation applies to carry out the Activities at a site at which another inspecting organisation is appointed by the Agency to carry out the Activities (ie the Organisation applies to replace an existing inspecting organisation at a site), the Agency will not approve the application unless the Agency is satisfied that:
- (a) the existing inspecting organisation's appointment at the site will end before the approval will take effect (for example because the existing appointment will be relinquished by the existing organisation, terminated by the Agency or the existing organisation has ceased or will cease carrying out the Activities at the site);
 - (b) the change in inspecting organisation at the site will improve regulatory outcomes or have no impact on regulatory outcomes; and
 - (c) all other legislative and Agency requirements for the Organisation to be appointed to conduct the Activities at the site are met in the ordinary manner.

3 Organisational structure and key personnel

- 3.1 The Organisation has represented to the Agency that as at the date of this Appointment:
- (a) the Organisation's organisational structure is as specified in Appendix A; and
 - (b) the Organisation's **Key Personnel** involved in the Activities (being controlling personnel, management personnel, vehicle inspectors and VIN personnel) are as specified in Appendix A.
- 3.2 As set out below in clause 6, the Agency requires that the Organisation submit a report at the end of each calendar quarter that includes any changes to the Organisation's corporate structure or Key Personnel as set out in Appendix A, and that updates Appendix A accordingly.

4 Reliance on the application for appointment and ongoing obligation to inform Agency

- 4.1 The Agency has relied on the information provided in the Organisation's application for appointment and will continue to rely on that information.

¹ A person in control of a site refers to any person (including a body corporate) that may determine the terms or conditions on which the Organisation uses the site. This person may, in any particular case, be the landlord, head tenant, licensor or third party compliance site.

- 4.2 The Organisation must advise the Agency, on an ongoing basis and as soon as is reasonably practicable, if:
- (a) any of the circumstances or information contained in the Organisation's application for appointment change in any material respect, including in relation to the ownership² and controlling personnel of the Organisation³ (whether those changes take place in New Zealand or not);
 - (b) there is any change of circumstances that could affect the Agency's assessment of the Organisation's:
 - (i) ability and competence to undertake inspection and certification activities;
 - (ii) arrangements for public liability insurance and professional indemnity insurance;
 - (iii) degree of financial or professional interest in importing or selling vehicles or vehicle parts, or in modifying or repairing vehicles;
 - (iv) arrangements for monitoring and reviewing its performance;
 - (v) quality assurance arrangements and performance management systems;
 - (c) there is any change of circumstances that could affect the Organisation's systems for recording and reporting data on the conduct of the Activities (including records of individual inspection or certification decisions), and particularly any concerns regarding the accuracy or integrity of these systems or their contents;
 - (d) the Organisation or any person in control of the Organisation is charged with or convicted of a criminal offence, is found to have committed any transport-related offence (including any infringement offence⁴), or is subject to any serious complaint relating to the inspection service;
 - (e) the Organisation is subject to any legal claim relating to the performance of the Activities;
 - (f) the Organisation starts or ceases carrying out the Activities at any site;
 - (g) the Organisation has any reason to believe that an inspection and certification of a vehicle has been carried out incorrectly;
 - (h) the Organisation has any reason to believe that any person associated with a site at which the Organisation carries out the Activities has compromised or has attempted to compromise the integrity of any inspection decisions; and
 - (i) the Organisation has become aware of a defect in a manufacturer's production run or quality control process that may affect the safety performance of a vehicle that has been inspected and certified.

² Ownership includes the ultimate beneficial ownership of the Organisation.

³ Controlling personnel are directors and any other persons with control of the business.

⁴ A transport-related infringement offence is any offence specified as an infringement offence in land transport legislation, including an infringement offence as defined in s 2 of the Land Transport Act 1998 or s 75 of the Road User Charges Act 2012.

5 Recording information about inspection and certification Activities

- 5.1 The Organisation must keep, for a period of 5 years or as otherwise specified by the Agency, all records, electronic data and associated documents relating to vehicle inspection and certification activities conducted (which includes a record of each inspection or certification decision). These records may be kept in a physical or electronic format and the organisation must have suitable back-up arrangements in place.
- 5.2 The Organisation must maintain an electronic database that records information about each inspection and has the following minimum functionality:
- (a) unique logins and auditability of changes;
 - (b) retains and provides access to a record of the details and outcome of each vehicle inspection decision (including all parameters required by the Agency to be recorded and reported to it); and
 - (c) provides the ability to search and access inspection decision records by at least date range, vehicle, vehicle inspector, importer and exporter and decision outcome.

6 Reporting, monitoring and audit

- 6.1 The Organisation must provide the Agency with any reports of the conduct of the Activities that are required from time to time by the Agency.
- 6.2 Additionally, the Agency requires that the Organisation submit a report at the end of each calendar quarter that includes the following information:
- (a) Information about each inspection or certification decision in the format contained in Appendix D1 for entry certification (which may be amended by the Agency from time to time).
 - (b) Inspection error rates, types and causes of errors.
 - (c) Patterns or trends detected in the Organisation's conduct of the Activities and action taken on these.
 - (d) Complaints received about the Organisation's conduct of the Activities, how these complaints were resolved, the timeframes for resolution, staff members involved, remedial action taken (including process improvements, if any), and employment action taken (if any).
 - (e) Any health and safety incidents at the Organisation notifiable to WorkSafe, including any injuries or serious events and the action being taken.
 - (f) Any criminal offending or traffic offending by Key Personnel of which the Organisation has become aware.
 - (g) Any other serious incident that could impact the reputation of the Organisation or the Agency, including any incident involving the attempted exercise of inappropriate influence or corruption.
 - (h) A management review of the Activities conducted by the Organisation in the past three months, and management comment on what is anticipated in the coming three months.
 - (i) Any changes to the Organisation's Key Personnel or corporate structure as set out in Appendix A.

- 6.3 The Agency will monitor and review the performance of the Organisation and its compliance with the requirements and conditions of this Appointment, including at individual sites. The Agency may require the Organisation to undergo investigations and provide information to the Agency as the Agency reasonably considers appropriate and relevant including, without limitation:
- (a) The Agency may audit and investigate the Organisation’s activities at any of its sites on an announced or unannounced basis.
 - (b) The Agency may re-inspect any vehicle inspected or certified by the Organisation.
 - (c) The Agency may request that the Organisation inspect a vehicle through a “mystery shopper”. This will involve an undisclosed (undercover) Agency representative using the Organisation’s inspection services to test the Organisation’s performance.
- 6.4 The Organisation must facilitate and co-operate with the Agency’s monitoring and review activities, including by complying with any Agency request for information. If required for the purpose of an audit, the Organisation must grant the Agency immediate access to any inspection site, to any vehicle under its control, and, as soon as reasonably practicable, any relevant records whether in hardcopy or electronic form.
- 6.5 The Organisation must ensure that its commercial arrangements with the owners of sites and / or vehicles enable it to provide the Agency with such immediate access.
- 6.6 If the Agency is satisfied that the Organisation has failed to comply with any of the requirements and conditions of this appointment, the Agency may take any of the following actions in accordance with section 3 of the Compliance Rule:
- (a) Require that remedial action be undertaken by the Organisation; and/or
 - (b) Suspend the whole or any part of this Appointment for a specified period or until specific conditions are met; and/or
 - (c) Revoke the whole or any part of this Appointment.
- 6.7 The Agency may require the Organisation to pay reasonable costs associated with an investigation or remedial action in accordance with the Compliance Rule and any prescribed fee.
- 6.8 The Organisation must provide an annual declaration to the Agency that it remains in compliance with this appointment and other Agency requirements.

7 Fit and proper

- 7.1 The Organisation must continue to be a fit and proper person.
- 7.2 The Organisation must ensure that its Key Personnel involved in the Activities (including Controlling Personnel, Management Personnel, Vehicle Inspectors and VIN Personnel), are fit and proper persons to fulfil their respective role.
- 7.3 The Organisation is obliged to report quarterly to the Agency any changes in its Key Personnel under clause 6 of this Schedule. If the Organisation hires (or contracts with) any new Key Personnel, it must as soon as reasonably practicable provide the Agency with a copy of a fit and proper declaration from that person in the form specified by the Agency.

- 7.4 The Organisation must ensure that the controlling persons and managers at each third-party site at which the Organisation carries out the Activities are fit and proper persons to fulfil their respective roles.
- 7.5 The Organisation must provide an annual declaration to the Agency that it, its Key Personnel, and the controlling persons and managers at each third-party site at which the Organisation carries out the Activities, remain in compliance with fit and proper requirements.

8 Insurance

- 8.1 The Organisation must maintain continuous public liability and professional indemnity insurance:
- (a) in the Organisation's name;
 - (b) for liability that may arise in relation to the provision and performance of the inspection Activities; and
 - (c) that meets the level of cover, and terms and conditions required by the Agency
- 8.2 The Organisation must provide the Agency with evidence of its insurance cover as at the commencement of this Appointment by returning an insurance certificate endorsed as the insurance held by the Organisation, and then provide the same evidence of continued insurance annually on or before the anniversary of this Appointment.

9 Competence and vehicle inspectors

- 9.1 The Organisation must remain highly competent at managing and diligently undertaking the inspection and certification Activities.
- 9.2 The used light vehicle entry inspection and certification activities must be carried out by entry certification vehicle inspectors on behalf of the Organisation who have been appointed to carry out the Activities by the Agency and have accepted the Vehicle Inspector Code of Conduct specified by the Agency.
- 9.3 The assignment, affixing and removal of VINs to vehicles (**VIN activities**) must be carried out by appropriate persons engaged by and on behalf of the Organisation who have been accepted by the Agency as fit and proper and who have accepted the VIN personnel Code of Conduct specified by the Agency. The Organisation must not allow a person to undertake the VIN activities if the Agency has informed the Organisation that the person is not fit and proper.
- 9.4 The Organisation must maintain and operate, to a standard satisfactory to the Agency, competent management systems relating to the following matters.
- (a) training and maintenance of the skill base of inspectors, including ensuring that vehicle inspectors have the necessary appointments, qualifications, supervision and current competence to undertake their tasks;
 - (b) management of inspectors and the inspection process;
 - (c) the security and integrity of the inspection process, including in relation to the physical conditions at inspection sites;
 - (d) performance assessment of inspectors;
 - (e) provision of temporary staff and contracts;

- (f) human resource support functions;
- (g) complaints management; and
- (h) internal auditing;

10 Management of conflicts of interest and other inappropriate influences

10.1 The Organisation must:

- (a) carry out the Activities honestly, conscientiously and to the highest standards of integrity in the interests of land transport safety;
- (b) ensure no favour or inducement that is intended (or may reasonably be construed as intended) to compromise the integrity of the Activities is accepted, given or promised; and
- (c) immediately notify the Agency where it becomes aware of any possible violations of this clause of this Appointment or the Vehicle Compliance Rule.

10.2 The Organisation must maintain and operate, to a standard satisfactory to the Agency:

- (a) a robust system for identifying and managing risks to the integrity of inspections conducted by the Organisation, including risks arising from corruption or conflicts of interest held by the organisation and/or its inspectors; and
- (b) a system for functional separation between the Activities and any other inspection, maintenance, repair or commercial activities involving vehicles as outlined in the Organisation's application for appointment or as later required by the Agency.

10.3 The Organisation must not inspect or certify any vehicle that the Organisation or a related entity has a financial or ownership interest in unless:

- (a) with the approval of the Agency, it has in place a transparent and robust system to manage any real or perceived conflict of interest and to ensure an accurate independent and professional inspection of the vehicle is undertaken; and
- (b) the Organisation complies with the specific conditions of appointment in Schedule 2.

11 Quality assurance system

11.1 The Organisation must operate a Quality Assurance system that is approved by the Agency.

11.2 The Organisation's compliance with its Quality Assurance system must be independently audited, by a suitably qualified organisation, 1 year from the Organisation's original appointment and at least every 3 years following that, and provide a copy of the full audit report to the Agency. The Independent Audit must use the Agency's audit template.

12 Health and safety

12.1 The Organisation is responsible for ensuring it carries out its Activities in a safe and healthy manner. The Organisation must ensure that it:

- (a) understands its duties as a PCBU under Health and Safety at Work Act 2015 (**HSWA**);
- (b) has an appropriate health and safety management system that enables it to manage risks in accordance with the requirements of HSWA;

- (c) has identified hazards and risks relevant to the provision of the Activities;
- (d) has systems and measures in place to control the identified hazards and risks;
- (e) can demonstrate its ability to provide the Activities in a safe and healthy manner;
- (f) informs the Agency if it considers that any of these conditions of Appointment, or the VIRM, creates a health or safety risk that could be avoided.

13 Delegation

- 13.1 The Organisation must not delegate any of the Organisation's functions or duties under this Appointment (including any part of the Activities that involve independent judgement) to any person(s) other than the Organisation's current Key Personnel (as reported quarterly to the Agency under clauses 3 and 6 of this Schedule), without the prior written consent of the Agency.

14 Use of the Agency's information

- 14.1 The Organisation must not access, use or share any information made available by the Agency's systems for any purpose other than undertaking the Activities, unless the Agency has already made that information available to the public.
- 14.2 The Organisation must not use the Agency's brand, logo or name in connection with its business except with prior written consent of the Agency.

15 Collection of fees

- 15.1 The Organisation must collect and pay to the Agency in a timely manner:
- (a) any fees relating to the Activities required under the Land Transport (Certification and Other Fees) Amendment Regulations 2014 (or any amending or replacement regulations); and
 - (b) any levy specified by the Agency.

16 Start date

- 16.1 The Organisation must start conducting the Activities no later than **3 months** from the date of appointment.

17 Engagement with Agency

- 17.1 The Organisation must, as a condition of this Appointment, contribute to Agency-led industry forums and initiatives to address issues within the border inspection and used light vehicle entry inspection and certification sector.

Schedule Two– Specific Requirements and Conditions relating to Used Light Entry Inspection and Certification for (company name)

Version: 1
Effective date: ***

Part A – Sites

18 Sites

18.1 The Organisation is **authorised** to carry out the Activities at the Sites listed in the table below, subject to the exceptions noted for specific sites.

Primary site

NZTA REF	Town	Street Address (including Company name)	Activity	Exceptions

18.2 The Organisation must inform the Agency if there are any changes to the person in control of each site above identified as a third-party site. If there are any proposed changes, the Organisation must provide the Agency with a fit and proper declaration, and a copy of a Code of Conduct signed by the person proposed to be in control of the site, in the form specified by and satisfactory to the Agency.

Part B – Other Specific Conditions

19 Management of inappropriate influences

19.1 The Organisation must:

- (a) implement a documented system for managing inappropriate influences on inspection decisions that includes the components listed in Appendix B;
- (b) 1 year from the Organisation’s original appointment and at least every 3 years following that, arrange for an independent audit, by a suitably qualified organisation, of its compliance with its own system for managing inappropriate influences and provide a copy of the full final audit report to the Agency. The Independent Audit must use the Agency’s audit template

20 Management of conflicts of interest

20.1 The Organisation must not inspect or certify any vehicle that the Organisation or a related entity has a financial or ownership interest in.

20.2 The Organisation must:

- (a) implement a documented system for managing conflicts of interests that includes the components listed in Appendix B;
- (b) 1 year of the Organisation’s original appointment and at least every 3 years following that, arrange for an independent audit, by a suitably qualified organisation, of its compliance with its own system for managing conflicts of interest and provide a copy of the full final audit report to the Agency. The Independent Audit must use the Agency’s audit template

Appendix A – Organisation’s corporate structure and Key Personnel

List of key personnel involved in the Activities

Controlling personnel

Name	Vehicle Inspector ID (if applicable)	Job title

Managerial personnel (that are not controlling personnel)

Name	Vehicle Inspector ID (if applicable)	Job title

Vehicle inspectors

Name	Vehicle Inspector ID (if applicable)	Job title

Vinning Assistants

Name	Vehicle Inspector ID (if applicable)	Job title

Appendix B – System for managing conflicts of interest and other inappropriate influences on inspection decisions

Management of conflicts of interest

- 1 The Organisation must implement transparent and robust systems to manage any real or perceived conflicts of interest that has the components below.
- 2 The Organisation must provide evidence it has such a system in place, as required by NZTA – Waka Kotahi from time to time. The Organisation must, 1 year from the date of appointment and then at least every 3 years following that, arrange for an independent audit of its compliance with its own systems for managing conflicts of interest, and provide a copy of the full final audit report to the Agency.

Interests held by personnel

Control	Description of control
Conflict of interest policy	<ul style="list-style-type: none"> • A Conflict of Interest Policy that includes the components required by this table and which is periodically reviewed. • Formalised procedures to support the Conflict of Interest Policy, including as required by this Appendix.
Senior manager responsible	<ul style="list-style-type: none"> • Senior manager responsible for implementation of the Conflicts of Interest Policy and associated procedures.
Declaration of interests	<ul style="list-style-type: none"> • Annual declarations of interests and gifts by all employees, directors and other key personnel. • Clear procedures for mandatory declaration of interests as they arise outside the annual declaration process (for example, if a vehicle inspector wishes to have their own vehicle inspected). • Clear written guidance provided to all employees and any other key personnel on declaring interest.
Assessment and management of interests	<ul style="list-style-type: none"> • Clear procedures and guidance for responding to declarations of conflicts of interest, including assessing whether a conflict arises and deciding on an appropriate management response. Guidance should set out a range of options for management of conflicts.

	<ul style="list-style-type: none"> • Defined roles for persons responsible for deciding on management response to declaration of interest. • Policy and guidance should clearly prohibit certain types of conflicts of interest, including: <ul style="list-style-type: none"> ○ an individual vehicle inspector inspecting a vehicle that any of the following either own or have financial interest in: <ul style="list-style-type: none"> ▪ the vehicle inspector; ▪ any person with management responsibility of the vehicle inspector; ▪ any Controlling Personnel of the Inspecting Organisation; ▪ the Inspecting Organisation; ▪ a family member or close friend of the vehicle inspector or manager.
Interests register	<ul style="list-style-type: none"> • An Interests, Conflicts and Gifts Register that records declarations and the management response to those declarations.
Training	<ul style="list-style-type: none"> • Provide training to all staff on identification and management of Conflicts of Interest.

Organisational interests

Control	Description of control
Functional separation	<ul style="list-style-type: none"> • The Organisation must not carry out repair work on any vehicle inspected, or any repair work at any site at which it undertakes inspections. • Develop and maintain a system to ensure functional separation of different inspection activities. This should include a method for separating oversight of different inspection categories to ensure no role confusion.

Management of inappropriate influence on inspection outcomes (including improper pressure and corruption)

- 3 The Organisation must implement a documented system for managing inappropriate influences on inspection decisions that includes the components in the table below.
- 4 The Organisation must provide evidence it has such a system in place, as required by NZTA – Waka Kotahi from time to time. The Organisation must, within 1 year of the appointment and then at least every 3 years following that, arrange for an independent audit of its compliance with its own systems for managing inappropriate influence, and provide a copy of the full final audit report to the Agency.

General

Control	Description of control
Organisational culture	<ul style="list-style-type: none"> • Maintain an organisational culture based on integrity.
Organisational awareness and training	<ul style="list-style-type: none"> • Survey all staff on awareness of inappropriate influence and conflict of interest risks. • Provide training to all key personnel on identification and management of inappropriate influence, corruption and conflict of interest risks that covers the procedures for reporting and responding to incidents.
Procedure for reporting of incidents	<ul style="list-style-type: none"> • Clear procedures for reporting of incidents of inappropriate influence, corruption or undisclosed conflict, including several avenues of reporting: <ul style="list-style-type: none"> ○ Informal reporting to managers. ○ Formal reporting. ○ Anonymous reporting. • Mandatory reporting by vehicle inspectors and other employees of incidents involving inappropriate influence, corruption or undisclosed conflicts. • Clear roles and responsibilities assigned to personnel responsible for responding to reports or disclosures of incidents, including a senior manager with overall responsibility for the Conflicts of Interest policy. • Clear plan for responding to reported incidents.

Vehicle inspectors

Control	Description of control
Remuneration not affected by quantity of inspections	<ul style="list-style-type: none"> No part of the remuneration of vehicle inspectors or managers may be directly based on the number of vehicles passed or inspected within a period, for example through the provision of bonuses or other financial incentives based on those metrics.
Fit and proper background check	<ul style="list-style-type: none"> All key personnel complete a fit and proper declaration and code of conduct. All key personnel undergo a fit and proper person background check before commencement of employment or appointment. Fit and proper declarations, and background checks, are completed on annual basis for all key personnel, and stored by the Organisation.
Management of inspectors with fit and proper concerns	<ul style="list-style-type: none"> Clear procedures for managing inspectors where fit and proper checks raise concern, for example, inspectors who have significant or recent serious traffic offending. Procedure to include warnings, additional training programmes and management oversight, reporting to NZTA - Waka Kotahi, and, where appropriate, disciplinary action.
Uniform	<ul style="list-style-type: none"> All inspection staff are required to wear *** company name*** branded uniforms when conducting inspection services at third party compliance sites.
Management support	<ul style="list-style-type: none"> Regular contact between vehicle inspector and management staff to mitigate risk of organisational capture.

Site related controls

Control	Description of control
Site risk assessments	<ul style="list-style-type: none"> Implement a risk assessment system to identify sites that require additional management supervision or control. The risk assessment system should consider, for example:

	<ul style="list-style-type: none"> ○ Pass and fail rates. ○ Third party sites at which the person in control has a recent offence history, or other fit and proper concerns. ○ Single inspector sites. <ul style="list-style-type: none"> ● Clear procedures for increasing supervision and controls at sites assessed as higher risk, including as set out in this Table.
CCTV cameras	<ul style="list-style-type: none"> ● Consider implementing CCTV surveillance at sites which are identified as at higher risk of inappropriate access.
Control of contact with non-inspection personnel	<ul style="list-style-type: none"> ● Control access to the inspection area so that only persons legitimately involved in the inspection and certification process (which for the avoidance of doubt, includes NZTA - Waka Kotahi staff) are present during the inspection process.

Corruption controls

Control	Description of control
Access to computer systems and records	<ul style="list-style-type: none"> ● Control access to computer systems and records to ensure no inappropriate access ● Electronic systems (such as computers), hard copy record filing, VIN plates and embossing equipment are all stored in a lockable room accessible only by *** company name *** staff.
Controlled documents including VIN plates	<ul style="list-style-type: none"> ● Maintain control over VIN plates to ensure no theft or misuse. ● Monitoring database (eg a spreadsheet) maintained of controlled documents, including VIN plates, and reconciled with inventory at periodic intervals.
Daily or weekly checks	<ul style="list-style-type: none"> ● If NZTA – Waka Kotahi gives notice that this requirement is in effect (which it intends to do if its technology system allows), complete checks of documentation on at least a weekly basis to check that the number of inspections reconciles with the information captured in LANDATA.

Audit and monitoring

Control	Description of control
Audit and monitoring	<ul style="list-style-type: none"><li data-bbox="544 528 1430 595">• Internal audits of inspection decisions are undertaken on a periodic basis, based on risk assessment.

Sample

Appendix C – Actions required to address specific issues raised during the application assessment process

The Organisation must:

- a) complete the actions specified in this Appendix C within the timeframe specified below.
- b) provide NZTA with the required evidence or information specified in Appendix C
- c) maintain compliance with any ongoing requirements.

<u>Issue</u>	<u>Action required</u>	<u>Timeframe</u>	<u>Evidence Required</u>

Sample

Appendix D1 for entry certification

[see attached]

Sample

Appendix E – Reporting Requirements

The Organisation has several Reporting Requirements in the Notice of Appointment (refer table below). It is the Agency’s expectation that the Organisation will manage the due dates for each requirement and will supply all reporting on or before the due date.

Request for extension

If the Organisation is unable to meet any reporting deadline, they must advise the Agency in writing, prior to the due date, requesting an extension to the due date, and explaining the reason for the extension.

Failure to supply reporting by due date

If the Organisation fails to supply reporting by the due date, and no request for an extension has been received, further regulatory action may be taken (refer Clause 6.6)

Reporting Required	Clause(s)	Detail	Due Dates
Quarterly Report	6.2	The Organisation must submit a report at the end of each calendar quarter (refer Clause 6.2). The report must be received on or before the 15 th of the month following the due date.	31 st March 30 th June 30 th September 31 st December
Annual Declarations	6.8	The Organisation must provide an annual declaration to the Agency that it remains in compliance with this appointment and other Agency requirements.	On or before the anniversary of this appointment
	7.5	The Organisation must provide an annual declaration to the Agency that it, its Key Personnel, and the controlling persons and managers at each third-party site at which the Organisation carries out the Activities, remain in compliance with fit and proper requirements	
Evidence of Insurance	8.2	The Organisation must provide the Agency with evidence of its insurance cover annually.	On or before the anniversary of this appointment
Independent Audit	11.2	The Organisation’s compliance with its Quality Assurance system must be independently audited, be a suitably qualified organisation. A full copy of the audit report must be supplied to the Agency on or before the due date. The Independent Audit must use the Agency’s audit template	Due 1 year from the Organisation’s original appointment and at least every 3 years following that.
	19.1 (b)	The Organisation’s compliance with its own system for managing inappropriate influences must be independently audited, be a suitably qualified organisation. A full copy of the audit report must be supplied to the Agency on or before the due date. The Independent Audit must use the Agency’s audit template	
	20.2(b)	The Organisation’s compliance with its own system for managing conflicts of interest must be independently audited, be a suitably qualified organisation. A full copy of the audit report must be supplied to the Agency on or before the due date. The Independent Audit must use the Agency’s audit template	