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Extract taken from: Light vehicle repair certification > Introduction > Inspection and certification process > Duties and responsibilities

3-1 Duties and responsibilities

3.1.1 General duties and responsibilities

The repair certifier's primary duty is to ensure that a repaired vehicle is within safe tolerance of the manufacturer's specifications. General duties and responsibilities are defined in the Deed of Appointment: Light Vehicle Repair Specialist Inspector and Inspecting Organisation, [Land Transport Rule: Vehicle Standards Compliance 2002](#) (the Rule), [Land Transport Rule: Vehicle Repair 1998](#) (the Repair Rule) and in this manual.

The scope is covered by this VIRM. If the repair certifier notices parts which are not covered in this VIRM, for example lights which have been replaced, they must be listed and referred to a KSDP.

1. Repair Certifier

Repair certifier means a person who is appointed by the Transport Agency under section 2.2(1)(h) of the Rule to carry out inspection and certification activities in accordance with requirements and conditions imposed by the Transport Agency, and who is responsible for the inspection and certification outcome.

In this manual, a repair certifier is one appointed for the purpose of light vehicle repair specialist inspection and certification. This is defined in the Rule as specialist inspection and certification of repairs to significant damage or deterioration to the structure, chassis, body-to-chassis attachment, suspension or occupant protection system of a light vehicle.

For the avoidance of doubt, any reference to a certifier, vehicle inspector or inspecting organisation in any legislation, Deed of Appointment, the Repair Rule or any other relevant document is a reference to a repair certifier appointed by the Transport Agency under the Rule.

2. Inspection and certification activities (section 2.2(1)(h) of the Rule)

Repair certifiers carry out specialist inspection and certification of repairs to significant damage or deterioration to the structure, chassis, body-to-chassis attachment, suspension or occupant protection system of a light vehicle.

3. Primary duty (section 2.1(2) of the Rule)

Repair certifiers must carry out inspection and certification activities competently and diligently and in accordance with the Rule, this document, their Deed of Appointment and the Repair Rule.

4. Inspection and certification activities that can be carried out (section 2.2(2) of the Rule)

Repair certifiers may carry out only those inspection and certification activities for which the Transport Agency has appointed them.

5. Requirements, conditions and period of appointment (section 2.3(1) of the Rule)

The NZTA may specify the period of appointment for a repair certifier and may impose requirements and conditions as to the performance of the inspection and certification activities, including the performance of those activities at individual sites. The Deed of Appointment states a time of appointment of five years from the date it was signed. This time may be extended by the receipt of a valid Certificate of Appointment. The new termination date shall be that stated on the certificate.

6. Insurance and indemnity (Deed of Appointment, Light Vehicle Repair Specialist Inspector and Inspecting Organisation Clause 28)

The repair certifier must maintain a third party public liability in relation to performance of the repair certifier's duties.

7. Fit and proper person (section 2.3(3) of the Rule)

It is a condition of appointment that a repair certifier continues to be a fit and proper person.

8. Repair certification documents e-mailed to entry certifiers, WoF inspectors and inspecting organisations

LT307s and LT308s can be emailed to entry certifiers and inspecting organisations provided:

- (i) emails are sent directly to the entry certifier inspecting organisation from the repair certifier, and
- (ii) the electronic copy contains all of the information from the original copy and is clear and legible.

9. Document retention, incorrect certification, vehicle defects (section 2.3(4) of the Rule)

It is a condition of appointment that a repair certifier:

- a) keeps readily available every LT307, LT308 and copies of all other relevant records and associated documents relating to repair inspections and certification for a minimum period of two years, and
- b) keeps retrievable paper or electronic copies of every LT307, LT308 and all other relevant records and associated documents relating to repair inspections and certifications for a minimum of an additional three years after that, and
- c) advises the Transport Agency as soon as practicable if there is a reason to believe that the inspection and certification of a vehicle has been carried out incorrectly , and
- d) advises the Transport Agency as soon as is practicable after they 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.

10. Delegation (section 2.4(1) of the Rule)

A repair certifier may not delegate any function or power to carry out inspection and certification activities for which they were appointed, except under conditions specified by the Transport Agency in writing.

A repair certifier may only delegate the following tasks to recognised technicians:

- a) wheel alignment measurement and recording
- b) three-dimensional chassis measurement and recording
- c) diagnostic reports on electronic parts, components and systems.

A repair certifier may approve a technician to perform the above tasks only after the repair certifier has ascertained that the person is fully capable of completing the task. Repair certifiers are responsible for the outcomes or consequences of any delegated task.

Repair certifiers must maintain a record of all recognised technicians that they have approved in accordance with any specifications in the [Performance review system](#) (PRS) manual that supports this manual.

11. Delegation of an inspection phase

A repair certifier may delegate a phase of the repair certification to another repair certifier when it is required by unusual circumstances. In such cases, the repair certifier must contact RepairCertNZ and supply details of the period during which delegation will take place and the name of the certifier to be delegated. If [RepairCertNZ](#) has any reason to think that this process may be being improperly used, it must notify the Transport Agency.

The certifier signing the LT308 retains responsibility for the entire repair and all its processes, including the delegated work.

The repair certification process consists of three phases:

1. Initial assessment and prescription of the repairs to be done.
2. Intermediate inspections of the repair in progress and prescription of any remedial work to make good any poor or misunderstood repairs.
3. Final inspection and sign-off on the LT308.

Delegation of phase 1 will not be permitted unless the repair certifier has applied to the Transport Agency for consideration on a case-by-case basis.

Where phase 2 is delegated, the delegated certifier must:

- inform the original certifier if they have been, or are about to be, suspended, revoked, or placed under mentoring
- approve the original instructions for the repair
- sign the LT308 for the interim inspection.

Under these circumstances, a delegated certifier will share the responsibility for any incorrect certification.

If the delegated certifier does not agree with any part of the repair specification, they must negotiate with the original certifier to agree on a repair specification that is acceptable to both, refuse the task, or in the absence of the original certifier, change the instruction to a higher repair specification.

Where phase 3 is delegated, the delegated certifier is responsible for the entire repair. If a repair certifier has concerns about this, they should seek advice from the Transport Agency.

3.1.2 Inspection and certification

1. Repair specialist inspection and certification (sections 6.5(1) and 6.5(4) of the Rule)

A repair certifier is required to inspect and certify a repaired vehicle as within safe tolerance of the manufacturer's specifications following significant damage or deterioration to its structure, chassis, body-to-chassis attachment, suspension or occupant protection system. Such inspection may extend beyond the inspection of the areas identified by the KSDP.

The inspection and certification of a vehicle must be carried out in accordance with the requirements and conditions imposed by the Transport Agency.

The Transport Agency's requirements and conditions are contained in this document and the Deed of Appointment.

2. Identifying damage on the LANDATA system

A repair certifier must add notes to a vehicle record that specify details of damage to the vehicle, regardless of whether an LT308 is completed.

Notes can only be entered if the vehicle has been presented for entry certification and a VIN has been assigned.

When entering vehicle notes, a repair certifier must:

- a) enter notes within 24 hours of inspection
- b) enter specific details of the damaged areas
- c) enter the certifier's ID and the date inspected.

For more information on entering notes go to the [Agent portal](#).

2a. Unable to find LANDATA record

This should only occur if the vehicle has not been presented to an entry certifier. If the vehicle has not been presented to an entry certifier and:

- is new - **no record will exist**. Use the procedures in 2b below to get notes recorded
- is used - **a border inspection record should exist**. Contact the Transport Agency on 0800 804 580 to search for a border inspection record. If a record is not found advise the owner they will need to obtain a [border check exemption](#) (then use the procedures in 2b below to get notes recorded).

2b. Unable to key in the NOTES screen

This will occur when the vehicle has not been presented to an entry certifier and is:

- new
- used and has not had a border inspection
- used and has a manufacturer's OE VIN.

When you are unable to key notes, complete the [Repair certification - unable to enter notes](#) form. The notes will be keyed for you.

3. Determining compliance of a repaired vehicle (sections 6.5(5) and 11.1 of the Rule)

A specific aspect of a vehicle may be certified as meeting the requirements of the Rule if a repair certifier has identified the vehicle and has determined, on reasonable grounds, that the specific aspect:

- a) has not compromised the structural integrity of the vehicle, or
- b) has been repaired using components and materials that are fit for their purpose, and the vehicle is returned to within safe tolerance of its state when manufactured or modified, or
- c) has been repaired in accordance with this document, or
- d) has not suffered water damage to the extent that it is impractical for the repair certifier to certify the vehicle as safe to operate.

If the vehicle has been repaired before it entered New Zealand and the repair certifier cannot determine that the repair methods and parts used in the repair comply with the requirements of this manual, the repair certifier must record why he or she is prepared to certify the repair. This record should be supported as far as is practicable by documentation of tests and checks done on the repair and any components used.

4. Record of determination (section 6.6 of the Rule)

When a repair certifier has determined that a repaired vehicle complies with applicable requirements, the repair certifier must make a record of determination on the LT308 that the vehicle complies.

5. Supporting documents (section 6.7 of the Rule)

A repair certifier must keep all records concerned with the certification and must make them available upon request by the Transport Agency.

The records must be kept for a minimum of two years, and maintained in a retrievable form for a minimum of five years.

3.1.3 Re-inspection and re-certification (section 11.4 of the Rule)

If an LT308 has been issued to a vehicle as a result of an incorrect repair inspection and certification, the Transport Agency may require that a repair certifier:

- a) repeat the inspection and certification of the vehicle
- b) issue, if appropriate, an LT308
- c) meet the re-inspection and re-certification costs of the activities undertaken under (a) and (b).

3.1.4 Performance review

1. The Transport Agency may monitor and review performance (section 3.1(1) of the Rule)

The Transport Agency may monitor and review the performance of a repair certifier, including the performance of inspection and certification activities.

The requirements and conditions are contained in this document, the Deed of Appointment and the Transport Agency [PRS: Light vehicle repair certification manual](#).

2. Providing information to the Transport Agency (sections 3.1(2) and (3) of the Rule)

The NZTA may require a repair certifier to undergo such monitoring and review and to provide such information as the Transport Agency reasonably considers relevant. A repair certifier must comply with these requirements.

3. Costs of monitoring and review (section 3.1(4) of the Rule)

Repair certifiers must bear the costs of the monitoring and reviewing of their performance in accordance with any prescribed fee.

3.1.5 Investigations

1. Investigations (section 3.2(1) and 3.2(8) of the Rule)

If the Transport Agency has reason to believe that a repair certifier has failed to comply with any of the conditions of his or her appointment, the Transport Agency may require the repair certifier to undergo an investigation and to provide

such information as the Transport Agency reasonably considers appropriate.

The repair certifier cannot refuse to undergo any investigation.

2. Notification of action (other than immediate suspension/imposing of conditions) (section 3.2(3) of the Rule)

Following an investigation and before carrying out action, the Transport Agency must notify the repair certifier in writing of:

- a) the action that is being considered
- b) the reason for the action that is being considered
- c) the date by which submissions may be made to the Transport Agency in respect of the action that is being considered, which must be at least 21 days after the notice was given
- d) the date on which the action that is being considered will take effect, where appropriate; this date must be at least 28 days after the notice was given, unless the Transport Agency determines otherwise.

3. Responding to a notification of action (section 3.2(5) of the Rule)

If a repair certifier is notified as above, they must ensure that they provide the Transport Agency with all information within the period specified in the notice.

4. NZTA must consider submissions (section 3.2(6) of the Rule)

The NZTA must consider the submissions and information supplied, and must:

- a) decide whether or not to take the action that is being considered
- b) as soon as is practicable, provide written notification to the repair certifier of:
 - i. the NZTA's decision
 - ii. if appropriate, the date on which the action is to take effect
 - iii. if appropriate, the right of appeal under section 106 of the [Land Transport Act 1998](#).

5. Remedial action, suspension, revocation (sections 3.2(2) and 3.2(8) of the Rule)

If, following an investigation, the Transport Agency is satisfied that the repair certifier has failed to comply with any of the conditions of their appointment, the Transport Agency may do one or more of the following:

- a) require that remedial action, such as undergoing training or mentoring, be undertaken by the repair certifier; the repair certifier cannot refuse to comply with the requirement
- b) suspend the repair certifier for a specified period or until conditions are met
- c) revoke the appointment of the repair certifier.

Schedule A of the Deed of Appointment specifies penalties for failure to comply with any of the conditions of the repair certifier's appointment.

6. Immediate suspension or imposing of conditions (section 3.3(1) of the Rule)

If the NZTA has reason to believe that a repair certifier has failed to comply with a condition of his or her appointment and that this presents a significant risk to land transport safety, the Transport Agency may suspend the appointment with immediate effect, or impose any conditions on the appointment of the repair certifier.

Schedule A of the Deed of Appointment specifies penalties for failure to comply with any of the conditions of the repair certifier's appointment.

7. Notification of immediate suspension or imposing of conditions (section 3.3(2) of the Rule)

When the NZTA suspends the appointment, or imposes conditions on the appointment, the Transport Agency must notify the repair certifier in writing of:

- a) the grounds for the suspension or imposing of conditions
- b) the fact that the inspector or organisation may make submissions to the Transport Agency
- c) the right of appeal under section 106 of the [Land Transport Act 1998](#).

8. NZTA must consider submissions following immediate suspension or imposition of conditions (section 3.3(3) of the Rule)

The NZTA must, as soon as is practicable, consider any submission made and notify the inspector or inspecting organisation in writing of the result of any such consideration.

9. Duration of immediate suspension or imposition of conditions (section 3.3(5) of the Rule)

A suspension or condition imposed remains in force until the Transport Agency has determined the action to be taken and that action has been taken.

10. Withdrawal of immediate suspension or imposition of conditions (section 3.3(4) of the Rule)

The NZTA may at any time withdraw a suspension or condition imposed.

11. Right of appeal against immediate suspension or imposition of conditions (section 3.3(6) of the Rule)

A repair certifier may appeal under section 106 of the [Land Transport Act 1998](#) against a decision by the Transport Agency to immediately suspend or impose conditions.

12. Costs of investigations (sections 3.2(7) and 3.2(8) of the Rule)

The NZTA may require a repair certifier to bear the costs associated with an investigation or remedial action in accordance with any prescribed fee. The repair certifier cannot refuse to pay the fee.

Page amended **21 August 2024** (see [amendment details](#)).