

Correct as at 26th April 2026. It may be superseded at any time.

Extract taken from: Entry certification > Introduction > The inspection and certification process > Investigations

## 5-4 Investigations

### 4.1 Investigations (section 3.2(1) of the Rule)

If the NZTA has reason to believe that a vehicle inspector or inspecting organisation has failed to comply with any of the conditions of their appointment, or has failed to comply with the Land Transport Rule: Vehicle Standards Compliance 2002, the NZTA may require the inspector or organisation to undergo investigation and to provide such information as the NZTA reasonably considers appropriate.

#### Land Transport Rule: Vehicle Standards Compliance 2002

### 4.2 Notification of action (other than immediate suspension/imposition of conditions) (section 3.2(3) of the Rule)

Following an investigation and before carrying out action, the NZTA must notify the vehicle inspector or inspecting organisation in writing of:

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

### 4.3 Responding to a notification of action (section 3.2(5) of the Rule)

If a vehicle inspector or inspecting organisation is notified as above, they must ensure that all information that they wish the NZTA to consider in relation to the action being considered is received by the NZTA within the period specified in the notice or within any further period that the NZTA may allow.

### 4.4 NZ Transport Agency must consider submissions (section 3.2(6) of the Rule)

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

- a) decide whether or not to take the action that is being considered, and
- b) provide written notification, as soon as is practicable, to the vehicle inspector or inspecting organisation of:
  - i. the NZTA's decision, and
  - ii. if appropriate, the date on which the action is to take effect, and
  - iii. if appropriate, the right of appeal under section 106 of the

Land Transport Act 1998.

#### **4.5 Immediate suspension or imposition of conditions (section 3.3(1) of the Rule)**

If the NZTA has reason to believe that a vehicle inspector or inspecting organisation has failed to comply with a condition of their appointment or with the Land Transport Rule: Vehicle Standards Compliance 2002, and presents a significant risk to land transport safety, the NZTA may suspend, with immediate effect, the whole or any part of the appointment, or impose any conditions on the appointment.

#### **Land Transport Rule: Vehicle Standards Compliance 2002**

#### **4.6 Notification of immediate suspension or imposition of conditions (section 3.3(2) of the Rule)**

Where the NZTA suspends the whole or any part of an appointment, or imposes conditions on the appointment, the NZTA must notify the vehicle inspector or inspecting organisation in writing of:

- a) the grounds for the suspension or imposition of conditions
- b) the fact that the inspector or organisation may make submissions to the NZTA
- c) the right of appeal under section 106 of the

#### **Land Transport Act 1998.**

#### **4.7 The NZ Transport Agency must consider submissions following immediate suspension or imposition of conditions (section 3.3(3) of the Rule)**

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

#### **4.8 Duration of immediate suspension or imposition of conditions (section 3.3(5) of the Rule)**

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

#### **4.9 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 imposed condition.

#### **4.10 Right of appeal (section 3.3(6) of the Rule)**

A vehicle inspector or inspecting organisation may appeal under section 106 of the Land Transport Act 1998 against a decision by the NZTA to immediately suspend or impose conditions.

#### **Land Transport Act 1998**

#### **4.11 Costs of investigations (section 3.2(7) of the Rule)**

The NZTA may require a vehicle inspector or inspecting organisation to bear the costs associated with an investigation or remedial action in accordance with any prescribed fee.

#### **4.12 Remedial action, suspension, revocation (section 3.2(2) of the Rule)**

If, following an investigation, the NZTA is satisfied that the vehicle inspector or inspecting organisation has failed to comply with any of the conditions of their appointment, or failed to comply with the Land Transport Rule: Vehicle Standards Compliance 2002, the NZTA may do one or more of the following:

- a) require that remedial action, such as training, be undertaken by the inspector or organisation
- b) suspend the whole or any part of the appointment of the inspector or organisation for a specified period or until specified conditions are met

c) revoke the whole or any part of the appointment of the inspector or organisation.

#### **4.13 Obligation to comply (section 3.2(8) of the Rule)**

A vehicle inspector or inspecting organisation must comply with a requirement of the NZTA in relation to paragraphs 4.1, 4.11 and 4.12.