

Demonstrate knowledge of law relevant to contracts in the road transport industry

Level 3

Credits 4

Purpose This unit standard is intended for personnel involved in despatching vehicles and is applicable primarily to goods services.

People credited with this unit standard are able to: obtain information on law relevant to contracts in the road transport industry; demonstrate knowledge of law relating to road transport consumer rights; describe the Carriage of Goods Act 1979; and demonstrate knowledge of contract law.

Subfield Commercial Road Transport

Domain Road Transport Operations

Status Registered

Status date 27 July 2005

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Planned review date 31 July 2009

Entry information Open.

Accreditation Evaluation of documentation and visit by NZQA and industry.

Standard setting body (SSB) NZ Motor Industry Training Organisation (Incorporated)

Accreditation and Moderation Action Plan (AMAP) reference 0092

This AMAP can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

Special notes

- 1 Legal requirements to be complied with include:
Consumer Guarantees Act 1993;
Fair Trading Act 1986;
Carriage of Goods Act 1979.

- 2 Any new, amended or replacement Acts, regulations, Rules, standards, codes of practice, or Land Transport New Zealand requirements or conditions affecting this unit standard will take precedence for assessment purposes, pending review of this unit standard.
- 3 References
Cox, Edward, *Road Transport Handbook*, Wellington, Brooker's, 1999;
Land Transport New Zealand publications *Knowledge of Law and Practice Handbook – Core Module* and *– Goods Service Module* (Wellington: Land Transport New Zealand, 2004).

Elements and performance criteria

Element 1

Obtain information on law relevant to contracts in the road transport industry.

Performance criteria

- 1.1 Information on one Act relating to contracts in the road transport industry is obtained from two different sources, including the Internet.

Element 2

Demonstrate knowledge of law relating to road transport consumer rights.

Performance criteria

- 2.1 The principles underlying the Consumer Guarantees Act 1993 are described in terms of reasonable care and skill, fitness for particular purpose, time of completion, price, right of redress against suppliers where services fail to comply with guarantees, and cancellation.
- 2.2 Principles of fair trading are described in terms of misleading conduct and false representations.

Element 3

Describe the Carriage of Goods Act 1979.

Performance criteria

- 3.1 The description outlines principal kinds of contract to carry goods as they apply to liability for loss or damage to goods.
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|-------|--|
| Range | at the owner's risk, at limited carrier's risk, at declared value risk, on declared terms. |
|-------|--|
- 3.2 The description includes the requirements for storage and disposal of unclaimed or rejected goods, and disposal of perishable goods.

- 3.3 The description includes the limits of the carrier's liability, and exceptions to that liability.
- 3.4 The description includes exclusions from the Act.

Element 4

Demonstrate knowledge of contract law.

Performance criteria

- 4.1 A verbal contract is explained in terms of making an offer and receiving acceptance.
- 4.2 The requirements for a legally enforceable contract are explained in terms of the six requirements specified in the Knowledge of Law and Practice Handbook.
- 4.3 The terms 'contract of service' and 'contract for service' are explained in terms of work carried out by employee-drivers and owner-drivers.

Please note

Providers must be accredited by NZQA, or an inter-institutional body with delegated authority for quality assurance, before they can report credits from assessment against unit standards or deliver courses of study leading to that assessment.

Industry Training Organisations must be accredited by NZQA before they can register credits from assessment against unit standards.

Accredited providers and Industry Training Organisations assessing against unit standards must engage with the moderation system that applies to those standards.

Accreditation requirements and an outline of the moderation system that applies to this standard are outlined in the Accreditation and Moderation Action Plan (AMAP). The AMAP also includes useful information about special requirements for organisations wishing to develop education and training programmes, such as minimum qualifications for tutors and assessors, and special resource requirements.

Comments on this unit standard

Please contact the NZ Motor Industry Training Organisation (Incorporated) info@mito.org.nz if you wish to suggest changes to the content of this unit standard.