

Title	Describe law relevant to a road transport operation		
Level	5	Credits	6

Purpose	People credited with this unit standard are able to describe: land transport legislation and Rules; personal responsibilities, liabilities, and documentation requirements regarding the carriage of dangerous goods by road; the discrimination provisions of the Human Rights Act 1993; legal provisions for customer protection in the road transport industry; and the corporate liabilities and penalties for breaches of road transport legislation.
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Classification	Commercial Road Transport > Road Transport Management
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Available grade	Achieved
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Guidance Information

- 1 Legislation, regulations, references and/or industry standards relevant to this unit standard include but are not limited to the:
 - Contract and Commercial Law Act 2017;
 - Consumer Guarantees Act 1993;
 - Fair Trading Act 1986;
 - Health and Safety at Work Act 2015;
 - Human Rights Act 1993;
 - Land Transport Act 1998;
 - Land Transport Rule: Dangerous Goods 2005;
 - Traffic Regulations 1976.

Any new, amended or replacement Acts, regulations, Rules, standards, codes of practice, or authority requirements or conditions affecting this unit standard will take precedence for assessment purposes, pending review of this unit standard.

- 2 Definitions

Workplace procedures refers to organisation policies and procedures that are documented in memo, electronic, or manual format and available in the workplace. They may include but are not limited to – standard operating procedures, site specific procedures, site safety procedures, equipment operating procedures, quality assurance procedures, product quality specifications, manufacturer’s requirements, references, approved codes of practice, housekeeping standards, environmental considerations, on-site briefings, supervisor’s instructions, and procedures to comply with legislative and local body requirements relevant to the commercial road transport sector.

3 Assessment information

Evidence presented for assessment against this unit standard must be consistent with safe working practices and be in accordance with applicable service information, workplace procedures and legislative requirements.

Outcomes and performance criteria

Outcome 1

Describe land transport legislation and Rules.

Range Rules promulgated under the Land Transport Act 1998.

Performance criteria

- 1.1 Land transport legislation and Rules are described in terms of their legal status and effect, and the process by which Rules are developed.
- 1.2 Land transport legislation and Rules currently in force, and the Rules relevant to own organisation, are described in terms of sources of information.
- 1.3 Details of the requirements of one Rule are described in terms of the Rule's relevance to own organisation.
- 1.4 The chain of responsibility is described in accordance with land transport legislation.

Outcome 2

Describe personal responsibilities, liabilities, and documentation requirements regarding the carriage of dangerous goods by road.

Range Land Transport Rule: Dangerous Goods 2005

Performance criteria

- 2.1 The responsibilities of the consignor, carrier, driver, store person, and loader under the Rule are described.
- 2.2 The liability provisions in the Rule are distinguished from the liability provisions in the Contract and Commercial Law Act 2017.
- 2.3 The requirements for documentation of dangerous goods being carried are described.

Outcome 3

Describe the discrimination provisions of the Human Rights Act 1993.

Performance criteria

3.1 The prohibited grounds of discrimination as defined in the Human Rights Act 1993 are described.

Range Section 21.

3.2 The requirements against discrimination in employment, in provision of goods and services, and exceptions to these requirements are described.

Range Sections 22 to 35, 44 to 52.

3.3 Other forms of discrimination are described.

Range Sections 61 to 69.

Outcome 4

Describe legal provisions for customer protection in the road transport industry.

Performance criteria

4.1 The principles underlying the Consumer Guarantees Act 1993 are described in terms of fitness for particular purpose, acceptable quality, time of completion, price, compliance with description or sample, and redress in event of failure to supply services.

4.2 The options of consumers, where services do not comply with guarantees, are described in terms of remedies, cancellation of contract, and exceptions to the Consumer Guarantees Act 1993.

4.3 The principles of fair trading, as outlined in the Fair Trading Act 1986, are described in terms of misleading conduct and false representations.

4.4 The principal kinds of contract to carry goods are described in terms of liability for loss of or damage to goods in accordance with the Contract and Commercial Law Act 2017.

4.5 The limits of the carrier's liability, and exceptions to that liability, are described.

4.6 Restrictive trade practices are described.

Outcome 5

Describe the corporate liabilities and penalties for breaches of road transport legislation.

Performance criteria

5.1 The penalties for employers whose drivers do not possess correct and current driver licences and/or endorsements for the class of vehicle they drive are described.

- 5.2 The penalties for employers for breaches of the driving hours requirements are described.
- 5.3 The penalties for employers when vehicle loads are inadequately restrained are described.
- 5.4 The penalties for employers for improper management of dangerous goods in storage or in transit are described.

Planned review date	31 December 2029
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Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	23 January 2002	31 December 2017
Review	2	25 June 2007	31 December 2017
Review	3	16 April 2015	31 December 2019
Review	4	25 July 2019	31 December 2019
Reinstatement	5	29 April 2021	31 December 2027
Review	6	25 July 2024	N/A

Consent and Moderation Requirements (CMR) reference	0014
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

Comments on this unit standard

Please contact Hanga-Aro-Rau Manufacturing, Engineering and Logistics Workforce Development Council qualifications@hangaarorau.nz if you wish to suggest changes to the content of this unit standard.