



NZQA accredited and registered provider

Unit Standard 23743

**PRACTICE PAPER - ANSWER BANK**

**Assessors Note:**

**This answer bank should be used as the primary resource when marking students work. However, responses to some questions may be subjective and tutors are advised to exercise their professional judgement when making assessment decisions.**

## **OUTCOME ONE**

Identify general legislation and regulations relating to work carried out in the motor industry

- 1. What information can be obtained from each of the following websites that may be relevant to automotive workshops?**

[www.consumeraffairs.govt.nz](http://www.consumeraffairs.govt.nz)

Where a customer believes that a dealer has breached the Consumer Guarantees Act by providing low quality service they can access information and advice from this website.

[www.epa.govt.nz](http://www.epa.govt.nz)

This website provides information and advice on the environmental protection rules that apply to all businesses in New Zealand.

[www.worksafe.govt.nz](http://www.worksafe.govt.nz)

This website provides information and advice on the health and safety rules that apply to all businesses in New Zealand.

[www.comcom.govt.nz](http://www.comcom.govt.nz)

Where a customer believes that a dealer has breached the Fair Trading Act by dishonesty they can access information and advice from this website.

2. **In relation to the motor industry describe the main roles of each of the following organisations:**

Motor Vehicle Disputes Tribunal

**Responsible for settling disputes between registered car dealers and members of the public**

Police

**Responsible for ensuring the driving and vehicle standards rules are enforced.**

Disputes Tribunal

**Responsible for settling disputes between non-registered car dealers and members of the public**

## **OUTCOME TWO**

Explain the purpose of general legislation and regulations for the motor industry.

### **1. Explain how each of the following are relevant to the motor industry:**

Health and Safety at Work Act 2015

**Ensures that automotive businesses take all reasonable steps to ensure the safety of their employees and any visitors to their premises.**

Consumer Guarantees Act 1993

**Ensures that automotive customers rights are protected when they purchase goods and/or services from a business.**

Fair Trading Act 1986

**Ensures that automotive customers are not misled or cheated when they purchase goods and/or services from a business.**

Land Transport Rules

**The rules set out the vehicle standards that vehicles must reach to be legally used on New Zealand roads. Car manufacturers must ensure that vehicles meet these standards. Workshops must apply the standards when checking vehicles.**

**2. Identify the likely liability implications and explain the possible consequences that would apply in each of the following situations and identify the Act/Rule that has been broken.**

**2a. A technician is involved in a car crash while carrying out a test drive and fails to stop.**

**Who could be held legally responsible?**

Technician will be held accountable by police  
Workshop may be held accountable for the damage if the vehicle had mechanical faults that caused the crash

**Act or rules that may apply:** Land Transport Rules

**Consequence for the technician**

Technician may face workplace disciplinary action. The technician is likely to lose their WoF issuing authority.

**2b. A technician drains engine oil in to a stormwater drain in the workshop carpark.**

**Who could be held legally responsible?**

Technician will be held accountable for poor practice  
Workshop may be held accountable due to a lack of an appropriate disposal policy if no policy was in place

**Act or rules that may apply:**

Health and Safety at Work (Hazardous Substances) Regulations 2017

**Consequences for the environment**

Environment will be harmed as oil can harm marine life.

**2c. While replacing wheels the technician forgets to torque the wheel nuts to the specification and the customer crashes on the way home due to loss of vehicle control.**

**Who could be held legally responsible?**

Technician will be held accountable for poor practice  
Workshop may be held accountable for failing to deliver of a reasonable quality

**Act or rules that may apply:** Consumer Guarantees Act 1993, Health and Safety at Work Act 2015

**Consequences for the workshop:**

Customer will be unhappy and inconvenienced as their car will be off the road while repairs are carried out. Workshop will have to pay for repairs and will suffer damage to reputation.

- 2d. Having purchased a vehicle from a registered dealer a customer notices that the chassis number listed on the ownership papers is different to the number stamped on the dash panel.**

**Who could be held legally responsible?**

Dealer will be held accountable for false advertising

**Act or rules that may apply:** Fair Trading Act 1986

**Consequences for the dealer**

Dealer will need to investigate the discrepancy and will most likely have to compensate the customer. The Commerce Commission may press charges against the dealer. The dealer's reputation will be harmed, and it is unlikely that the customer will return to dealer for future purchases.

- 2e. While carrying out a Warrant of Fitness check for a friend a technician issues a new warrant even though there is evidence of rust around the windscreen.**

Likely liability

Technician will be held accountable due to poor practice  
Workshop will be held accountable as it issued the WoF

**Act or rules that may apply:** Land Transport Rules

**Consequences for the Technician:**

Technician may face workplace disciplinary action. The technician is likely to lose their WoF issuing authority. Should the vehicle be involved in a crash and the windscreen fails the technician may face prosecution.