

## Information Sheet 18

# Approved Examiner Responsibilities

Every approved examiner has legislative responsibilities under the *Transport Operations (Road Use Management) Act 1995*, the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015*, and the *Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2010*.

Approved examiners are expected to meet their legislative responsibilities with due care and diligence. In circumstances where an approved examiner fails to meet their responsibilities under legislation, the Department of Transport and Main Roads (the department) may take action against their accreditation and/or pursue a monetary penalty or court action.

This information sheet has been produced as a guide to help approved examiners understand the relevant legislation and policy, and is not designed to be an exhaustive list of legislative requirements that relate to an approved examiner. This information sheet is an interpretation of the relevant Acts and Regulations and should not be used as a reference to a point of law. Clarification of any information in this information sheet may be obtained from the department by emailing [ais@tmr.qld.gov.au](mailto:ais@tmr.qld.gov.au)

For the purpose of this information sheet, *inspection certificate* means either a safety certificate or a certificate of inspection (whichever applies).

## General requirements

1. An approved examiner may only have one accreditation of the same type at any one time. This does not stop an approved examiner from working at more than one Approved Inspection Station (AIS), provided that the department knows about each AIS at which the approved examiner is approved to undertake work.
2. A person cannot work as an approved examiner if their accreditation has expired, been suspended or cancelled. It is the approved examiner's responsibility to know whether they have a current accreditation before undertaking any vehicle inspections. To help approved examiners maintain their accreditation, the department sends a renewal notice roughly two months prior to expiry.
3. An approved examiner must produce their accreditation document for inspection if asked by their employer, the owner or driver of the vehicle for whom you are undertaking a vehicle inspection, or an authorised officer (such as a transport inspector or police officer).
4. An approved examiner can surrender their accreditation at any time, but they must do so in writing to the AIS Scheme Administrator. The surrender will take effect from the date of the written notice, or at a later date specified in the notice of surrender.
5. If an approved examiner's accreditation is cancelled by the department, they must return their accreditation document to the department within the time specified in the notice of cancellation.
6. If an approved examiner believes their accreditation document has been lost, stolen or has been damaged, they must notify the department in writing as soon as practicable after becoming aware.

7. An approved examiner must not possess another approved examiner's accreditation document unless they have a reasonable excuse.
8. An approved examiner must not give their approved examiner accreditation document to another person if they know, or ought reasonably to know, the other person intends to use their approved examiner document to deceive someone.
9. If an approved examiner becomes aware that an unused inspection certificate has been lost, stolen or destroyed, they must notify the department immediately.

## Conditions of accreditation

10. An approved examiner must not contravene the *Code of Practice - Vehicle Inspection Guidelines* or the *National Heavy Vehicle Inspection Manual*.
11. If an approved examiner is charged with a disqualifying offence or convicted of a disqualifying offence, they must provide the department with signed notice of the details within 14 days.  
**Note:** Disqualifying offences include offences against the *Criminal Code Act 1899* (the Criminal Code) or against another law of another jurisdiction that corresponds to the Criminal Code. Additional details about disqualifying offences can be found in the department's Suitable Person Policy.
12. If applicable, an approved examiner must comply with any imposed conditions set out in their approved examiner accreditation document.

## Change of name, address or postal address

13. An approved examiner must notify the department in writing within 14 days after the change of their name, residential address, or postal address.
14. If the department is satisfied the information given by the approved examiner is correct, a replacement approved examiner accreditation document will be given to them free of charge.  
**Note:** An approved examiner's accreditation will remain active and they can continue to sign inspection certificates while they are waiting for their replacement accreditation document. For further information about the process for notifying the department, refer to *Information sheet 12 - Making changes to your approved examiner accreditation*.

## Vehicle inspections

15. If an approved examiner is testing a vehicle on a road or road-related area as part of the vehicle inspection, they must hold a valid driver licence that authorises them to drive the class of vehicle they are driving.
16. An approved examiner can only inspect a type of vehicle if:
  - they are accredited to inspect that type of vehicle (as shown on their approved examiner accreditation document)

- the AIS they are working for is also approved to inspect that type of vehicle (as shown on the AIS approval notice).
17. An approved examiner can only inspect vehicles at the location of the approved AIS premises (as shown on the AIS approval notice), unless it is in accordance with an approved mobile AIS.
  18. An approved examiner must not inspect a vehicle unless they are satisfied about the identity of the vehicle by inspecting the vehicle to find out:
    - if the vehicle was manufactured before 1 January 1989, the chassis number and engine number
    - otherwise, its unique vehicle identification number (VIN) and engine number.
  19. Before signing an inspection certificate, an approved examiner must make sure that the certificate is completed correctly and legibly and that no entry on the certificate has been altered.
  20. If the inspection certificate is a safety certificate, an approved examiner must make sure the date the safety certificate is issued is marked by punching a hole through the appropriate day and month on the label.
  21. An approved examiner must not sign an inspection certificate unless a thorough examination has been conducted and they reasonably believe the vehicle is not defective.
  22. If an approved examiner inspects a vehicle from a mobile AIS, they may sign the inspection certificate on behalf of the AIS approval holder to which the mobile is attached.
  23. If, after thorough examination, the approved examiner reasonably considers the vehicle to be defective, they must immediately give the vehicle owner/driver an inspection report that states how the vehicle is defective.
  24. If the vehicle that is the subject of an inspection report is returned for reinspection within 14 days to the AIS where the inspection report was issued, the same approved examiner that signed the inspection report for the vehicle must carry out the reinspection.
 

**Note:** The 14 day period commences the day after the inspection report is given to the vehicle's owner or driver. For example, if the inspection report is given to the owner or driver on Monday the 4<sup>th</sup> day of the month, the vehicle can be returned for reinspection on Monday the 18<sup>th</sup> day of the month.

If the last day of the 14 day period falls on a Saturday, Sunday or public holiday, the last day is taken to fall on the next day that is not a Saturday, Sunday or public holiday. For example, if the 14<sup>th</sup> day falls on a Saturday, the last day of the 14 day period would be the following Monday.
  25. If the approved examiner who signed the inspection report is absent from the AIS when the vehicle is returned, the reinspection may be done by another approved examiner who is approved to work at the AIS and accredited to inspect that type of vehicle.
  26. If, after reinspection, an approved examiner reasonably considers the defects stated in the inspection report have been satisfactorily corrected, the approved examiner must immediately sign and give the inspection certificate to the AIS approval holder/nominee who must immediately sign and issue the inspection certificate to the vehicle's owner/driver.

27. If, after reinspection, an approved examiner reasonably considers the defects stated in the inspection report have not been satisfactorily corrected, or the vehicle is otherwise defective, the approved examiner must immediately:
- Give the vehicle's owner or driver an inspection report that states how the vehicle is defective.
  - Mark the inspection certificate that relates to the inspection report as cancelled.
28. If a vehicle that is the subject of an inspection report is returned for reinspection more than 14 days after the inspection report was signed, an approved examiner may issue an inspection certificate for the vehicle only after **another** thorough inspection of the vehicle.

**Note:** Returned for reinspection means returned for reinspection to the AIS where the inspection report was issued.

## Contact us

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