

YOUR MTA

# Motorcycle Dealer Membership Criteria



# Introduction

This booklet has been designed to provide members with the information needed to understand what the MTA Standards are, and to take maximum advantage from the MTA Membership Criteria and Customer Promise.

The MTA Standards, Membership Criteria and Customer Promise contain details of what membership of MTA will mean for you and your business. They outline your responsibilities and obligations, and what is expected from the various membership categories.

If you have any questions about how the various elements work, or how they affect you, please call our MTA National Office on (04) 385 8859/0800 001 144.

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# MTA Strategic Principles

## What does MTA stand for and what we can do for you as a member?

MTA aims to be the association that automotive businesses want to join. We want to be a key part of your business and help you create a sustainable business advantage. We also want to provide leadership for the industry.

### MTA has four key areas of strategic focus:



#### MTA Brand

MTA is trusted and respected by consumers, members, industry, and government.



#### Advocacy

MTA influences and shapes policy and public opinion to the advantage of members.



#### Financial

MTA operates efficiently and is financially sustainable, so Members receive value for money.



#### Members

MTA is the “go to” place for members to make their business more successful and adaptive to change

MTA provides a range of products and services to help Members reach and maintain the MTA Standards:

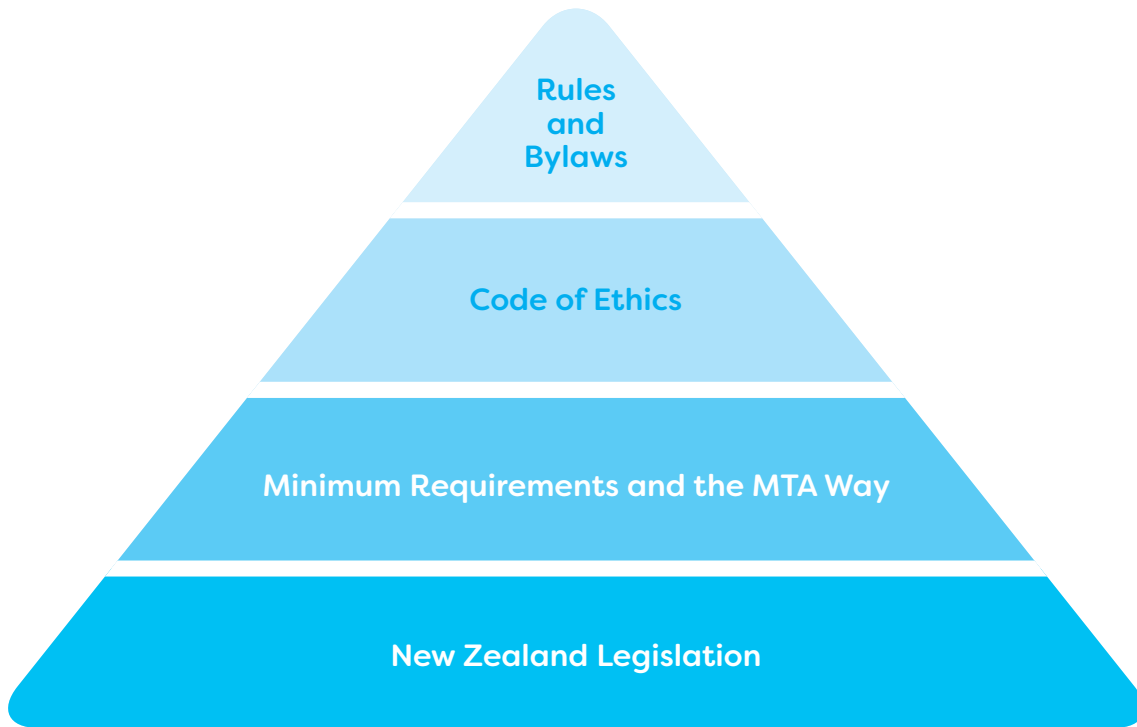
- **Mediation** – advice on dealing with customer complaints, along with direct interaction with customers to facilitate resolution to disputes
- **HR advice** – MTA advisors can help guide you on staff management and records
- **MTA Toolbox** – Members have access to a comprehensive library of great advice and business templates ready for you (e.g. standard employment contracts, health and safety information)
- **Local focus** – MTA Regional Coordinators work with MTA Regional Committees to ensure you get the help you need that is relevant to your region
- **Personal touch** – MTA Member Support Officers, that can help and guide you as part of your membership

## Membership that meets the standard

All MTA Member businesses have an enduring obligation to:

- meet minimum requirements including complying with all relevant legislative requirements
- have written employment contracts for all staff
- respect minimum wage requirements
- have staff with the qualifications and experience reasonably expected for membership
- be insured
- be considerate to the environment
- be of good character. e.g.
  - no history of financial trouble (credit check on business and/or directors)
  - no history of serious customer disputes
  - no director or shareholder with a conviction for a serious offence (one involving deception, fraud, or violence)
- score at least 65% against the “MTA Way” standards.

# What are the MTA Standards?



## Rules and Bylaws

These are the core constitutional documents for the MTA.

The Rules and Bylaws give the MTA board the authority to set, monitor, and enforce standards for MTA membership.

## Code of Ethics

Is a set of professional principles to guide MTA members in conducting their business with honesty and integrity.

## Minimum Requirements and the MTA Way

The MTA Standards, described in the membership criteria, seek to ensure that MTA member businesses operate in line with (or better than) best practices for technical work, ethical behaviour, customer services, and commercial activities

Some elements of the standards have been specifically developed by MTA; while others reference external rules like New Zealand Legislation which all businesses would be expected to follow.

## Sector-specific

Targeted standards by sector and sub-sector. These standards have developed according to the different needs of each sector: (broadly Repairers, Dealerships and Service Stations).

### Minimum Equipment Lists by Sector [MTA-Minimum-Equipment-List.pdf](#)

### MTA Motorcycle Dealer Membership Criteria

### MTA Customer Promise for Motorcycle Dealer Members

## New Zealand Legislation



NZ law is the foundational element. As a legal entity trading in New Zealand, you are obliged to comply with all New Zealand Laws.

<http://www.legislation.govt.nz/>

# How the MTA Standards assessment works

MTA prospects and members will be assessed against the MTA Standard using the criteria below to be able to say they passed the MTA Standard.

The table below outlines the standards assessment framework with the proportion that section contributes to the overall mark:

Requirements	Description	Prospect	Existing Member
<b>Minimum Requirements</b>	<b>Six important Minimum Requirements:</b> <ul style="list-style-type: none"> <li>Compliance with legislation</li> <li>HR Requirements</li> <li>H and S Requirements</li> <li>Min \$1M business liability insurance</li> <li>Qualification Standards</li> <li>No serious misconduct</li> </ul>	No membership until standard is met  	Time to resolve will be proportional to the assessed gaps  It will be agreed in advance between MTA and the Member
<b>Premises, Operational and Environmental Excellence - The "MTA Way"</b>	<b>Physical site expectations</b> <ul style="list-style-type: none"> <li>Roadside and external appearance</li> <li>Reception and customer areas</li> <li>Work areas</li> <li>Presentation of staff, vehicles, invoices and all non-fixed public facing material</li> </ul> <b>Operational and Environmental Excellence</b> <ul style="list-style-type: none"> <li>Living the MTA Code of Ethics</li> <li>Treatment of the Environment</li> <li>Treatment of customer and staff</li> </ul>		
The MTA Board will take into consideration all prospects and members and consider any borderline cases under a separate exceptions process where appropriate.			

## An MTA prospect or member:

- may be physically audited at any time and
- will be audited (at least) once every three years
- may be asked to provide examples / self-assess to show standard achievement periodically

## What happens if a member does not score 65% or above?

- If the organisation applying is a new prospect, MTA may decide to offer them a probationary type of membership, to help them get up to standard as soon as is practicable.
- If a member scores below 65%, MTA will work with the member to give them a 'hand-up' to drive-up their score. If the score is significantly below 65%, then the member may receive a censure from the

Board (under s.71 of MTA Bylaws). MTA will create a remediation policy with the member and follow-up to ensure they can comply within an agreed time period.

- If a member fails to make progress within a reasonable period, then the Board may notify the member of misconduct, either minor or serious (under s.5 of MTA Bylaws). A 'reasonable time period' will be determined by the type of problem that needs rectification – a legal requirement for example will need amending faster than something requiring time and cost but is not a legal requirement.
- The Board have the power to either grant or refuse membership and determine the basis on which it is granted, without having to give a reason. This decision will be final.

# MTA Prospects and Members will be assessed in the following way

Minimum Requirements	
Checklist Form Requirements	Relevant authority
<p><b>Compliance with NZ Legislation Y/N</b></p> <ul style="list-style-type: none"> <li>All relevant NZ Laws (including regulations and rules)</li> </ul>	<p><a href="http://legislation.govt.nz/">http://legislation.govt.nz/</a></p>
<p><b>Human Resources</b></p> <ul style="list-style-type: none"> <li>Written contracts of employment for all staff Y/N</li> <li>Evidence of wage records Y/N</li> <li>Minimum wage is respected Y/N</li> <li>Have a time sheeting system and leave records that are kept up to date for all employees Y/N</li> </ul>	<p><a href="https://www.employment.govt.nz/">https://www.employment.govt.nz/</a></p>
<p><b>Health and Safety</b></p> <ul style="list-style-type: none"> <li>Applicants understand their health and safety requirements, ensure staff safety? Y/N</li> <li>A health and safety policy is in place Y/N</li> <li>A risk register is kept Y/N</li> <li>An incident reporting system Y/N</li> <li>Evidence that the system is being engaged with e.g. meetings held and minutes are kept Y/N</li> </ul>	<p><a href="https://worksafe.govt.nz/">https://worksafe.govt.nz/</a></p>
<p><b>Statutory \$1M public liability insurance</b></p> <ul style="list-style-type: none"> <li>Business has minimum \$1M public liability insurance? Y/N</li> </ul>	<p><a href="https://www.business.govt.nz/">https://www.business.govt.nz/</a></p>
<p><b>Qualification Standards</b></p> <ul style="list-style-type: none"> <li>Services offered (mix of sub-sector and MTA product info)</li> <li>Qualifications and tools required</li> <li>Does business have qualified staff? (action list to rectify issues) - Y/N</li> <li>Does business have mandatory equipment/tools for services offered</li> </ul>	<p><b>MTA Bylaws:</b></p> <ul style="list-style-type: none"> <li>s.3.10 Qualifications of staff</li> <li>s.3.11 Equipment</li> </ul> <p><b>Criteria Booklets:</b></p> <ul style="list-style-type: none"> <li>Collision, Repairer and Service Station: s.3.0 People</li> <li>Motorcycle Dealer: s.5.0 People</li> </ul>
<p><b>Evidence of serious misconduct? Y/N</b></p> <ul style="list-style-type: none"> <li>Breaches of MTA Rules and/or standards</li> <li>Failure to participate or adhere to MTA mediation</li> <li>Failure to adhere to tribunal ruling</li> <li>Illegal vehicle trading from premises</li> <li>Conviction of an offence punishable by imprisonment</li> <li>Declaration of bankruptcy / insolvency</li> <li>Become an unfit or improper person</li> <li>Suspension or revocation of an authority, license or approval issued by a government agency or Ministry</li> <li>Abuse of a customer or staff member</li> <li>Failure to pay annual membership fees but continuing to use MTA branding and/or MTA services</li> </ul>	<p><b>MTA Bylaws</b></p> <p>s.5.2 Serious Misconduct</p>
<p><b>MINIMUM REQUIREMENTS MET?</b></p> <p><input type="radio"/> Y <input type="radio"/> N</p>	

# MTA Prospects and Members will be assessed in the following way

Scored Requirements – The MTA Way	
Checklist Form Requirements	Relevant authority
<p><b>Roadside and External Appearance (score must be 12/30)</b></p> <ul style="list-style-type: none"> <li>signage (8 points) - condition assessment</li> <li>external building condition (8 points) - condition assessment</li> <li>external building appearance (8 points) - condition assessment</li> <li>access, parking and site surface condition (6 points) - condition: access, parking, surface condition, etc</li> </ul>	<p><b>MTA Rules and Bylaws</b></p> <ul style="list-style-type: none"> <li>Rules: s.9.0 Use of MTA Brand/Logo</li> <li>Bylaws: s.3.12 Premises</li> </ul> <p><b>Criteria Booklets:</b></p> <ul style="list-style-type: none"> <li>Collision, Repairer and Service Station: s.4.0 Premises</li> <li>Dealer and Motorcycle Dealer: s.6.0 Premises</li> </ul>
<p><b>Reception and customer areas (score must be 12/30)</b></p> <ul style="list-style-type: none"> <li>reception (24 points) - condition assessment</li> <li>customer areas (design construction/facilities purpose/use) (6 points) - condition assessment</li> </ul>	<p><b>Criteria Booklets</b></p> <p>As above.</p>
<p><b>Work areas (score must be 8/20)</b></p> <ul style="list-style-type: none"> <li>clean, well-organised, tidy and uncluttered (10 points) - condition assessment</li> <li>permanent construction and suitable (4 points) - condition assessment</li> <li>maintained in good condition and easily accessible (4 points) - condition assessment</li> <li>complies with legislation (2 points) - 'visual' condition assessment</li> </ul>	<p><b>Criteria Booklets</b></p> <p>As above.</p>
<p><b>Staff, vehicles, invoices and all non-fixed public facing material (score must be 8/20)</b></p> <ul style="list-style-type: none"> <li>staff (5 points) - condition assessment</li> <li>vehicles (5 points) - condition assessment</li> <li>invoices (5 points) - condition assessment</li> <li>other (public facing material) (5 points) - condition assessment</li> </ul>	<p><b>Criteria Booklets:</b></p> <ul style="list-style-type: none"> <li>Collision, Repairer and Service Station: s.2.0</li> <li>Dealer and Motorcycle Dealer: s.4.0 Services honest, helpful, courteous and professional</li> <li>Collision, Repairer: MTA Customer Promise, Code of Ethics and (Collision) Repairer Warranty</li> </ul>
<p><b>Environmental (score out of 30)</b></p> <ul style="list-style-type: none"> <li>Section A: Water, Air Quality and spill procedures (20 points)</li> <li>Section B: Waste Management, Energy Efficiency and Noise Pollution (10 points)</li> </ul>	<p>Environmental Standards: MTA Membership Standards Review Checklist</p>
<p><b>Operational Excellence (score out of 20, no minimum)</b></p> <ul style="list-style-type: none"> <li>Customer complaints process (10 points)</li> <li>Staff Training (10 points)</li> </ul>	<p><b>Criteria Booklets:</b></p> <ul style="list-style-type: none"> <li>Collision, Repairer: s.6.0, Service Station: 5.0, Dealer and Motorcycle Dealer: s.7.0</li> <li>Collision, Repairer and Service Station: s.3.0, Dealer and Motorcycle Dealer: s.5.0</li> </ul>
<p><b>Multiply Total By 0.66 (to get %)</b></p>	<p><b>Scored total:</b> /150</p>
<p><b>65% pass mark required to meet the standard.</b></p>	<p><b>Total Audit score:</b> %</p>

Where a prospect or member is having trouble achieving the standard, MTA staff will do all they can to support and help you achieve it. They will provide hands-on help, guidance and support to get you above the line.

# New Zealand Legislation

This list broadly covers the basics and is indicative of legislative requirements for businesses in the automotive sector. It is the responsibility of each member to determine their own legislative compliance requirements. For more general information visit <https://www.business.govt.nz/>

NZ Legislation	What does it cover?	Link	Responsible Crown Entity
<b>Building Act (2004)</b>	Sets out the rules for the construction, alteration, demolition and maintenance of new and existing buildings in New Zealand. It aims to improve control, encourage better design and construction and provide greater assurance for consumers.	<a href="#">Building Act</a>	Building Performance <a href="#">guidance</a> (Part of MBIE)
<b>Consumer Guarantees Act (1993)</b>	Consumer rights if there is a problem or service, they have purchased.	<a href="#">Consumer Guarantees Act</a>	Ministry of Business Innovation and Employment <a href="http://www.mbie.govt.nz">www.mbie.govt.nz</a>
<b>Employment Relations Act (2000)</b>	Provides the legal backdrop for all relationships between employees, employers and unions.	<a href="#">Employment Relations Act</a>	Ministry of Business Innovation and Employment <a href="http://www.mbie.govt.nz">www.mbie.govt.nz</a>
<b>Fair Trading Act (1986)</b>	Consumer rights if a business acts in an unfair or misleading way, including sales tactics and selling unsafe products.	<a href="#">Fair Trading Act</a>	Ministry of Business Innovation and Employment <a href="http://www.mbie.govt.nz">www.mbie.govt.nz</a>
<b>Goods and Services Tax Act (1985)</b>	GST is a tax of 15% on all goods, services and other items sold or consumed in New Zealand.	<a href="#">Goods and Services Tax Act</a>	Inland Revenue Department <a href="https://www.ird.govt.nz/gst">https://www.ird.govt.nz/gst</a>
<b>Health and Safety at Work Act (2015)</b>	A balanced framework to secure the health and safety of workers and the workplaces by protecting workers and other persons against harm to their health, safety and welfare by eliminating or minimising risks arising from work.	<a href="#">Health and Safety at Work Act</a>	Worksafe NZ <a href="#">guidance</a>
<b>Hazardous Substances and New Organisms Act (1996)</b>	Aim is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms.	<a href="#">Hazardous Substances Act</a>	Worksafe NZ <a href="#">guidance</a>
<b>Food Act (2014)</b>	Helps make sure that food sold throughout New Zealand is safe. A central feature of the Act is a sliding scale according to different business risk.	<a href="#">Food Act</a>	Ministry of Primary Industries <a href="#">guidance</a>
<b>Mandatory RPSS waste products</b>	Mandatory products under the Regulated Product Stewardship scheme.	<a href="#">Regulated Product Stewardship Scheme</a>	Ministry for the Environment <a href="https://www.mfe.govt.nz/">https://www.mfe.govt.nz/</a>

Note: MTA members should seek professional advice where they are not sure of their responsibilities.



# MTA Code of Ethics

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MTA members have an enduring responsibility to operate their business in accordance with the MTA Code of Ethics:



## THE MTA CODE OF ETHICS

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Provide customers with high quality and honest service.

Work with integrity and adhere to MTA rules, by-laws and policies.

Ensure all business activities comply with relevant environmental laws and regulations.

Are good employers: complying with employment laws and providing training.

Ensure all advertising is accurate and not misleading.

Ensure all business dealings meet industry best practice.

Always work to positively promote the interests of the MTA brand.

Maintain accurate and proper financial and legal records and carry out all business transactions in a professional manner.

Price goods and services fairly and avoid deceptive pricing - adhere to relevant consumer laws.

Respond to all customer enquiries and seek to resolve any complaints.

Provide a safe work environment: considering staff wellbeing; managing stress; providing safe facilities, equipment and protection from hazardous substances; and providing safe work practices and ensuring they are always used and adhered to.

Proactively uphold MTA Standards and actively engage with requests by MTA to measure and maintain these standards.





# MTA Motorcycle Dealer Membership Criteria

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## 1. Dealer status

- 1.1 The motorcycle dealer business must be a Registered Motor Vehicle Trader and will operate in compliance with the requirements of the Motor Vehicle Sales Act 2003.

## 2. Advertising and information about vehicles, financing and trade-in deals is full, accurate and meets all statutory requirement

- 2.1 All advertising/descriptions, whether in media, websites, on-site information or in sales representations is complete and accurate. Descriptions of vehicles, services and products are clear, easy to understand, and are not ambiguous or misleading.
- 2.2 All advertising relating to financing, trade-in deals, warranties and after-sales service is honest, clear easy to understand, and not misleading. A copy of the standard form finance contracts, if applicable, must be displayed onsite along with related costs of borrowing (refer CCCFA s9J and s9J).
- 2.3 Advertising and signage clearly identifies the business as an MTA member. If external signage is not permitted by a franchise organisation, then there should be clear MTA signage within the reception or sales area and service area.

## 3. Vehicles are in sound condition, well presented and identify any encumbrances. All information is complete and accurate

- 3.1 On request, and free of charge, vehicles are inspected using the MTA approved checklists. The full inspection report is available to customers.
- 3.2 All consumer information required by statute eg, CIN cards and Fuel Use Economy labels, is displayed in the manner stipulated in those statutes.
- 3.3 All vehicles are well presented and well positioned to allow easy and thorough inspection.

## 4. Sales and after-sales service is honest, helpful, courteous and professional. All business dealings are fair and ethical

- 4.1 There is full disclosure of prices, fees and interest rates
- 4.2 Sales staff will be professional and courteous in all dealings with customers.
- 4.3 If the dealership has conditions for test drives, the conditions are on display and are explained to every customer before taking a vehicle for a test drive.
- 4.4 All verbal undertakings and special conditions agreed during negotiations are put in writing as part of the sales contract.
- 4.5 Sales contracts must be in writing. MTA requires use of a suitable industry Vehicle Offer and Sale Agreement. A copy must be supplied to the respective customer.
- 4.6 Purchasers of all qualifying vehicles are covered under the MTA Dealer Warranty. The MTA Dealer Warranty will operate concurrently alongside any manufacturer or distributor provided vehicle warranty, and all relevant consumer law (eg, the remaining provisions of any applicable new vehicle warranty, or a distributor provided used vehicle warranty eg, 'Signature' used vehicle programme).
- 4.7 Any vehicle faults and/or complaints about the vehicle will be discussed openly and, if justified, will be fixed promptly in accordance with the MTA Dealer Warranty provisions. The dealer participates in good faith in the MTA mediation process and complies with MTA complaints and mediation policies.
- 4.8 All documentation relating to the vehicle sale, and related finance and insurance contracts, is given to the customer at the time of sale or delivery. The sales or finance staff will also verbally explain the content of such documents.
- 4.9 Posters or point of sale material advertising the MTA Customer Promise are prominently displayed or available in the sales area.
- 4.10 Criticisms of colleagues: dealers and their staff are loyal to MTA and other MTA members. Where necessary, concerns are made to each other or through MTA, and not directly to customers.

## 5. People – members and their staff are competent and professional

- 5.1 The dealer principal and all sales staff are competent in:
- demonstrating vehicles, including their features and capabilities
  - explaining finance and insurance arrangements (as appropriate to staff roles in the dealership) in compliance with CCCFA and related Responsible Lending Code
  - customer service
  - and are aware of their responsibilities under relevant consumer law.
- 5.2 The dealer principal ensures positive staff management and development through:
- pre-employment checks
  - induction and initial training
  - supervision
  - demonstrating all staff members receive ongoing training and development opportunities where relevant and where they arise in the future
  - familiarity of obligations with MTA Standards.

## 6. Premises are safe, professional, well presented, reflect positively on the MTA brand and allow for the quality servicing and repair of vehicles

- 6.1 The member must operate from premises, or part(s) thereof, that are of permanent construction and suitable for a motor industry activity. These premises must always be maintained to an acceptable standard throughout MTA membership.
- 6.2 The premises must comply with all health and safety, and all national and local authority requirements, including those for hazardous substances, resource consents and the environment.
- 6.3 Shared premises:
- where the member operates another motor industry business entity from the same premises, that business entity must also be an MTA member
  - where the member operates other non-motor industry business/es from the same premises the other business/es must be easily identifiable as separate business/es with the MTA business entity displaying all relevant MTA signage

- where other business/es not owned by the member, whether motor industry or not, are operated from the same premises, the other business/es must be easily identifiable as separate business/es with the MTA business entity displaying all relevant MTA signage
- CINs must clearly state which dealer is selling which vehicles
- other businesses must not have a material effect upon or prevent MTA business meeting all MTA standards.

6.4 Adjoining premises: the signage must clearly indicate which business(es) are MTA members.

6.5 Buildings are clean, well-organised, tidy, uncluttered, maintained in good condition and easily accessible. Up to date MTA signage should be prominently displayed and maintained in good condition.

*Note – a prefabricated building would normally be acceptable but a temporary structure such as a caravan would not.*

6.6 Customer facilities:

- signage is professional and clear. For larger businesses, clear signposting directs customers to appropriate services
- if practicable, customer facilities are provided and could include a reception area, car parking and clean customer toilets.

6.7 If inspections or repairs are done on site, the inspection/repair area must meet MTA Repairer criteria.

*Note – minor vehicle repairs can be done on site (eg, repairs of minor dents or fittings).*

6.8 Vehicles: any loan vehicle or vehicle displaying MTA or business signage must be tidy, licensed, warranted and insured. Any vehicle displaying MTA signage must comply with MTA brand guidelines.

## 7. General requirements

- 7.1 Financial viability: The member is credit worthy.
- 7.2 The MTA Dealer Warranty in no way removes the customer's rights in terms of the Consumer Guarantees Act 1993.
- 7.3 If an MTA dealer is found against in any disputes tribunal or court, and an appeal is not lodged, the MTA dealer must abide by any order made by that tribunal or court.
- 7.4 Evidence of a process for handling customer complaints must be shown to MTA.



# MTA Customer Promise for Motorcycle Dealer Members

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## 1. We sell quality motorcycles

- On request, we will provide a free MTA Pre-purchase Inspection report for any motorcycles presented for retail sale. The report will be completed by an experienced and competent motorcycle technician employed by an MTA member.
- We provide professional advice and sales service.
- We will listen to you. Please let our sales people know how they can best help you.

## 2. We stand by our motorcycles

- A warranty is given to purchasers of qualifying motorcycles at no extra cost. The dealer will advise which motorcycles qualify for a warranty.
- The warranty means that the MTA motorcycle dealer will ensure that any defects that arise in a qualifying motorcycle during the period that the warranty is valid are remedied promptly.
- What is excluded by the warranty is clearly stated

## 3. We work ethically

- We are backed up by the reputation of MTA, New Zealand's largest body of automotive businesses, including dealers, repairers and fuel retailers.
- MTA monitors our delivery of the above promises. Our membership depends on our performance.
- Both you and your motorcycle dealer have access to MTA's free and independent complaints and mediation service, 0508 682 633.



## National Contact Details

### Members' toll free phone

0800 001 144

### Phone

04 385 8859

### Mediation Line

0508 682 633

### Email

[mta@mta.org.nz](mailto:mta@mta.org.nz)

### Website

[www.mta.org.nz](http://www.mta.org.nz)

### Facebook

[www.facebook.com/motortradeassociation](http://www.facebook.com/motortradeassociation)

### Physical address:

Level 12, Nokia House  
13-27 Manners Street  
Te Aro, Wellington 6011

### Postal address:

PO Box 9244  
Marion Square  
Wellington 6141

While we have done our best to ensure all information is correct, this is subject to change – we're always working on ways to bring you more value for your membership. If things do change, the latest details will be at [www.mta.org.nz](http://www.mta.org.nz)