

Terms and Conditions for Star Graded Vehicles Version 2.2

Please note: The Approved Destination Status (ADS) Code of Conduct requires that all buses and coaches used for ADS tours must be BCA Star Graded three stars or higher. The ADS system is based on a bilateral tourism arrangement between the governments of New Zealand and the People's Republic of China that allows groups of Chinese nationals to travel as tourists to New Zealand. Compliance with the ADS system is monitored by the government agency, Tourism New Zealand.

Definitions

1. For the purpose of interpreting these terms and conditions (unless the context otherwise requires):

"We" means the Bus and Coach Association (NZ) Inc. "BCA", "our" and "us" have a corresponding meaning.

"You" means any full financial member of the Bus and Coach Association who owns, controls or operates Star Graded vehicles; "member" and "your" have a corresponding meaning.

"VTNZ" means Vehicle Testing Services Ltd, and includes qualified Vehicle Inspectors undertaking an inspection at an authorised station.

"Mandatory Minimum Requirements" means the minimum standards for vehicles set out in the BCA Star Grading System Guide.

Member Rights and Obligations

2. As a member of the BCA you agree to adhere to the BCA Rules and the Code of Ethics of the BCA. Failure to do so may result in the Star Grading classification of your vehicle being revoked or the termination of your membership.
3. By applying for a Star Grading classification for a vehicle you agree to adhere to these terms and conditions at all times and acknowledge that if you fail to do so your Star Grading classification may be revoked.
4. In order to gain a Star Grading classification you agree to pay any application fee to BCA and an inspection fee to VTNZ. All Star Grading checks and rechecks must be undertaken by VTNZ.
5. If your vehicle passes its Star Grading check it will be awarded a Star Grading classification. Once we have received a copy of the check sheet from VTNZ we will issue you with a Star Grading decal to reflect this classification. If we disagree with the classification awarded by VTNZ we may request that you have the vehicle reassessed by VTNZ at your expense, or may award a classification based on the information held by us as to the age and attributes of your vehicle.
6. Decals are valid for 12 months, after this a recheck must be completed within the six months prior to the next roll over, which takes place annually on 1 July.
7. You agree that the Star Grading decal issued for a vehicle is valid from the date it is issued by us, until the date when the decals for the following year are issued. Upon that date, the decal becomes invalid. You agree not to display invalid decals on your vehicles.
8. You agree that Star Grading decals issued for a vehicle inspected by VTNZ will be used only for that vehicle and will not be applied to any other vehicle.
9. You agree to inform us of any changes to the registration or ownership of your Star Graded vehicle during the period that the decal is valid. Failure to do so may mean that incorrect details are publicly displayed on our website or passed on to government agencies.
10. You agree that once a Star Grading decal for a vehicle is issued and received by you it will be displayed on the vehicle at all times. The decal is required to be displayed to the right of the front door of the vehicle. If the decal has to be removed for any reason (i.e. to clean or repair the area where decal is displayed) it is your responsibility to contact us and arrange for a replacement decal.
11. You agree that your Star Graded vehicle will continue to meet all grading criteria for its classification and all Mandatory Minimum Requirements at all times during the period that the decal remains valid. If the vehicle is not maintained in this condition, or its attributes change to a degree that would have resulted in the vehicle not passing the initial inspection, the Star Grading classification may be revoked.
12. You agree to complete an annual recheck with VTNZ after your Star Grading classification has been held for 12 months. A BCA/VTNZ recheck form must be completed and sent to BCA by VTNZ. You must ensure that we have received the check sheet by 30 June if you wish to be issued a new Star Grading decal for the next annual period. A newly Star Graded vehicle is not required to have recheck done for the first annual rollover that takes place after the vehicle's initial check.
13. In the event that your vehicle fails an annual recheck, you have 28 days to have the vehicle checked again by VTNZ against the annual recheck criteria. If you do not have the vehicle checked again within this time period, or if the vehicle fails the recheck again, we may revoke the vehicle's Star Graded status.

BCA Rights and Obligations

14. We reserve the right to charge an application fee for Star Grading. Your decal will not be issued until this fee has been paid.
15. We reserve the right to charge for replacement decals. A replacement decal will not be issued until this fee has been paid.
16. We reserve the right to require a full initial check or recheck to be undertaken at any time, by VTNZ at your cost, to prove that allegations of non-compliance have been sufficiently remedied or were not correctly made out by the complainant, or to prove that a vehicle that has failed its initial grading or annual recheck has been adequately repaired or improved. If such a check is requested and not undertaken, we reserve the right to revoke your Star Grading status or refuse to issue your vehicle with a Star Grading decal.
17. We reserve the right to revoke a vehicle's Star Grading classification at any time if any of these terms and conditions are breached or if your membership of the BCA ceases. If the Star Grading classification is revoked for any reason you must immediately remove the Star Grading decal from the vehicle. We will amend our database and website to reflect the revocation and notification will be sent to Tourism New Zealand that the vehicle is not currently Star Graded. This may have serious implications for you continuing ADS work.
18. We may from time to time and at our sole discretion amend, add to or delete any of these terms and conditions with immediate effect by giving notice to you.

Annual Roll Over

19. A roll over will take place on 1 July annually. The purpose of this roll over is to ensure that all Star Graded vehicles are maintained to an acceptable standard during the Star Grading life of the vehicle. An annual recheck is required as part of the roll over and will cover the vehicles cleanliness and appearance and consists of a recheck of all of the Mandatory Minimum Requirements. The recheck must have taken place within the six months immediately prior to the roll over.
20. We will send you details of your fleet information that is stored on our database prior to the rollover. This will indicate which of your vehicles is recorded in our database as being Star Graded and whether we are yet to receive the annual recheck for any of your vehicles. You will also be informed if any vehicle's classification is due to be downgraded because of age. BCA must receive a response to this communication before the new decals are issued or the details will be deemed to be correct and published as such.
21. If you do not complete a recheck with VTNZ by 30 June annually and ensure that BCA has received a copy of the completed recheck, you will not be issued a new, valid Star Grading decal. Your vehicle's Star Grading classification will not be listed on the BCA website, and the vehicle will be recorded in the BCA's database as lapsed.

Lapsed Star Grading

22. If a vehicle's Star Grading has lapsed it can re-enter the Star Grading system at any time by having a recheck done by VTNZ at your cost. If a vehicle has been lapsed for more than six months, you will also be required to return a signed copy of these terms and conditions to the BCA office. By signing the terms and conditions you acknowledge in accordance with clause 11, that your vehicle's attributes have not changed to a degree that would have resulted in it not passing its initial inspection.
23. When we receive a passed recheck from VTNZ and, where necessary, a signed copy of the terms and conditions, the vehicle's Star grading will be re-instated. The classification that the vehicle receives will be based on the information held by us as to the age and attributes of the vehicle.

Allegations of Non-Compliance

24. If we receive an allegation that your Star Graded vehicle does not meet the necessary criteria for the Star Grading classification received or the Mandatory Minimum Requirements, we will contact you with details of the allegation. After receiving the details of the allegation you have 14 days in which to submit evidence that the allegation has been sufficiently remedied or was not accurate.
25. We will review your evidence and may also request further information to assist us in making our decision. You will then be informed of the outcome.
26. If you do not submit evidence within 14 days of being informed of the allegation, or if the evidence you submit is not sufficient, the BCA reserves the right to require a recheck to be undertaken by VTNZ at your cost. If a recheck is not undertaken on request, or if the recheck criteria are not met, the vehicle's Star Grading classification may be revoked.

Appeal

27. If you wish to appeal any VTNZ decision about the Star Grading classification issued for your vehicle or a decision regarding an allegation of non-compliance you must complete the Star Grading Appeal form and return it to us with the appeal fee.
28. The Star Grading Committee will examine all available evidence regarding the Star Grading classification issued for your vehicle and make a decision. The Committee's decision is final. Reasons for their decision will be given to you, and the outcome will be published in Circular for other members' information.

I declare that I will abide by the BCA terms and conditions for Star Graded vehicles so long as any of my vehicles are Star Graded.

Name _____

Date _____

Company _____

Signature _____

Rego _____