

Schedule 09: Summary of key parts of the HVNL

Note: this summary does not include offences by TCA, Intelligent Access Service Providers, Intelligent Access Responsible Entities and persons exercising functions under the HVNL.

*Executive Officers may be liable for Schedule 4 offences committed by corporations, partnerships and other unincorporated bodies pursuant to sections 636-8

Section	Provision	Relevant party	Schedule 4*	Safety Duty
CHAPTER 1 - PRELIMINARY				
25A(1)	Keeping a copy of PBS vehicle approval while driving – The driver of a PBS vehicle must keep a copy of the PBS vehicle approval in the driver’s possession while driving the PBS vehicle.	Driver		
25A(2)	Keeping a copy of PBS vehicle approval while driving - Each relevant party for a driver mentioned in subsection (1) must ensure the driver complies with subsection (1), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
CHAPTER 1A - SAFETY DUTIES				
26D(1)	Duty of executive of legal entity - If a legal entity has a safety duty, an executive of the legal entity must exercise due diligence to ensure the legal entity complies with the safety duty.	Executive of legal entity		
26E(1)	Prohibited requests and contracts - A person must not ask, direct or require (directly or indirectly) the driver of a heavy vehicle or a party in the chain of responsibility to do or not do something the person knows, or ought reasonably to know, would have the effect of causing the driver— (a) to exceed a speed limit applying to the driver; or (b) to drive a fatigue-regulated heavy vehicle while impaired by fatigue; or (c) to drive a fatigue-regulated heavy vehicle while in breach of the driver’s work and rest hours option; or (d) to drive a fatigue-regulated heavy vehicle in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver’s work and rest hours option.	Person	Yes	Yes
26E(2)	Prohibited requests and contracts - A person must not enter into a contract with the driver of a heavy vehicle or a party in the chain of responsibility that the person knows, or ought reasonably to know, would have the effect of causing the driver, or would encourage the driver, or would encourage a party in the chain of responsibility to cause the driver— (a) to exceed a speed limit applying to the driver; or (b) to drive a fatigue-regulated heavy vehicle while impaired by fatigue; or (c) to drive a fatigue-regulated heavy vehicle while in breach of the driver’s work and rest hours option; or (d) to drive a fatigue-regulated heavy vehicle in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver’s work and rest hours option.	Person	Yes	Yes
26F	Category 1 offence - (1) A person commits an offence if— (a) the person has a duty under section 26C; and (b) the person, without a reasonable excuse, engages in conduct related to the duty that exposes an individual to a risk of death or serious injury or illness; and (c) the person is reckless as to the risk.	Party in the CoR		Yes

Section	Provision	Relevant party	Schedule 4*	Safety Duty
26G	Category 2 offence - A person commits an offence if—(a) the person has a duty under section 26C; and (b) the person contravenes the duty; and (c) the person’s contravention exposes an individual, or class of individuals, to a risk of death or serious injury or illness.	Party in the CoR		Yes
26H	Category 3 offence - A person commits an offence if— (a) the person has a duty under section 26C; and (b) the person contravenes the duty.	Party in the CoR		Yes
CHAPTER 3 - VEHICLE OPERATIONS — STANDARDS AND SAFETY				
60(1)	Compliance with heavy vehicle standards - A person must not use, or permit to be used, on a road a heavy vehicle that contravenes a heavy vehicle standard applying to the vehicle.	Person	Yes	
79(2)	Return of permit - The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.	Person	Yes	
80(1)	Replacement of defaced etc. permit. - If a person’s permit for a vehicle standards exemption (permit) is defaced, destroyed, lost or stolen, the person must, as soon as reasonably practicable after becoming aware of the matter, apply to the Regulator for a replacement permit.	Person		
81(1)	Contravening condition of vehicle standards exemption - A person must not contravene a condition of a vehicle standards exemption.	Person	Yes	
81(2)	Contravening condition of vehicle standards exemption - A person must not use, or permit to be used, on a road a heavy vehicle that contravenes a condition of a vehicle standards exemption applying to the vehicle.	Person	Yes	
81(3)	Contravening condition of vehicle standards exemption - A person must not use a heavy vehicle, or permit a heavy vehicle to be used, on a road in a way that contravenes a condition of a vehicle standards exemption	Person	Yes	
82(2)	Keeping relevant document while driving under vehicle standards exemption (notice) - - A driver of the heavy vehicle who is driving the vehicle under the vehicle standards exemption (notice) must comply with the condition.	Driver		
82(3)	Keeping relevant document while driving under vehicle standards exemption (notice) - Each relevant party for a driver mentioned in subsection (2) must ensure the driver complies with subsection (2), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
83(1)	Keeping copy of permit while driving under vehicle standards exemption (permit) - The driver of a heavy vehicle who is driving the vehicle under a vehicle standards exemption (permit) must keep a copy of the permit for the exemption in the driver’s possession.	Driver		
83(2)	Keeping copy of permit while driving under vehicle standards exemption (permit) - If the driver of a heavy vehicle is driving the vehicle under a vehicle standards exemption (permit) granted to a relevant party for the driver and the relevant party has given the driver a copy of a permit for the purpose of subsection (1), the driver must, as soon as reasonably practicable, return the copy to the relevant party if the driver stops working for the relevant party.	Driver		
83(3)	Keeping copy of permit while driving under vehicle standards exemption (permit) - Each relevant party for a driver mentioned in subsection (2) must ensure the driver complies with subsection (2), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
85(1)	Modifying heavy vehicle requires approval - A person must not modify a heavy vehicle unless the modification has been approved by— (a) an approved vehicle examiner under section 86; or (b) the Regulator under section 87.	Person	Yes	

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85(2)	Modifying heavy vehicle requires approval - A person must not use, or permit to be used, on a road a heavy vehicle that has been modified unless the modification has been approved by— (a) an approved vehicle examiner under section 86; or (b) the Regulator under section 87.	Person	Yes	
86(2)	Approval of modifications by approved vehicle examiners - If an approved vehicle examiner approves a modification of a heavy vehicle, the examiner must— (a) give a certificate approving the modification, in the approved form, to (i) the registered operator of the vehicle; or (ii) if there is no registered operator of the vehicle— an owner of the vehicle; and (b) ensure a plate or label that complies with subsection (3) is fitted or affixed to a conspicuous part of the vehicle	Approved Vehicle Examiner		
87A(1)	Person must not tamper with plate or label - A person must not tamper with a plate or label fitted or affixed to a heavy vehicle under section 86(2) or s87(3).	Person	Yes	
89(1)	Safety requirement - A person must not use, or permit to be used, on a road a heavy vehicle that is unsafe.	Person	Yes	Yes
90(1)	Requirement about properly operating emission control system - A person must not use, or permit to be used, on a road a heavy vehicle that is not fitted with an emission control system for each relevant emission if and as required by an applicable heavy vehicle standard.	Person		
90(2)	Requirement about properly operating emission control system - A person must not use, or permit to be used, on a road a heavy vehicle fitted with an emission control system that is not operating in accordance with the manufacturer's design.	Person		
90(3)	Requirement about properly operating emission control system - A person must not use, or permit to be used, on a road a heavy vehicle fitted with an emission control system if the operation of the system results in a failure to comply with an applicable heavy vehicle standard (whether in relation to the vehicle or in relation to the system).	Person		
91(1)	Person must not tamper with emission control system fitted to heavy vehicle – A person must not tamper with an emission control system fitted to a heavy vehicle.	Person		
91(2)	Person must not tamper with emission control system fitted to heavy vehicle - An operator of a heavy vehicle must not use or permit the vehicle to be used on a road if the vehicle is fitted with an emission control system that the operator knows or ought reasonably to know has been tampered with.	Operator		
92(2)	Display of warning signs required by heavy vehicles standards on vehicles to which the requirement does not apply - A person must not use, or permit to be used, on a road a heavy vehicle that has the warning sign displayed on it unless the vehicle is of the particular type, size or configuration.	Person		
93(1)	Person must not tamper with speed limiter fitted to heavy vehicle – A person must not tamper with a speed limiter that is required under an Australian road law or by order of an Australian court to be, and is, fitted to a heavy vehicle.	Person	Yes	Yes
93(2)	Person must not tamper with speed limiter fitted to heavy vehicle - – A person must not fit, or direct the fitting of, a speed limiter to a heavy vehicle in circumstances where the person knows or ought reasonably to know that the speed limiter has been tampered with in such a way that, had it been fitted to the vehicle at the time of the tampering, an offence would have been committed against subsection (1).	Person	Yes	Yes
93(3)	Person must not tamper with speed limiter fitted to heavy vehicle - – An operator of a heavy vehicle must not use or permit the vehicle to be used on a road if the operator knows, or ought reasonably to know, that a speed limiter fitted to the vehicle, as required under an Australian road law or by order of an Australian court, has been tampered with in contravention of subsection (1) or fitted to the vehicle in contravention of subsection (2).	Operator	Yes	Yes
CHAPTER 4 - VEHICLE OPERATIONS—MASS, DIMENSIONS AND LOADING				

Section	Provision	Relevant party	Schedule 4*	Safety Duty
96(1)	Compliance with mass requirements - A person who drives, or permits another person to drive, a heavy vehicle on a road must ensure the vehicle, and the vehicle's components and load, comply with the mass requirements applying to the vehicle, unless the person has a reasonable excuse.	Person		
102(1)	Compliance with dimension requirements - A person who drives, or permits another person to drive, a heavy vehicle on a road must ensure the vehicle, and the vehicle's components and load, comply with the dimension requirements applying to the vehicle, unless the person has a reasonable excuse.	Person		
109(2)	Warning signals required for rear projection of loads - A person must not use the heavy vehicle, or permit the heavy vehicle to be used, on a road unless— (a) during the daytime—a brightly coloured red, red and yellow, or yellow flag at least 300mm by 300mm is fixed to the extreme back of the load; or (b) at night—a light showing a clear red light to the back, visible at a distance of at least 200m, is fixed to the extreme back of the load.	Person		
111(1)	Compliance with loading requirements - A person who drives, or permits another person to drive, a heavy vehicle on a road must ensure the vehicle, and the vehicle's components and load, comply with the loading requirements applying to the vehicle, unless the person has a reasonable excuse.	Person		
129(1)	Contravening condition of mass or dimension exemption generally - The driver or operator of a heavy vehicle being used on a road under a mass or dimension exemption must not contravene a condition of the exemption.	Driver, Operator	Yes	Yes
129(2)	Contravening condition of mass or dimension exemption generally - A person must not use, or permit to be used, on a road a heavy vehicle that contravenes a condition of a mass or dimension exemption applying to the vehicle.	Person	Yes	Yes
129(3)	Contravening condition of mass or dimension exemption generally - A person must not use a heavy vehicle, or permit a heavy vehicle to be used, on a road in a way that contravenes a condition of a mass or dimension exemption applying to the vehicle.	Person	Yes	Yes
130(2)	Contravening condition of mass or dimension exemption relating to pilot or escort vehicle - The driver of the pilot vehicle or escort vehicle accompanying the heavy vehicle must comply with the conditions of the mass or dimension exemption about the use of the pilot vehicle or escort vehicle.	Driver of Pilot or Escort Vehicle	Yes	
130(3)	Contravening condition of mass or dimension exemption relating to pilot or escort vehicle - The operator of the heavy vehicle must ensure, so far as is reasonably practicable, the driver of the pilot vehicle or escort vehicle complies with subsection (2).	Operator		
131(1)	Using pilot vehicle with a heavy vehicle that contravenes certain conditions of mass or dimension exemption - The driver of a pilot vehicle must ensure the pilot vehicle does not accompany a heavy vehicle to which a mass or dimension exemption applies if the heavy vehicle, or its use on a road, contravenes a condition of the exemption because the heavy vehicle— (a) travels on a route not allowed under the exemption; or (b) travels at a time other than a time allowed under the exemption; or (c) is accompanied by fewer than the number of pilot or escort vehicles required under the exemption.	Driver of Pilot Vehicle		
132(2)	Keeping relevant document while driving under mass or dimension exemption (notice) - A driver of the class 1 heavy vehicle or class 3 heavy vehicle who is driving the vehicle under the mass or dimension exemption (notice) must comply with the condition.	Driver		
132(3)	Keeping relevant document while driving under mass or dimension exemption (notice) - Each relevant party for a driver mentioned in subsection (2) must ensure the driver complies with subsection (2), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
133(1)	Keeping copy of permit while driving under mass or dimension exemption (permit) - The driver of a class 1 heavy vehicle or class 3 heavy vehicle who is driving the vehicle under a mass or dimension exemption (permit) must keep a copy of the permit for the exemption in the driver's possession.	Driver		

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133(2)	Keeping copy of permit while driving under mass or dimension exemption (permit) - If the driver of a class 1 heavy vehicle or class 3 heavy vehicle is driving the vehicle under a mass or dimension exemption (permit) granted to a relevant party for the driver and the relevant party has given the driver a copy of a permit for the purpose of subsection (1), the driver must, as soon as reasonably practicable, return the copy to the relevant party if the driver stops working for the relevant party.	Driver		
133(3)	Keeping copy of permit while driving under mass or dimension exemption (permit) - Each relevant party for a driver mentioned in subsection (1) must ensure the driver complies with subsection (1), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
134(1)	Displaying warning signs on vehicles if not required by dimension exemption - A heavy vehicle warning sign must not be displayed on a heavy vehicle unless it is being used under a dimension exemption.	Person		
134(2)	Displaying warning signs on vehicles if not required by dimension exemption - A pilot vehicle warning sign must not be displayed on a vehicle unless it is being used as a pilot vehicle for a heavy vehicle being used under a dimension exemption.	Person		
137	Using class 2 heavy vehicle - A person must not use a class 2 heavy vehicle, or permit a class 2 heavy vehicle to be used, on a road other than in accordance with a class 2 heavy vehicle authorisation.	Person	Yes	Yes
150(1)	Contravening condition of class 2 heavy vehicle authorisation - The driver or operator of a class 2 heavy vehicle being used on a road under a class 2 heavy vehicle authorisation must not contravene a condition of the authorisation.	Driver, Operator	Yes	Yes
151(2)	Keeping relevant document while driving under class 2 heavy vehicle authorisation (notice) - A driver of the class 2 heavy vehicle who is driving the vehicle under the class 2 heavy vehicle authorisation (notice) must comply with the condition.	Driver		
151(3)	Keeping relevant document while driving under class 2 heavy vehicle authorisation (notice) - Each relevant party for a driver mentioned in subsection (2) must ensure the driver complies with subsection (2), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
152(1)	Keeping copy of permit while driving under class 2 heavy vehicle authorisation (permit) - The driver of a class 2 heavy vehicle who is driving the vehicle under a class 2 heavy vehicle authorisation (permit) must keep a copy of the permit for the authorisation in the driver's possession.	Driver		
152(2)	Keeping copy of permit while driving under class 2 heavy vehicle authorisation (permit) - If the driver of a class 2 heavy vehicle is driving the vehicle under a class 2 heavy vehicle authorisation (permit) granted to a relevant party for the driver and the relevant party has given the driver a copy of a permit for the purpose of subsection (1), the driver must, as soon as reasonably practicable, return the copy to the relevant party if the driver stops working for the relevant party.	Driver		
152(3)	Keeping copy of permit while driving under class 2 heavy vehicle authorisation (permit) - Each relevant party for a driver mentioned in subsection (1) must ensure the driver complies with subsection (1), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
153A(1)	Using restricted access vehicle - A person must not use a restricted access vehicle, or permit a restricted access vehicle to be used, on a road unless the road is one on which the vehicle is allowed to be used under a mass or dimension authority applying to the vehicle.	Person	Yes	Yes
181(3)	Return of permit - The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.	Person	Yes	
182(1)	Replacement of defaced etc. permit - If a person's permit for a mass or dimension authority is defaced, destroyed, lost or stolen, the person must, as soon as reasonably practicable after becoming aware of the matter, apply to the Regulator for a replacement permit.	Person		

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184(1)	Towing restriction - A person must not drive a heavy motor vehicle towing more than 1 other vehicle.	Person		
185(1)	Requirements about coupling trailers - A person commits an offence if— (a) the person uses, or permits to be used, on a road a heavy combination; and (b) a trailer in the combination is not securely coupled to the vehicle in front of it.	Person	Yes	
185(2)	Requirements about coupling trailers - A person commits an offence if— (a) the person uses, or permits to be used, on a road a heavy combination; and (b) the components of a coupling used between vehicles in the heavy combination are not compatible with, or properly connected to, each other.	Person	Yes	
186(2)	False or misleading transport documentation for goods - The consignor of the goods must ensure, so far as is reasonably practicable, the consignment documentation is not false or misleading.	Consignor	Yes	Yes
186(3)	False or misleading transport documentation for goods - If the goods are Australian-packed goods, the packer of the goods must ensure, so far as is reasonably practicable, the consignment documentation is not false or misleading.	Packer	Yes	Yes
186(4)	False or misleading transport documentation for goods - If the goods are overseas-packed goods, the receiver of the goods must ensure, so far as is reasonably practicable, the consignment documentation is not false or misleading.	Receiver	Yes	Yes
186(5)	False or misleading transport documentation for goods - If the goods are loaded on the heavy vehicle, the loading manager for, or loader of, the goods must ensure, so far as is reasonably practicable, the consignment documentation is not false or misleading.	Loading Manager, Loader	Yes	Yes
187(2)	False or misleading information in container weight declaration - The responsible entity for the freight container must ensure, so far as is reasonably practicable, the container weight declaration for the container that is given to an operator of the heavy vehicle is not false or misleading.	Responsible Entity for a freight container		Yes
187(3)	False or misleading information in container weight declaration - An operator of the heavy vehicle must ensure, so far as is reasonably practicable, the container weight declaration for the container that is given to the vehicle's driver is not false or misleading.	Operator		Yes
190(1)	Duty of responsible entity - The responsible entity for the freight container must ensure an operator or driver of a heavy vehicle does not transport the freight container by road using the vehicle without a complying container weight declaration for the freight container containing information in the form required under section 192A, unless the responsible entity has a reasonable excuse.	Responsible Entity for a freight container		
191(1)	Duty of operator - An operator of a heavy vehicle must ensure the vehicle's driver does not transport the freight container by road using the vehicle without a complying container weight declaration for the freight container containing information in the form required under section 192A.	Operator		
191(3)	Duty of operator - If the freight container is to be transported by another carrier, an operator of a heavy vehicle must, unless the operator has a reasonable excuse, ensure the freight container is not given to the carrier unless the carrier has been provided with— (a) a complying container weight declaration for the freight container containing information in the form required under section 192A; or (b) the prescribed particulars contained in a complying container weight declaration for the freight container.	Operator		
192(1)	Duty of driver - A person must not drive a heavy vehicle loaded with the freight container on a road without a complying weight declaration for the container, unless the person has a reasonable excuse.	Driver		
192(2)	Duty of driver - The driver of a heavy vehicle loaded with the freight container must, unless the driver has a reasonable excuse, when driving the vehicle on a road, keep the complying container weight declaration for the container— (a) in or about the vehicle; and (b) in a way that ensures information in the declaration is in the form required under section 192A.	Driver		

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193(2)	Weight of freight container exceeding weight stated on container or safety approval plate - Each consignor or packer of the goods must ensure, so far as is reasonably practicable, the weight of the container does not exceed the maximum gross weight marked on— (a) the container; or (b) the container's safety approval plate.	Consignor, Packer		
CHAPTER 6 - VEHICLE OPERATIONS—DRIVER FATIGUE				
228(1)	Duty of driver to avoid driving while fatigued - A person must not drive a fatigue-regulated heavy vehicle on a road while the person is impaired by fatigue.	Driver		
250(1)	Operating under standard hours—solo drivers - The solo driver of a fatigue-regulated heavy vehicle commits an offence if, in any period stated in the standard hours for the driver, the driver— (a) works for more than the maximum work time stated in the standard hours for the period; or (b) rests for less than the minimum rest time stated in the standard hours for the period.	Driver		
251(1)	Operating under standard hours—two-up drivers - (1) The driver of a fatigue-regulated heavy vehicle who is a party to a two-up driving arrangement commits an offence if, in any period stated in the standard hours for the driver, the driver— (a) works for more than the maximum work time stated in the standard hours for the period; or (b) rests for less than the minimum rest time stated in the standard hours for the period.	Driver		
254(1)	Operating under BFM hours—solo drivers - The solo driver of a fatigue-regulated heavy vehicle commits an offence if, in any period stated in the BFM hours for the driver, the driver— (a) works for more than the maximum work time stated in the BFM hours for the period; or (b) rests for less than the minimum rest time stated in the BFM hours for the period.	Driver		
256(1)	Operating under BFM hours—two-up drivers - The driver of a fatigue-regulated heavy vehicle who is a party to a two-up driving arrangement commits an offence if, in any period stated in the BFM hours for the driver, the driver— (a) works for more than the maximum work time stated in the BFM hours for the period; or (b) rests for less than the minimum rest time stated in the BFM hours for the period.	Driver		
258(1)	Operating under AFM hours – The driver of a fatigue - The driver of a fatigue-regulated heavy vehicle commits an offence if, in any period stated in the AFM hours for the driver, the driver— (a) works for more than the maximum work time stated in the AFM hours; or (b) rests for less than the minimum rest time stated in the AFM hours.	Driver		
260(1)	Operating under exemption hours - The driver of a fatigue-regulated heavy vehicle operating under a work and rest hours exemption commits an offence if, in any period stated in the exemption hours for the exemption, the driver— (a) works for more than the maximum work time stated in the exemption hours; or (b) rests for less than the minimum rest time stated in the exemption hours.	Driver		
263(1)	Operating under new work and rest hours option after change - The driver of a fatigue-regulated heavy vehicle must not drive the vehicle after changing from 1 work and rest hours option to a different work and rest hours option unless— (a) if the change is from standard hours or BFM hours, either the driver— (i) is in compliance with all the maximum work requirements and minimum rest requirements under the work and rest hours option to which the driver has changed; or (ii) has had a reset rest break; and (b) if the change is from AFM hours or exemption hours, the driver has had a reset rest break; and (c) the driver complies with all other requirements of the work and rest hours option to which the driver has changed.	Driver		
264(2)	Duty of employer, prime contractor, operator and scheduler to ensure driver compliance - A relevant party for the driver must ensure, so far as is reasonably practicable, the driver— (a) does not drive a fatigue-regulated heavy vehicle after making the change unless the driver has complied with section 263; and (b) can comply with his or her obligations in relation to the change.	Employer, Prime Contractor, Operator, Scheduler		
284(2)	Return of permit -The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.	Person		

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285(1)	Replacement of defaced permit - If a person's permit for a work and rest hours exemption (permit) is defaced, destroyed, lost or stolen, the person must, as soon as reasonably practicable after becoming aware of the matter, apply to the Regulator for a replacement permit.	Person		
286(1)	Contravening condition of work and rest hours exemption - A person must not contravene a condition of a work and rest hours exemption.	Person		
287(2)	Keeping relevant document while operating under work and rest hours exemption (notice) - A driver of the fatigue-regulated heavy vehicle who is operating under the work and rest hours exemption (notice) must comply with the condition.	Driver		
287(3)	Keeping relevant document while operating under work and rest hours exemption (notice) - Each relevant party for a driver mentioned in subsection (2) must ensure the driver complies with subsection (2), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
288(1)	Keeping copy of permit while driving under work and rest hours exemption (permit) - The driver of a fatigue-regulated heavy vehicle who is driving the vehicle under a work and rest hours exemption (permit) must keep a copy of the permit for the exemption in the driver's possession.	Driver		
288(2)	Keeping copy of permit while driving under work and rest hours exemption (permit) - If the driver of a fatigue-regulated heavy vehicle is operating under a work and rest hours exemption (permit) granted to a relevant party for the driver and the relevant party has given the driver a copy of a permit for the purpose of subsection (1), the driver must, as soon as reasonably practicable, return the copy to the relevant party if the driver— (a) stops working for the relevant party; or (b) stops operating under the relevant party's exemption; or (c) no longer meets the requirements relating to drivers under the relevant party's exemption.	Driver		
288(3)	Keeping copy of permit while driving under work and rest hours exemption (permit) - Each relevant party for a driver mentioned in subsection (1) must ensure the driver complies with subsection (1), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
293(1)	Driver of fatigue-regulated heavy vehicle must carry work diary - The driver of a fatigue-regulated heavy vehicle must— (a) keep a work diary; and (b) ensure— (i) the driver's work diary records the information required to be recorded under Subdivision 2 for each day in the previous 28 days; and (ii) the driver's work diary is in the driver's possession while the driver is driving the vehicle.	Driver		
296(1)	Recording information under the national regulations—general - The driver must record the required information in the driver's work diary in the manner and at the time prescribed by the national regulations.	Driver		
297(2)	Information required to be recorded immediately after starting work - The driver must record the required information to which this section applies immediately after starting work on a day.	Driver		
298(1)	Failing to record information about odometer reading - The driver of a fatigue-regulated heavy vehicle must record the odometer reading in the manner prescribed by the national regulations if and when required to do so by the national regulations.	Driver		
299	Two-up driver to provide details - The driver of a fatigue-regulated heavy vehicle must record the odometer reading in the manner prescribed by the national regulations if and when required to do so by the national regulations.	Driver		

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301	Recording information in written work diary - If the driver's work diary is a written work diary, the driver must record information in the work diary in the following way— (a) the information for each day must be written on a separate daily sheet in the work diary that has not been cancelled by the Regulator; (b) if, on a day, the driver changes the work and rest hours option under which the driver is working, the information for the part of the day after the change must be written on a separate daily sheet in the work diary that has not been cancelled by the Regulator; (c) information must be written on a daily sheet in the way stated in the instructions in the work diary for recording information on daily sheets; (d) the daily sheets in the work diary must be used in turn from the front of the work diary; (e) each daily sheet must be— (i) signed and dated by the driver; and (ii) if the driver is driving under a two-up driving arrangement—signed by the other driver who is a party to the arrangement; (f) information must be written on a daily sheet with enough pressure to ensure a readable record of the information appears on the duplicate daily sheets; (g) information recorded other than on a daily sheet must be written in the work diary in the way stated in the instructions in the work diary for the recording of the information.	Driver		
302	Recording information in electronic work diary – If the driver's work diary is an electronic work diary, the driver must record information in the work diary in a way complying with— (a) if the Regulator has, when approving the electronic recording system constituting the work diary, or of which the work diary is a part, imposed any conditions in relation to the way information must be recorded in the work diary—those conditions; and (b) the manufacturer's instructions, if any, for recording information in the electronic work diary, to the extent the instructions are consistent with the conditions mentioned in paragraph (a).	Driver		
303	Time zone of driver's base must be used - The driver must record time in the driver's work diary according to the time zone in the place where the driver's base is, rather than the time zone in the place where the driver is.	Driver		
305(1)	Driver must make supplementary records in particular circumstances - During any period in which the driver of a fatigue-regulated heavy vehicle is unable to use the driver's work diary (the existing work diary) because of circumstances mentioned in section 304(a) or (b), the driver must record in a supplementary record the information the driver is required under Subdivision 2 to record for the period (the required information).	Driver		
305(2)	Driver must make supplementary records in particular circumstances - For a supplementary record that is not in electronic form, the required information must be recorded in the record as follows—(a) the information for each day must be written on a separate page of the record; (b) if, on a day, the driver changes the work and rest hours option under which the driver is working, the information for the part of the day after the change must be written on a separate page of the record; (c) each page of the record must be— (i) signed and dated by the driver; and (ii) if the driver is driving under a two-up driving arrangement—signed by the other driver who is a party to the arrangement.	Driver		
305(3)	Driver must make supplementary records in particular circumstances - The driver must record time in the supplementary record according to the time zone in the place where the driver's base is, rather than the time zone in the place where the driver is.	Driver		
306	Driver must notify Regulator if written work diary filled up etc. - Within 2 business days after the driver of a fatigue-regulated heavy vehicle becomes aware that the driver's written work diary has been filled up, destroyed, lost or stolen, the driver must notify the Regulator in the approved form of that happening.	Driver		
307(2)	Driver who is record keeper must notify Regulator if electronic work diary filled up etc. - The driver must notify the Regulator in the approved form of the matter within 2 business days.	Driver		
307(3)	Driver who is the record keeper must notify Regulator if electronic work diary filled up etc. - Within a period required by the Regulator, the driver must ensure the electronic work diary is examined and brought into working order.	Driver		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
308(1)	What driver must do if lost or stolen written work diary found or returned - If a lost or stolen written work diary (the old work diary) is found by or returned to the driver of a fatigue-regulated heavy vehicle after a replacement work diary has been issued to the driver, the driver must do the following— (a) immediately cancel any unused daily sheets in the old work diary; (b) if the old work diary is found or returned within 28 days after it was lost or stolen— (i) immediately notify the Regulator in the approved form that it has been found or returned; and (ii) give it to the Regulator within 2 business days after the 28-day period ends; (c) if the old work diary is found or returned later than 28 days after it was lost or stolen—give it to the Regulator as soon as practicable after it is found or returned.	Driver		
309(2)	Driver must notify record keeper if electronic work diary filled up etc. - The driver must, within 2 business days after the driver becomes aware of the matter, inform the driver's record keeper of the matter.	Driver		
311(2)	What record keeper must do if electronic work diary filled up - The record keeper must, as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter— (a) either— (i) make the electronic work diary capable of recording new information; or (ii) give the driver a new electronic work diary that is in working order; and (b) if the record keeper removes any information relating to any period during the last 28 days from the work diary to make it capable of recording new information—give the driver the removed information in a way that makes the information readily available to the driver; and (c) notify the Regulator in the approved form that the electronic work diary has been filled up.	Record Keeper		
312(2)	What record keeper must do if electronic work diary destroyed, lost or stolen - The record keeper must, as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter— (a) inform the driver that the electronic work diary has been destroyed, lost or stolen unless the driver informed the record keeper about the fault under section 309; and (b) give the driver an electronic work diary that is in working order; and (c) give the driver any information, in a way that makes the information readily available to the driver, that was in the destroyed, lost or stolen electronic work diary.	Record Keeper		
312(3)	What record keeper must do if electronic work diary destroyed, lost or stolen - The record keeper must within 2 business days notify the Regulator in the approved form that the electronic work diary has been destroyed, lost or stolen, unless the record keeper has a reasonable excuse.	Record Keeper		
313(2)	What record keeper must do if electronic work diary not in working order or malfunctioning - The record keeper must as soon as reasonably practicable after becoming aware of the matter or having reason to suspect the matter inform the driver about the matter unless the driver informed the record keeper about the matter under section 309.	Record Keeper		
313(3)	What record keeper must do if electronic work diary not in working order or malfunctioning - The record keeper must, after becoming aware of the matter or having reason to suspect the matter— (a) as soon as reasonably practicable, direct the driver in the approved form to use a supplementary record in compliance with section 305; and (b) as soon as reasonably practicable, give the driver information that was in the electronic work diary, in a way that makes the information readily available to the driver, that— (i) is accessible to the record keeper; and (ii) relates to any period during the last 28 days; and (iii) is not stored in the electronic work diary because the electronic work diary is not in working order or is malfunctioning or has malfunctioned; and (c) within 2 business days, notify the Regulator in the approved form that the electronic work diary is not in working order or is malfunctioning or has malfunctioned, unless the record keeper has a reasonable excuse; and (d) within a period required by the Regulator, ensure the electronic work diary is examined and brought into working order and is not malfunctioning.	Record Keeper		
314(2)	How electronic work diary must be used - The driver must use the electronic work diary in a way complying with— (a) any conditions applying under this Law or a corresponding fatigue law in relation to the use of the approved electronic recording system constituting the work diary or of which the work diary is a part; and (b) the manufacturer's specifications for the electronic recording system that is or includes the work diary, to the extent the specifications are consistent with the conditions mentioned in paragraph (a).	Driver		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
314(3)	How electronic work diary must be used - The record keeper of a driver of a fatigue-regulated heavy vehicle who uses an electronic work diary must ensure the driver complies with the requirements of subsection (2).	Record Keeper		
315(1)	Ensuring driver complies with Sdivs 1–4 - Each responsible party for the driver of a fatigue-regulated heavy vehicle must ensure, so far as is reasonably practicable, the driver complies with each of Subdivisions 1, 2, 3 and 4 so far as they are applicable.	Employer, Prime Contractor, Operator, Scheduler		
319(1)	Records record keeper must have - The driver's record keeper must, unless the record keeper has a reasonable excuse— (a) record the following information within the prescribed period— (i) the driver's name and contact details; (ii) the driver's current driver licence number and the jurisdiction in which the licence was issued; (iii) the dates on which the driver drives a fatigue-regulated heavy vehicle on a road; (iv) the registration number for each fatigue-regulated heavy vehicle the driver drives, being— (A) in the case of a vehicle that is not in a combination—that vehicle; or (B) in the case of a vehicle that is in a combination—the towing vehicle in the combination; (v) the total of the driver's work times and rest times on each day on which the driver drives a fatigue-regulated heavy vehicle; (vi) the total of the driver's work times and rest times for each week during which the driver drives a fatigue-regulated heavy vehicle;	Driver		
319A(2)	General requirements about driver recording and giving information to record keeper - The driver must, unless the driver has a reasonable excuse— (a) within 24 hours after the driver stops working on the relevant day, record the information mentioned in section 319(1)(a)(iii) to (vi) for that day; and (b) within 21 days after the relevant day, give the information mentioned in section 319(1) for that day to the driver's record keeper.	Driver		
319A(5)	General requirements about driver recording and giving information to record keeper - The record keeper must, so far as is reasonably practicable, ensure the driver complies with subsection (2)(b).	Record Keeper		
321(1)	Records record keeper must have - The driver's record keeper must, unless the record keeper has a reasonable excuse— (a) record the following information within the prescribed period— (i) the driver's name and contact details; (ii) the driver's current driver licence number and the jurisdiction in which the licence was issued; (iii) the driver's rosters and trip schedules, including details of driver changeovers; and (b) keep a copy of all duplicate pages, if any, and other copies of work diary entries, including any entry made in a supplementary record— (i) given to the record keeper under section 322; or (ii) as required to be made by the record keeper as a self-employed driver under Division 2; and (c) keep a copy of payment records relating to the driver, including time sheet records if the driver is paid according to time at work.	Record Keeper		
321(3)	Records record keeper must have - If the driver is operating under BFM hours or AFM hours, the record keeper must, unless the record keeper has a reasonable excuse, also record the following information — (a) the information required to be kept by the record keeper as a condition of the BFM accreditation or AFM accreditation under which the driver is operating; (b) the information required to be kept by the record keeper under the BFM standards and business rules or AFM standards and business rules.	Record Keeper		
322(2)	General requirements about driver giving information to record keeper - The driver must, within 21 days after the day on which the driver drove the vehicle, give a copy of the work diary entry recording the information, including any entry made in a supplementary record recording the information for that day, to each person who was a record keeper for the driver on that day, unless the driver has a reasonable excuse.	Driver		
322(4)	General requirements about driver giving information to record keeper - The record keeper must ensure, so far as is reasonably practicable, the driver complies with subsection (2).	Record Keeper		
323(2)	Requirements about driver giving information to record keeper if driver changes record keeper - The driver must, before driving a fatigue-regulated heavy vehicle for the driver's new record keeper, give the new record keeper a copy of information the driver recorded in a work diary in the 28 days before the change happened that relates to that 28-day period, unless the driver has a reasonable excuse.	Driver		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
323(3)	Requirements about driver giving information to record keeper if driver changes record keeper - The new record keeper must ensure, so far as is reasonably practicable, the driver complies with subsection (2).	Record Keeper		
324(2)	Record keeper must give information from electronic work diary - If the driver stops using the electronic work diary, the driver's record keeper must immediately give the driver, in a way that makes the information readily available to the driver, the information recorded in the work diary for each day on which the driver was using the electronic work diary, unless the record keeper has a reasonable excuse.	Driver		
324A(2)	Record keeper must give record to driver if requested - The driver's record keeper must, as soon as reasonably practicable — (a) give the driver a copy of the record, or make the record available to the driver; or (b) if the information is recorded in an electronic work diary—give the driver, in a way that makes the information readily available to the driver, the information recorded in the work diary.	Record Keeper		
325(1)	False or misleading entries - A person must not record something in a work record that the person knows, or ought reasonably to know, is false or misleading.	Person		
326(1)	Keeping 2 work diaries simultaneously prohibited - The driver of a fatigue-regulated heavy vehicle must not have in the driver's possession more than 1 written work diary in which information can be recorded on a daily sheet.	Driver		
326(2)	Keeping 2 work diaries simultaneously prohibited - The driver of a fatigue-regulated heavy vehicle must not record information for the same period in—(a) a written work diary and an electronic work diary; or (b) more than 1 electronic work diary.	Driver		
327	Possession of purported work records etc. prohibited - The driver of a fatigue-regulated heavy vehicle or the record keeper for a driver of a fatigue-regulated heavy vehicle must not have in the driver's or record keeper's possession a thing purporting to be a work record if the driver or record keeper knows, or ought reasonably to know, that it is not a work record.	Driver, Record Keeper		
328	False representation about work records prohibited - A person must not falsely represent that a work record was made by the person.	Person		
329	Defacing or changing work records etc. prohibited - A person must not deface or change a work record that the person knows, or ought reasonably to know, is correct.	Person		
330(1)	Making entries in someone else's work records prohibited - A person must not make an entry in someone else's work record.	Person		
331	Destruction of particular work records prohibited - If a work record is required under (or by a condition under) this Part to be kept for a particular period by a person, the person or someone else must not destroy the record before the end of the period.	Person		
332	Offence to remove pages from written work diary - A person must not remove a daily sheet, or the duplicates of a daily sheet, from a written work diary except as required or authorised by this Law or a corresponding fatigue law.	Person		
335(1)	Person must not tamper with approved electronic recording system - A person must not tamper with an approved electronic recording system.	Person		Yes
336(1)	Person using approved electronic recording system must not permit tampering with it - A person who uses an approved electronic recording system must not permit another person to tamper with the system.	Person		Yes
336A(1)	Reporting tampering or suspected tampering with electronic work diary - If the record keeper for the driver of a fatigue- regulated heavy vehicle knows, or has reasonable grounds to suspect, an electronic work diary has been tampered with the record keeper must report the matter to the Regulator— (a) within 2 business days; and (b) in the approved form.	Record Keeper		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
337(2)	Intelligent access reporting entity must not permit tampering with approved electronic recording system - An intelligent access program reporting entity for the approved intelligent transport system must not permit another person to tamper with the approved electronic recording system.	Intelligent Access Reporting Entity		Yes
341(1)	Period for which, and way in which, records must be kept - The record keeper of the driver of a fatigue-regulated heavy vehicle must, unless the record keeper has a reasonable excuse, keep a record required to be made or kept under Division 3, or a copy of the record, for 3 years after— (a) for a record made by the record keeper—the day the record keeper makes the record; or (b) for another record—the day the record keeper receives the record.	Record Keeper		
341(2)	Period for which, and way in which, records must be kept - The record keeper of the driver of a fatigue-regulated heavy vehicle must, unless the record keeper has a reasonable excuse, keep a record required to be made or kept under (or by a condition under) Division 8 or 8A, or a copy of the record, for a period of 3 years, or, if a condition of an exemption states a record must be kept for a period of less than 3 years, the period stated in the condition, after— (a) for a record made by the record keeper—the day the record keeper makes the record; or (b) for another record—the day the record keeper receives the record.	Record Keeper		
341(3)	Period for which, and way in which, records must be kept - Except where the driver is his or her own record keeper, the record keeper must, unless the record keeper has a reasonable excuse, keep the record or copy at the driver's record location in a way that ensures it is readily available to an authorised officer at the record location.	Record Keeper		
341(4)	Period for which, and way in which, records must be kept - If the driver is his or her own record keeper, the driver as record keeper must, unless the driver as record keeper has a reasonable excuse, ensure the record or copy of the record is kept at the driver's record location in a way that ensures it is readily available to an authorised officer at the record location by the end of the 21-day period after the day the record is made.	Driver (as Record Keeper)		
341(5)	Period for which, and way in which, records must be kept - The record keeper must, unless the record keeper has a reasonable excuse, keep the record or copy in a way that ensures it is— (a) readable and reasonably capable of being understood; and (b) capable of being used as evidence.	Record Keeper		
341(7)	Period for which, and way in which, records must be kept - If the driver's work diary is an electronic work diary, the driver's record keeper must, unless the record keeper has a reasonable excuse, maintain a record of the information that is recorded in the work diary in a way complying with— (a) if the Regulator has, when approving the electronic recording system constituting the work diary, or of which the work diary is a part, imposed any conditions in relation to the way information must be recorded in the work diary—those conditions; and (b) the manufacturer's instructions, if any, for recording information in the electronic work diary, to the extent the instructions are consistent with the conditions mentioned in paragraph (a).	Record Keeper		
347	Prohibition on using electronic work diary if it is not, and is not a part of, an approved electronic recording system - A person must not use as an electronic work diary for the purposes of this Law an electronic recording system constituting an electronic work diary, or of which an electronic work diary is a part, if the person knows, or ought reasonably to know, the electronic recording system is not an approved electronic recording system.	Person		
355(6)	Requirements if approval cancelled - If, under subsection (4), the holder of the approval gives a person a notice that the approval has been cancelled, the person must give a notice to each other person to whom the person has supplied an electronic recording system the subject of the approval that constitutes an electronic work diary, or of which an electronic work diary is a part, stating that the approval has been cancelled.	Person		
373(2)	Return of permit - The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.	Person		
374(1)	Replacement of defaced permit - If a person's permit for a work diary exemption (permit) is defaced, destroyed, lost or stolen, the person must, as soon as reasonably practicable after becoming aware of the matter, apply to the Regulator for a replacement permit.	Person		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
375	Contravening conditions of work diary exemption - A person must not contravene a condition of a work diary exemption.	Person		
376(2)	Keeping relevant document while operating under work diary exemption (notice) - A driver of the fatigue-regulated heavy vehicle who is operating under the work diary exemption (notice) must comply with the condition.	Driver		
376(3)	Keeping relevant document while operating under work diary exemption (notice) - Each relevant party for a driver mentioned in subsection (2) must ensure the driver complies with subsection (2), unless the relevant party has a reasonable excuse.	Employer, Prime Contractor, Operator		
377	Keeping copy of permit while operating under work diary exemption (permit) - The driver of a fatigue-regulated heavy vehicle who is operating under a work diary exemption (permit) must keep the permit or a copy of the permit in the driver's possession.	Driver		
392(2)	Return of permit - The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.	Person		
393(1)	Replacement of defaced etc. Permit - If a person's permit for a fatigue record keeping exemption (permit) is defaced, destroyed, lost or stolen, the person must, as soon as reasonably practicable after becoming aware of the matter, apply to the Regulator for a replacement permit.	Person		
395	Contravening condition of fatigue record keeping exemption - A person must not contravene a condition of a fatigue record keeping exemption.	Person		
396(2)	Owner must maintain odometer - An owner of a fatigue-regulated heavy vehicle required by the national regulations to be fitted with an odometer must maintain the odometer in accordance with the requirements prescribed by the national regulations, unless the owner has a reasonable excuse.	Owner		
397(2)	Driver must report malfunctioning odometer - The driver must inform the following persons of the matter within 2 business days— (a) each owner of the vehicle; (b) the driver's employer if the driver is an employed driver; (c) each operator of the vehicle.	Driver		
398(2)	What owner must do if odometer malfunctioning - The owner must, as soon as reasonably practicable after being informed of the matter, ensure the odometer is examined and brought into working order.	Owner		
399(2)	What employer or operator must do if odometer malfunctioning - The employer or operator must not, without a reasonable excuse, drive, or permit another person to drive, the fatigue-regulated heavy vehicle unless the owner of the vehicle has complied with section 398.	Employer, Operator		
CHAPTER 8 - ACCREDITATION				
466(2A)	Accreditation labels for maintenance management accreditation and mass management accreditation - The operator must attach the accreditation label for a relevant vehicle to the vehicle in a way that the label— (a) is readable from outside the vehicle; and (b) is not wholly or partly obscured, defaced or otherwise not legible.	Operator		
466(2B)	Accreditation labels for maintenance management accreditation and mass management - A person must not drive a relevant vehicle if the vehicle's accreditation label— (a) is not attached to the vehicle; or (b) is attached to the vehicle in a way that the label is wholly or partly obscured, defaced or otherwise not legible.	Person		
467	Compliance with conditions of BFM accreditation or AFM Accreditation - The holder of a BFM accreditation or AFM accreditation must comply with the conditions of the accreditation.	Accreditation Holder		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
468(1)	Driver operating under BFM accreditation or AFM accreditation must carry accreditation details - The driver of a heavy vehicle who is operating under a BFM accreditation or AFM accreditation must keep in the driver's possession— (a) a copy of the accreditation certificate for the accreditation; and (b) a document, signed by the operator of the vehicle who holds the accreditation, stating that the driver— (i) is operating under the operator's BFM accreditation or AFM accreditation; and (ii) as been inducted into the operator's relevant management system; and (iii) meets the requirements relating to drivers operating under the operator's BFM accreditation or AFM accreditation (if any); and (c) for a driver operating under AFM accreditation, a document stating the AFM hours applying under the accreditation.	Driver		
468(3)	Driver operating under BFM accreditation or AFM accreditation must carry accreditation details - The operator of the vehicle must ensure the driver complies with subsection (1), unless the operator has a reasonable excuse.	Operator		
469(2)	Driver must return particular documents if stops operating under BFM accreditation or AFM accreditation etc. - The driver must return the document to the operator as soon as reasonably practicable.	Driver		
470(2)	General requirements applying to operator with heavy vehicle accreditation - If the accreditation is BFM accreditation or AFM accreditation, the operator must ensure each driver who operates under the accreditation— (a) is inducted into the operator's relevant management system; and (b) at all times, meets the requirements relating to drivers operating under the accreditation (if any).	Operator		
470(3)	General requirements applying to operator with heavy vehicle accreditation - If the accreditation is AFM accreditation, the operator must also ensure each driver who operates under the accreditation is informed of the AFM hours applying under the accreditation.	Operator		
470(4)	General requirements applying to operator with heavy vehicle accreditation - The operator must keep— (a) the accreditation certificate for the operator's heavy vehicle accreditation; and (b) if the operator's heavy vehicle accreditation is BFM accreditation or AFM accreditation— (i) a current list of drivers operating under the operator's accreditation; and (ii) records demonstrating the operator has complied with— (A) if the operator's heavy vehicle accreditation is BFM accreditation— subsection (2); or (B) if the operator's heavy vehicle accreditation is AFM accreditation—subsections (2) and (3); and (c) if the operator's heavy vehicle accreditation is mass management accreditation or maintenance management accreditation—a current list of heavy vehicles to which the operator's accreditation relates;	Operator		
470(5)	General requirements applying to operator with heavy vehicle accreditation - The operator must keep a document required to be kept under subsection (4) for the following period— (a) for an accreditation certificate—while the operator's heavy vehicle accreditation is current; (b) for each list or record made under subsection (4)(b) or (c)—at least 3 years after the list or record is made.	Operator		
470(6)	General requirements applying to operator with heavy vehicle accreditation - The operator must keep a document required to be kept under subsection (4) in a way that ensures it is— (a) readily accessible by an authorised officer at the place where the document is kept; and (b) reasonably capable of being understood by the authorised officer; and (c) capable of being used as evidence.	Operator		
470 (8)	General requirements applying to operator with heavy vehicle accreditation - The operator must comply with a requirement made under subsection (7), unless the operator has a reasonable excuse.	Operator		
471(2)	Operator must give notice of amendment, suspension or ending of heavy vehicle accreditation - The operator must as soon as practicable after the amendment, suspension or cessation happens give notice of the amendment, suspension or cessation to any driver of, or scheduler for, a heavy vehicle who may be affected by the amendment, suspension or cessation.	Operator		
471(3)	Operator must give notice of amendment, suspension or ending of heavy vehicle accreditation - If the driver of a heavy vehicle is given a notice under subsection (2), the driver must, as soon as reasonably practicable, return to the operator any document relevant to the notice given to the driver by the operator for the purposes of section 468(1).	Driver		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
476(2)	Return of accreditation certificate - The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.	Person		
477(1)	Replacement of defaced etc. accreditation certificate - If a person's accreditation certificate for a heavy vehicle accreditation granted under this Law is defaced, destroyed, lost or stolen, the person must, as soon as reasonably practicable after becoming aware of the matter, apply to the Regulator for a replacement accreditation certificate.	Person		
478(1)	Offences relating to auditors - A person must not falsely represent that the person is an approved auditor.	Person		
478(2)	Offences relating to auditors - An approved auditor must not falsely represent that the person is an auditor of a particular approved class.	Approved Auditor		
478(3)	Offences relating to auditors - An approved auditor must not falsely represent that the person has audited an operator's relevant management system.	Approved Auditor		
478(4)	Offences relating to auditors - A person must not falsely represent the opinion of an approved auditor in relation to an operator's relevant management system.	Person		
CHAPTER 9 - ENFORCEMENT				
513(4)	Direction to stop heavy vehicle to enable exercise of other powers - A person given a direction under subsection (1) must comply with the direction, unless the person has a reasonable excuse.	Person		
514(3)	Direction not to move or interfere with a heavy vehicle to enable exercise of other power - A person given a direction under subsection (1) must comply with the direction, unless the person has a reasonable excuse.	Person		
516(3)	Direction to move heavy vehicle to enable exercise of other powers - A person given a direction under subsection (1) must comply with the direction, unless the person has a reasonable excuse.	Person		
517(4)	Direction to move heavy vehicle if causing harm - A person given a direction under subsection (2) must comply with the direction, unless the person has a reasonable excuse.	Person		
522(5)	Power to order presentation of heavy vehicles for inspection - A person must not fail to produce a heavy vehicle for inspection— (a) subject to paragraph (b), at the place and time stated in the notice served on the person; or (b) if the notice has been varied under this section, at the place and time stated in the notice as varied.	Person		
524(5)	Direction to leave heavy vehicle - A person given a direction under subsection (2) or (3) must comply with the direction, unless the person has a reasonable excuse.	Person		
526(4)	Issue of vehicle defect notice- If the driver of a heavy vehicle for which a vehicle defect notice is issued under this section is not the operator of the vehicle, the driver must, as soon as practicable, give the notice to the operator.	Driver		
528(3)	Defective vehicle labels - A person must not remove or deface a defective vehicle label attached to a heavy vehicle under subsection (1) or (2).	Person		
529	Using defective heavy vehicles contrary to vehicle defect notice - A person must not use, or permit to be used, on a road a heavy vehicle in contravention of a vehicle defect notice.	Person		
531(4)	Amendment or withdrawal of vehicle defect notices - If the person given the notice of amendment or withdrawal is not the operator of the vehicle, the person must, as soon as reasonably practicable, give the notice to the operator.	Person		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
531A(4)	Self-clearing defect notices - If the driver of a heavy vehicle for which a self-clearing defect notice is issued is not the operator of the vehicle, the driver must give the notice to the operator as soon as practicable, but not more than 14 days, after the notice is issued.	Person		
531A(5)	Self-clearing defect notices - A person must not use, or permit to be used, on a road a heavy vehicle in contravention of a self-clearing defect notice.	Person		
533(7)	Powers for minor risk breach of mass, dimension or loading requirement - The person to whom a direction is given under this section must comply with the direction, unless the person has a reasonable excuse.	Person		
534(5)	Powers for substantial risk breach of mass, dimension or loading requirement - The person to whom a direction is given under this section must comply with the direction, unless the person has a reasonable excuse.	Person		
535(5)	Powers for severe risk breach of mass, dimension or loading requirement - The person to whom a direction is given under this section must comply with the direction, unless the person has a reasonable excuse.	Person		
542(1)	Compliance with requirement under this Division - A person given a notice under this Division must comply with the notice, unless the person has a reasonable excuse.	Person		
553(3)	Requirement of person in control of thing to be seized - A person of whom a requirement is made under this section must comply with the requirement, unless the person has a reasonable excuse.	Person		
558(1)	Noncompliance with embargo notice - A person (the relevant person) who knows an embargo notice relates to a thing must not— (a) do anything the notice prohibits; or (b) instruct someone else (the other person) to do anything the notice prohibits— (i) anyone from doing; or (ii) the relevant person or other person from doing.	Person		
558(3)	Noncompliance with embargo notice - A person served with an embargo notice must ensure, so far as is reasonably practicable, another person does not do anything prohibited by the notice.	Person		
559(3)	Power to secure embargoed thing - A person of whom a requirement is made under subsection (2)(c) must comply with the requirement, unless the person has a reasonable excuse.	Person		
559(4)	Power to secure embargoed thing - If access to an embargoed thing is restricted under this section, a person must not tamper with the thing or with anything used to restrict access to the thing without— (a) an authorised officer's approval; or (b) a reasonable excuse.	Person		
559(5)	Power to secure embargoed thing - If access to a place is restricted under this section, a person must not enter the place in contravention of the restriction or tamper with anything used to restrict access to the place without— (a) an authorised officer's approval; or (b) a reasonable excuse.	Person		
567(4)	Power to require name and address - A person of whom a requirement is made under subsection (2) or (3) must comply with the requirement, unless the person has a reasonable excuse.	Person		
568(3)	Power to require production of document etc. required to be in driver's possession - A person of whom a requirement is made under subsection (2) must comply with the requirement, unless the person has a reasonable excuse.	Person		
568(7)	Power to require production of document etc. required to be in driver's possession - A person of whom a requirement is made under subsection (6) must comply with the requirement, unless the person has a reasonable excuse.	Person		
569(2)	Power to require production of documents etc. generally - A person of whom a requirement is made under subsection (1) must comply with the requirement, unless the person has a reasonable excuse.	Person		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
569(7)	Power to require production of documents generally - A person of whom a requirement is made under subsection (6) must comply with the requirement, unless the person has a reasonable excuse.	Person		
570(3)	Power to require information about heavy vehicles - A person of whom a requirement is made under subsection (1) must comply with the requirement, unless the person has a reasonable excuse.	Person		
570A(5)	Requiring information - The person must comply with a requirement under this section, unless the person has a reasonable excuse.	Person		
573(1)	Contravention of improvement notice - A person given an improvement notice must comply with the notice, unless the person has a reasonable excuse.	Person		
576C	Compliance with prohibition notice - A person given a direction under section 576A(2) or a prohibition notice must comply with the direction or notice.	Person		
577(4)	Power to require reasonable help - A person of whom a requirement is made under subsection (1) or (2) must comply with the requirement, unless the person has a reasonable excuse.	Person		
584(1)	Obstructing authorised officer - A person must not obstruct— (a) an authorised officer, or someone helping an authorised officer, exercising a power under this Law; or (b) an assistant mentioned in section 518, 519 or 523 exercising a power under that section.	Person		
585	Impersonating authorised officer - A person must not impersonate an authorised officer.	Person		
590B(2)	Effect of undertaking - While the undertaking is in effect, the person must comply with the undertaking.	Person		
CHAPTER 10 - ENFORCEMENT				
604	Contravention of supervisory intervention order - A person to whom a supervisory intervention order applies must comply with the order, unless the person has a reasonable excuse.	Person		
610	Contravention of prohibition order - A person to whom a prohibition order applies must comply with the order, unless the person has a reasonable excuse.	Person		
636(1)	Liability of executive officers of corporation - If a corporation commits an offence against a provision of this Law specified in column 2 of Schedule 4, each executive officer of the corporation who knowingly authorised or permitted the conduct constituting the offence also commits an offence against the provision.	Executive of a corporation		
637(4)	Treatment of unincorporated partnerships - An offence against a provision of this Law specified in column 2 of schedule 4 that would otherwise be committed by the partnership is taken to have been committed by each partner who knowingly authorised or permitted the conduct constituting the offence.	Partner in a partnership		
638(4)	Treatment of other unincorporated bodies - An offence against a provision of this Law specified in column 2 of Schedule 4 that would otherwise be committed by the unincorporated body is taken to have been committed by each management member of the body who knowingly authorised or permitted the conduct constituting the offence.	Management member of an unincorporated body		
CHAPTER 13 - GENERAL				

Section	Provision	Relevant party	Schedule 4*	Safety Duty
699(1)	Discrimination against or victimisation of employees - An employer must not dismiss an employee, or otherwise prejudice an employee in the employee's employment, for the reason that the employee— (a) has helped or given information to a public authority or law enforcement agency in relation to a contravention or alleged contravention of this Law; or (b) has made a complaint about a contravention or alleged contravention of this Law to an employer, former employer, fellow employee, former fellow employee, union or public authority or law enforcement agency.	Employer		
699(2)	Discrimination against or victimisation of employees - An employer must not fail to offer employment to a prospective employee, or in offering employment to a prospective employee treat the prospective employee less favourably than another prospective employee would be treated in similar circumstances, for the reason that the prospective employee— (a) has helped or given information to a public authority or law enforcement agency in relation to a contravention or alleged contravention of this Law; or (b) has made a complaint about a contravention or alleged contravention of this Law to an employer, former employer, fellow employee, former fellow employee, union or public authority or law enforcement agency.	Employer		
700(4)	Order for damages or reinstatement - A person against whom an order is made under subsection (2)(b) or (c) must comply with the order.	Person		
701(1)	False or misleading statements - A person commits an offence if the person makes a statement to an official that the person knows is false or misleading.	Person		
701 (2)	False or misleading statements - A person commits an offence if the person— (a) makes a statement to an official that is false or misleading; and (b) is reckless as to whether the statement is false or misleading.	Person		
702 (1)	False or misleading documents - A person commits an offence if the person gives an official a document containing information the person knows is false or misleading.	Person		
702(3)	False or misleading documents - A person commits an offence if the person— (a) gives an official a document containing information that is false or misleading; and (b) is reckless as to whether information contained in the document is false or misleading.	Person		
703(1)	False or misleading information given by responsible person to another responsible person - A responsible person for a heavy vehicle (the information giver) must not give another responsible person for a heavy vehicle (the affected person) information the information giver knows, or ought reasonably to know, is false or misleading in a material particular.	Responsible Person for a Heavy Vehicle		
703(2)	False or misleading information given by responsible person to another responsible person - A responsible person for a heavy vehicle (also the information giver) must not give another responsible person for a heavy vehicle (the affected person) information that is false or misleading in a material particular if the information giver does so recklessly as to whether the information is false or misleading in the material particular.	Responsible Person for a Heavy Vehicle		
704(1)	Offence to falsely represent that heavy vehicle authority is held etc. - A person must not represent— (a) that the person has been granted a heavy vehicle authority the person has not been granted; or (b) that a heavy vehicle authority has been granted in relation to a thing for which it has not been granted; or (c) that the person is operating under a heavy vehicle authority that the person is not entitled to operate under; or (d) that a thing is operating under a heavy vehicle authority that the thing is not authorised to operate under.	Person		
704(2)	Offence to falsely represent that heavy vehicle authority is held - A person must not represent that the person or a thing is operating under a heavy vehicle authority if the authority is no longer in force.	Person		

Section	Provision	Relevant party	Schedule 4*	Safety Duty
704(3)	Offence to falsely represent that heavy vehicle authority is held - A person must not possess a document that falsely purports to be— (a) an accreditation certificate for a heavy vehicle accreditation; or (b) a document mentioned in section 468(1)(b) or (c); or (c) a document evidencing the grant of an electronic recording system approval, exemption, authorisation, permit or other authority under this Law; or (d) a copy of a document mentioned in paragraph (a), (b) or (c).	Person		
HEAVY VEHICLE (MASS, DIMENSION AND LOADING) NATIONAL REGULATION				
16(2)	Contravening conditions applying to HML vehicles being used in an area or on a route declared by an HML declaration - A person must not use an HML heavy vehicle of the type, or permit an HML heavy vehicle of the type to be used, under the higher mass limits in an area or on a route to which the HML declaration applies unless— (a)the vehicle is equipped for monitoring the relevant monitoring matters, by an approved intelligent transport system used by an intelligent access service provider; and (b)the vehicle is covered by an intelligent access agreement.	Person		
28	Contravening conditions of HML permit - The driver or operator of an HML heavy vehicle being used under the higher mass limits under an HML permit must not contravene a condition of the permit.	Driver, Operator		
34(2)	Return of HML permit - The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.	Person		
35(1)	Replacement of defaced etc. HML permit - If a person’s HML permit is defaced, destroyed, lost or stolen, the person must, as soon as reasonably practicable after becoming aware of the matter, apply to the Regulator for a replacement permit.	Person		
HEAVY VEHICLE (FATIGUE MANAGEMENT) NATIONAL REGULATION				
18A(1)	Change between forms of work diary - If the driver stops using one form of work diary and starts using the other form of work diary, the driver must record, in compliance with subsection (2)— (a)the time and location of the change in both forms of the work diary; and (b)the security number of the written work diary in the electronic work diary.	Driver		

Key to Parties’ Responsibilities

Role	Offence
Person	26E(1), 26E(2), 60(1), 79(2), 80(1), 81(1), 81(2), 81(3), 85(1), 85(2), 87A(1), 89(1), 90(1), 90(2), 90(3), 91(1), 92(2), 93(1), 93(2), 96(1), 102(1), 109(2), 111(1), 129(2), 129(3), 130(2), 134(1), 34(2), 137, 153A(1), 181(3), 182(1), 184(1), 185(1), 185(2), 284(2), 285(1), 286(1), 325(1), 328, 329, 330(1), 331, 332, 335(1), 336(1), 347, 355(6), 373(2), 374(1), 375, 392(2), 393(1), 395, 466(2B), 476(2), 477(1), 478(1), 478(4), 513(4), 514(3), 516(3), 517(4), 522(5), 524(5), 528(3), 529, 531(4), 531A(4), 531A(5), 533(7), 534(5), 535(5), 542(1), 553(3), 558(1), 558(3), 559(3), 559(4), 559(5), 567(4), 568(3), 568(7), 569(2), 569(7), 570(3), 570A(5), 573(1), 576C, 577(4), 584(1), 585, 590B(2), 604, 610, 700(4), 701(1), 701(2), 702(1), 702(3), 704(1), 704(2), 704(3) <i>Heavy Vehicle (Mass Dimension & Loading) National Regulation 16(2), 34(2), 35(1)</i>
Accreditation Holder	467
Approved Auditor	478(2), 478(3)

Approved Vehicle Examiner	86(2)
Consignor	186(2), 193(2)
Driver	25A(1), 82 (2) 83(1), 83(2), 129(1), 132(2), 133(1), 133(2), 150(1), 151(2), 152(1), 152(2), 192(1), 192(2), 228(1), 250(1), 251(1), 254(1), 256(1), 258(1), 260(1), 263(1), 287(2), 288(1), 288(2), 293(1), 296(1), 297(2), 298(1), 299, 301, 302, 303, 305(1), 305(2), 305(3), 306, 307(2), 307(3), 308(1), 309(2), 314(2), 319(1), 319A(2), 322(2), 323(2), 324(2), 326(1), 326(2), 327, 341(1), 341(4), 376(2), 377, 397(2), 468(1), 469(2), 471(3), 526(4) <i>Heavy Vehicle (Mass Dimension & Loading) National Regulation 28; Heavy Vehicle (Fatigue Management) National Regulation 18A(1)</i>
Driver of Pilot or Escort Vehicle	130(2), 131(1)
Employer	25A(2), 82(3), 83(3), 133(3), 151(3), 152(3), 264(2), 287(3), 288(3), 315(1), 376(3), 399(2), 699(1), 699(2)
Executive	26D, 636(1), 637(4), 638(4) and schedule 4 offences
Intelligent Access Reporting Entity	337(2)
Loader, Loading Manager	186(5)
Operator	25A(2), 82(3), 83(3), 91(2), 93(3), 129(1), 130(3), 132(3), 133(3), 150(1), 151(3), 152(3), 187(3), 191(1), 191(3), 264(2), 287(3), 288(3), 315(1), 376(3), 399(2), 466(2), 468(3), 470(2), 470(3), 470(4), 470(5), 470(6), 470(8), 471(2), <i>Heavy Vehicle (Mass Dimension & Loading) National Regulation 28</i>
Owner	396(2), 398(2)
Packer	186(3), 193(2)
Party in the COR	26F, 26G, 26H
Prime Contractor	25A(2), 82(3), 83(3), 133(3), 134(1), 151(3), 152(3), 264(2), 287(3), 288(3), 315(1), 376(3)
Receiver	186(4)
Record Keeper	311(2), 312(2), 312(3), 313(2), 313(3), 314(3), 319A(5), 321(1), 321(3), 322(4), 323(3), 324A(2), 327, 336A(1), 341(1), 341(2), 341(3), 341(4), 341(5), 341(7)
Responsible Entity	187(2), 190(1)
Responsible Person	703(1), 703(2)
Scheduler	264(2), 315(1)