

National Heavy Vehicle Accreditation Scheme & Advanced Fatigue Management Business Rules Temporary Change to Auditing

Sections 654 and 655A of the Heavy Vehicle National Law

Temporary minor amendments to the National Heavy Vehicle Accreditation Scheme: Business Rules and Standards (rule 13) and to the Advanced Fatigue Management Business Rules (rule 4.4)

Background

1. The COVID-19 pandemic restricts the ability of auditors to conduct on-site or in-person audits, as currently required by rule 13.7 of the National Heavy Vehicle Accreditation Scheme: Business Rules and Standards (NHVAS Business Rules and Standards) and rule 4.4 of the Advanced Fatigue Management Business Rules (AFM Business Rules).
2. The NHVR Board hereby approves minor amendments to the NHVAS Business Rules and Standards and to the AFM Standards, being on the below terms.

Approved Minor Amendment – Rule 13.7 of the NHVAS Business Rules and Standards

3. The National Heavy Vehicle Regulator Board (the NHVR Board) approves minor amendment to rule 13.7 of the NHVAS Business Rules and Standards, being as follows (the amendment appears in underlining):

13.7 The NHVAS auditor must carry out the compliance audits in person and not by telephone.

However, given the COVID-19 pandemic and restrictions upon movements and risks of exposure to coronavirus, should an NHVAS auditor consider that it is not reasonably practicable for the auditor to carry out the compliance audits in person, the NHVAS auditor may conduct audits remotely as the NHVAS auditor considers reasonably necessary, which may include:

- (a) Any documents or records that the auditor requires whether for validation or otherwise) are made available electronically;
- (b) Conducting any interviews or enquires by telephone or other means;

However, the Audit Summary report must record the how the audit was conducted, the reason for conducting any aspect of the audit remotely, and a description of how records were made available for analysis and the names of the persons interviewed during the audit.

4. This amendment is effective as of 25 March 2020, expiring on 30 September 2020, after which it will lapse.

Approved Minor Amendment – Rule 4.4.4 of the AFM Business Rules

5. The NHVR Board approves minor amendment to rule 4.4.4 of the NHVAS Business Rules and Standards, being as follows (the amendment appears in underlining):

4.4.4 Compliance audits must be carried out using the approved audit matrix, in person, not by telephone. An audit statement/matrix is valid for one year after the audit was conducted unless the participant or applicant makes changes to their Fatigue Management System after a quarterly internal review. If the Fatigue Management System is changed, all previous audit statements expire and the participant must obtain a new audit statement/matrix for future applications.

However, given the COVID-19 pandemic and restrictions upon movements and risks of exposure to

coronavirus, should an NHVAS auditor consider that it is not reasonably practicable for the auditor to carry out the compliance audits in person, the NHVAS auditor may conduct audits remotely as the NHVAS auditor considers reasonably necessary, which may include:

- (a) Any documents or records that the auditor requires (whether for validation or otherwise) are made available electronically;
- (b) Conducting any interview or enquiries by telephone or other means;

However, the Audit Summary report must record how the audit was conducted, the reason for conducting any aspect of the audit remotely, and a description of how records were made available for analysis and the names of the persons interviewed during the audit.

- 6. This amendment is effective as of 25 March 2020, expiring on 30 September 2020, after which it will lapse.

Final

- 7. The NHVR Board is authorised to make the approvals herein by delegation of the responsible Ministers pursuant to section 655A of the *Heavy Vehicle National Law*.

Declaration

Delegate of the National Heavy Vehicle Regulator