

Supplier Code of Conduct

1. Objectives

This Code sets out what the National Heavy Vehicle Regulator (NHVR) considers responsible behaviour by its suppliers and the NHVR's expectations of them.

This Code demonstrates the NHVR's commitment to responsible and ethical business practices, in relation to both its own operations and the suppliers it engages.

This is to ensure that, as far as reasonably possible, the NHVR's operations continue to positively contribute to the Australian community and in the public interest. This position is underpinned by the NHVR's values, which are published on the NHVR's website.¹

The NHVR values its relationship with suppliers and seeks to ensure that we engage with suppliers that share our values, are aligned to our mission, will seek to understand our expectations and requirements, and have the same responsible and ethical approach to business practices.

This Code therefore makes the NHVR's requirements clear and allows the NHVR to retain and engage with appropriate suppliers.

2. Application

This Code applies to all NHVR procurement activities and what the NHVR's expects from suppliers on an ongoing basis.

Suppliers are expected to inform themselves of this Code, to commit to complying with this Code, to periodically assess their compliance with this Code during the life of the engagement with the NHVR, and to encourage their own suppliers to align with this Code of Conduct.

This Code does not supersede or alter a supplier's contractual and other obligations owed or required at law.

3. Expectations

The NHVR aims to have the highest ethical and conduct standards in its operations and expects and requires suppliers to commit to the following.

3.1 Compliance with Ethical Principles

Suppliers must adopt and adhere to the ethical principles outlined in the NHVR's Statement of Business Ethics.²

Additionally, it is expected that suppliers will:

- not engage in any form of corrupt or criminal conduct or practices, including fraud, bribery, money laundering, or extortion
- comply with all applicable laws
- commit to having a workplace that is free of harassment, bullying, discrimination, and abuse, and treat all persons with courtesy, dignity, and respect and be committed to enhancing workplace diversity
- not pay wages below any applicable award or enterprise agreement, not contravene the civil remedy provisions in the *Fair Work Act 2009 (Cth)* (e.g., the civil remedy provisions that appear in Chapters 2 and 3 of that Act), and not be party to any arrangements with third parties whereby it is reasonably apparent that individuals are not being paid pursuant to any applicable award or enterprise agreement
- engage with the NHVR in an honest, forthright, and transparent manner, honour their word (i.e., do what they say they will do, when they say they will do it, how they say they will do it, for the cost they say they will do it), and will require the same of the NHVR.

3.2 Conflicts of Interest

Suppliers must manage any conflicts of interest and disclose any potential, perceived, or actual conflicts of interest as they arise, regardless of the consequences.

The NHVR expects that if a supplier believes it has an actual conflict of interest (including through any friends or family members), that it would excuse itself from any tender process involving the NHVR.

3.3 Risks of Modern Slavery and Abuses of Human Rights

The NHVR has zero tolerance to any form of modern slavery and abuse of human rights and is committed to

¹ See: <https://www.nhvr.gov.au/about-us/who-we-are/our-values>.

² Published on the NHVR website: <https://www.nhvr.gov.au/about-us/who-we-are/statement-of-business-ethics>

mitigating and preventing the risk of modern slavery and human rights abuses in its operations and supply chains.

The NHVR's suppliers must:

- be committed to eliminating modern slavery and the worst forms of child labour³ from their supply chains, including in relation to contractors and sub-contractors
- comply with the requirements of Modern Slavery legislation (should such legislation capture them)
- commit to respecting human rights and not participate in any activity that enables or supports the abuse of human rights
- provide the NHVR with all reasonable assistance requested by the NHVR to identify, assess, and seek to eliminate or mitigate risks of modern slavery and abuses of human rights in operations and supply chains.

3.4 Security of Information and Privacy

The NHVR takes the security of information and the confidentiality of personal information (as that term is defined under the *Information Privacy Act 2009 (Qld)* and the *Privacy Act 1988 (Cth)*) seriously.

It is expected that suppliers will comply with those parts of Chapter 2 of the *Information Privacy Act 2009 (Qld)* which are applicable to NHVR, as if they were the NHVR, and will otherwise comply with the Australian Privacy Principles under the *Privacy Act 1988 (Cth)*.

Suppliers are expected to ensure that personal information is protected against loss and against unauthorised access, use, modification, disclosure or other misuse, not use personal information collected or accessed in connection with their engagement with the NHVR other than in relation to that engagement, not disclose personal information to any third party without the prior written consent of NHVR (unless required or authorised by Law), ensure that access to personal information is restricted to those of its personnel who require access in order to perform the engagement with the NHVR, and immediately notify the NHVR if they become aware of disclosure of personal information to an unauthorised party.

Suppliers are expected to take all reasonable steps to ensure that no unauthorised party has physical or

electronic access to any information or data received or obtained by the supplier from the NHVR and suppliers are expected to establish and maintain reasonable environmental, safety and facility procedures, data security procedures and other safeguards to protect such NHVR data and information from destruction, loss and unauthorised access or alteration.

It is expected that Suppliers immediately notify the NHVR of any actual or suspected data breach and that suppliers will fully cooperate with the NHVR to enable NHVR to investigate and deal with an actual or suspected data breach.

3.5 Workplace Health and Safety

The health, safety, and wellbeing of the NHVR's personnel and our customers always comes first.

It is expected that NHVR's suppliers will provide a safe working environment for all workplace participants, will continually assess health and safety hazards and implement appropriate controls, and will comply with all applicable workplace health and safety laws.

3.6 Environment

The object of the NHVR's governing law, the *Heavy Vehicle National Law*, includes managing the impact of heavy vehicles on the environment, road infrastructure and public amenities.

The NHVR expects its suppliers to be committed to improving environmental outcomes, limiting waste, and managing sustainability issues. This includes expectation that suppliers will:

- minimise waste and seek to recycle where reasonably possible
- seek to reduce or offset carbon emissions
- protect biodiversity and reduce dependence on resources and activities that are harmful to the environment
- reduce the use of hazardous or toxic substances.

4. Reporting Breaches of this Code

The NHVR is committed to transparency and accountability and therefore encourages NHVR personnel, contractors, suppliers, and their employees and contractors to report any breaches or reasonably suspected breaches of this Code. Reports can be made to nhvr.procurement@nhvr.gov.au

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³ The 'worst forms of child labour' is defined by Article 3 of International Labour Organisation (ILO) Convention No 182, and includes all forms of slavery, trafficking of children, the use/procurement of children for illicit activities, and work which is likely to harm the health, safety or morals of children ("hazardous child labour"). It is one of the eight types of serious exploitation included in the definition of 'modern slavery' in the *Modern Slavery Act (Cth) 2018*, along with: trafficking in persons; slavery; servitude; forced marriage; forced labour; debt bondage; and deceptive recruiting for labour services.