



# National Heavy Vehicle Regulator

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## **National Heavy Vehicle Accreditation Scheme (NHVAS)**

Business Rules and Standards

Maintenance Management Accreditation

Mass Management Accreditation

Fatigue Management Accreditation

Comes into effect from 22 February 2021

Version 3.0



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## 1. Introduction

- (1) The National Heavy Vehicle Accreditation Scheme (NHVAS) allows heavy vehicle operators to demonstrate, through audit of their relevant management systems, that the operations of their vehicles and/or drivers comply with NHVAS Standards. Successful applicants benefit from more flexible means of complying with the Heavy Vehicle National Law (HVNL).
- (2) The long-term objectives of the NHVAS are to:
  - (a) improve road safety
  - (b) increase the productivity of the transport industry through adoption of good risk management practice by participants
  - (c) improve efficiency for participants.
- (3) Participation in the NHVAS may also be a condition for the granting of a permit, exemption, or concession to an operator, or a condition of an improvement notice.
- (4) Participation in the NHVAS does not exempt participants from the requirements of road transport, workplace health and safety, or any other relevant legislation.
- (5) The NHVAS Business Rules and the *Heavy Vehicle National Law* (HVNL) include sanctions for accredited operators who do not comply with their obligations. Those sanctions are in addition to the normal penalties incurred for a breach of road transport or other legislation.
- (6) The National Heavy Vehicle Regulator (NHVR) is the body responsible for the management and monitoring of all aspects of the NHVAS, including the administration of these Business Rules and the implementation and management of the audit assurance program for heavy vehicle accreditations under s659 of the HVNL.
- (7) Decisions of the NHVR in relation to applicants and participants in the NHVAS are subject to internal review and appeals, as prescribed under Chapter 11 and Schedule 3 of the HVNL.

## 2. Structural arrangements

- (1) The NHVAS consists of a number of modules—Fatigue, Mass and Maintenance—each applied to a different aspect of transport operation.
- (2) The Fatigue Management Module includes two options:
  - Advanced Fatigue Management (AFM)
  - Basic Fatigue Management (BFM)

Under the HVNL, fatigue management is regulated only for fatigue-regulated heavy vehicles.

- (3) An applicant for accreditation in any module must develop a management system that meets the relevant NHVAS standards for that module; however, the application process for each of the modules is similar, requiring documented management systems, an audit and payment of fees.
- (4) A particular requirement for the AFM option is a Fatigue Management System that is compatible with the principles of the Risk Classification System (RCS). Fatigue management relates particularly to the training and competency of drivers.
- (5) Mass and Maintenance Management Modules include requirements to nominate and identify vehicles and demonstrate their roadworthiness at the outset.
- (6) The NHVR's role includes assessing and approving applications, monitoring the performance of participants, their relevant management systems and their nominated vehicles.

(See section 14 – Performance monitoring).

- (7) In undertaking its responsibilities, the NHVR may call on specialist advice from a road authority representative or a third party.
- (8) The NHVR and other regulatory agencies in participating jurisdictions, must communicate the data specified in section 19 - Information exchange.
- (9) The NHVR treats information relating to a particular applicant or participant as confidential, except where that confidentiality would conflict with existing freedom of information and privacy legislation and procedures.

### **3. About these Business Rules**

#### **Purpose and audience**

- (1) This document brings together the Business Rules that apply to each of the three Accreditation modules. It also describes the RCS the NHVR uses to assess the suitability and safety of an operator's proposed work and rest arrangements under the AFM option.
- (2) These Business Rules are the basis on which the National Heavy Vehicle Regulator (NHVR) offers participation in the NHVAS to operators in participating jurisdictions – those states that have applied the HVNL – and in the Northern Territory and Western Australia.
- (3) These Business Rules are applied and should be read in conjunction with the HVNL and with the following NHVAS standards:
  - Maintenance Management Accreditation
  - Mass Management Accreditation
  - Fatigue Management Accreditation
  - (See the Appendices)
- (4) These Business Rules do not limit the way the NHVR exercises powers and commences sanctions.

#### **Legal status of the Business Rules and Standards**

- (5) The Business Rules and Standards for all NHVAS modules are approved by responsible Ministers in accordance with s654(1)(b) of the HVNL.
- (6) Compliance with the Business Rules and Standards is a condition of accreditation under s462(1) of the HVNL. Failure to comply with them carries consequences including the possibility of amendment, suspension or cancellation of accreditation under section 473 of the HVNL.

#### **Applicable Fatigue Legislation**

- (7) Chapter 6 of the HVNL sets out specific fatigue management obligations for participants of Advanced Fatigue Management (AFM) and Basic Fatigue Management (BFM). Failure to comply with those obligations may result in sanctions.
- (8) The *Heavy Vehicle (Fatigue Management) National Regulation* (the Regulation) sets out additional enforcement obligations, including the possibility of offence escalation when breaches of AFM conditions exceed certain specified safety standards.

## How the Business Rules may be amended

- (9) These Business Rules may be periodically revised to reflect changes in the NHVAS, new requirements and consultation with users. Revisions may be made to a part or the whole of this document.
- (10) Any major amendments to the Business Rules or Standards require unanimous Transport and Infrastructure Senior Officials Committee (TISOC) support, or else approval by the Transport and Infrastructure Council (TIC).
- (11) Minor amendments to the Business Rules may be approved by the NHVR Board under powers delegated to them by ministers. Minor amendments include:
  - corrections to editorial errors
  - changes to improve clarity (without altering intent) or In accordance with S655A of the HVNL.
- (12) Any amendments will be issued with a release number and date reflected in the footer of the document and on the NHVR website.

## Fees

- (13) The HVNL and Regulations prescribe application fees and other costs and charges that are imposed on applicants and/or participants. These amounts are determined through processes authorised by the HVNL. The NHVR will publish approved fees, costs and charges at [www.nhvr.gov.au](http://www.nhvr.gov.au).
- (14) Fees are subject to periodic adjustment.
- (15) Any monetary amounts which are imposed by other bodies or other laws, including governmental fees, charges and expenses for providing criminal and compliance histories are the responsibility of the applicant or participant, as required.
- (16) Entry and compliance audit costs are met by the participant.
- (17) The NHVR may reject an application, without refund of the administrative component of the prescribed fee or the vehicle fee.
- (18) Triggered audit costs will be met by the participant, where the triggered audit or inspection is a condition of accreditation.
- (19) Triggered vehicle inspections costs, whether a condition of an accreditation or not, will be met by the participant.

## 4. Entry to the Scheme

- (1) Legal entities who may apply for admission to the NHVAS (the Scheme) are: an individual, a corporation registered with the Australian Securities and Investments Commission (or its successors), or a government department or section of a government department (as a body politic)
- (2) To enter the Scheme, the applicant must satisfy the requirements of being a ‘fit and proper person’, as described in section 4 (21) – Fit and Proper Person requirements.
- (3) An accreditation cannot be transferred between individuals or legal entities.
- (4) The person applying for accreditation must be responsible for controlling the operations of the nominated vehicles and/or drivers under the proposed accreditation. A holding corporation is not prohibited from applying for accreditation for a subsidiary, but the holding corporation must be able to demonstrate that it has appropriate control of the subsidiary corporation’s nominated vehicles and/or drivers and relevant management systems.
- (5) Apart from the information requested in application forms, pursuant to section 459(2)(b)(iii) of the HVNL, an applicant must provide “any other information” required for the application by these Business Rules.
- (6) By signing the application forms, the applicant declares that they have read and understood, and agree to abide by the NHVAS Business Rules and Standards.
- (7) Completed applications that satisfy the acceptance requirements will be assessed in light of any other information the NHVR may hold about the applicant.

### General requirements

- (8) Applicants must provide the following:
  - (a) The application in the approved form  
(See section 4 (9) – Entry to Scheme).
  - (b) A statement that they have a relevant management system for ensuring compliance with the relevant Business Rules and Standards
  - (c) An entry audit that includes a statement from an approved auditor that he or she considers that the applicant’s relevant management system(s) will ensure compliance with the NHVAS Business Rules and Standards
  - (d) The prescribed fee for the application
  - (e) Evidence of identity in the form reasonably required by the NHVR
  - (f) Where relevant, a corporation name, trading name or, Australian Company Number (ACN)
  - (g) The name of any subsidiary corporation or related body corporate (ACN) included in the accreditation application
  - (h) A declaration pursuant to s459(3) of the HVNL, about the applicant and their associates concerning convictions for relevant offences under s459(3)(a) and about the amendment, suspension or cancellation of the applicant’s or their associate’s accreditation under s459(3)(b)
  - (i) A nominated primary address or addresses for audits to be undertaken.
- (9) A completed application in the approved form must include:
  - (a) the name(s) of the applicant
  - (b) the names of subsidiary companies, where relevant
  - (c) the street address, postal address and contact numbers of the applicant

- (d) the name and contact number of a contact person
  - (e) the module(s) in which the applicant is seeking accreditation
  - (f) acknowledgement of the NHVR's sighting of Evidence of Identity and a declaration that the information is true and correct
  - (g) for Maintenance Management and Mass Management, the number and details of vehicles nominated for accreditation. Details required are:
    - (i) Registered operator
    - (ii) Vehicle make
    - (iii) Registration number
    - (iv) Vehicle identification number (VIN)
    - (v) Gross vehicle mass.
  - (h) for Fatigue Management, drivers' names, dates of birth and license numbers are required
  - (i) permission for any information collected for the purposes of administering the NHVAS to be exchanged with other jurisdictions  
(See section 19 - Information exchange).
  - (j) the signature of the applicant and the date of application.
- (10) The NHVR may, on receiving an incomplete application, contact the applicant in writing or via the telephone and provide guidance to allow the participant to satisfy all the requirements for acceptance of the application. If the application is not completed within 14 business days of the guidance being given, the application may be rejected.
- (11) The NHVR may contact the applicant in writing or via the telephone for any additional information required. If the information is not received within 14 business days, the application may be rejected.
- (12) Providing false or misleading information to the NHVR is an offence under the HVNL. Applicants who do so may be subject to a financial penalty. In addition, the NHVR may impose NHVAS sanctions.  
(See section 16 - NHVAS sanctions).
- (13) The primary operating address for the accreditation should be agreed by the applicant and the NHVR at the time of entry to the NHVAS.

### **Maintenance Management or Mass Management requirements**

- (14) Eligibility for accreditation in Maintenance Management is subject to evidence acceptable to the NHVR establishing that the nominated vehicles meet the legal requirements for the intended use of the vehicles. Examples of suitable evidence include a current Certificate of Registration, Roadworthiness or Inspection.
- (15) An applicant must nominate each vehicle individually for accreditation in Maintenance and/or Mass Management. Only powered units can be nominated for Mass Management. Identification labels are only issued to nominated vehicles.
- (16) Nominated vehicles may include vehicles of sub-contractors, provided that they operate full time for the applicant and the applicant can take full responsibility for them according to the standards of the relevant module. Where a vehicle is not owned by the applicant, it is listed as a sub-contracted vehicle.
- (17) A mass or maintenance management accreditation must have at least one (1) vehicle nominated at all times.

## Fatigue Management requirements

- (18) An application for either of the fatigue management options must include a Fatigue Management System that an NHVR NHVAS approved auditor has attested that the Fatigue Management System conforms with the seven (7) Fatigue Management Standards.
- (19) An application for AFM must also include:
- a completed Risk Classification System (RCS) matrix
  - a safety case, where required  
(See section 5 – Requirements for Risk Classification System (RCS) matrix and safety cases)
  - proposed work and rest tasks that are compatible with the principles underpinning the RCS and the relevant scores
  - proposed work arrangements that present an overall fatigue likelihood risk within acceptable limits, taking into account the work schedule and mitigating factors and countermeasures.

## Successful applications

- (20) Successful applicants are referred to as ‘participants’ and are accredited initially for a period of no more than two (2) years. All participants are issued with the following items:
- approval letter
  - certificate of accreditation
  - identification labels for each nominated vehicle in Maintenance Management and/or Mass Management
  - interception report books for each nominated vehicle (or vehicle combination)
- (See Section 15 – Maintaining accreditation).

## Fit and Proper Person requirements

- (21) For each application for accreditation in the NHVAS, the NHVR will assess whether the applicant is a ‘Fit and Proper Person’. The same assessment will be made of the persons listed in 4 (22). To assess the Fit and Proper Person requirements, the NHVR must have regard to the following considerations:
- Whether the applicant has been convicted of an offence against a law of the Commonwealth or of a state or territory, and if so, the seriousness of the offence.
  - Whether the applicant has ever had his, her or its accreditation amended, cancelled or suspended.
  - Whether the applicant has ever had a condition imposed on his, her or its accreditation.
  - Whether the applicant has ever breached a condition of accreditation.
  - Whether the applicant has ever become bankrupt, applied to take the benefit of a law for the benefit of bankrupt or insolvent debtors, compounded with his or her creditors, or assigned his or her remuneration for the benefit of creditors.
  - Whether the person has ever provided the NHVR with false or misleading information or made a false or misleading statement to the NHVR, and whether the person knew that the statement made or information provided to the NHVR was false or misleading.
  - Whether the public is likely to have confidence in the applicant’s suitability to be involved in the operation of heavy vehicles.
  - Any other relevant matter.

- (22) An applicant/participant does not meet the Fit and Proper Person requirements if the NHVR is satisfied that, having regard to the matters provided in the criteria, one or more of the following people do not meet the Fit and Proper Person requirements:
- (a) an executive officer of the applicant
  - (b) a managerial agent of the applicant
  - (c) any person or entity that exercises a degree of control or influence over the management or direction of the applicant/participant.
- (23) If an applicant objects to the NHVR obtaining the applicant's prescribed criminal history, the application is taken to be withdrawn.

### **Adding a module**

- (24) An application for a new module follows the same procedure as any new application.
- (25) Where an operator who is already accredited in one module and seeks accreditation in another module, the NHVR should encourage the operator to align the accreditation cycles for the various modules.

### **Re-applying after cancellation or refusal**

- (26) For an applicant that has had a previous accreditation cancelled or refused, re-entry to the Scheme is subject to the following:
- (a) For an accreditation cancelled due to a failure to submit required audits, re-entry is at the discretion of the Manager Accreditation.
  - (b) For an accreditation cancelled due to non-compliance with road transport law, the applicant must be able to demonstrate that they have not breached road transport law relevant to the module for at least twelve (12) months after the decision to refuse accreditation.
  - (c) For any application to re-enter the Scheme after an accreditation has been cancelled, the application will be assessed with regard to the criteria covered in section 4 (21) - Fit and Proper Person).
- (27) For an applicant that has had an accreditation application refused, a minimum time of six (6) months must elapse before any further application can be lodged.

### **NHVR criteria for assessing AFM applications**

- (28) When reviewing a new application for accreditation in a fatigue module, where applicable, the NHVR may have regard to:
- (a) the compatibility of the proposed work and rest tasks with the principles underpinning the RCS and the relevant scores
  - (b) the overall fatigue likelihood risk of the proposed work arrangements taking into account the work schedule and mitigating factors and countermeasures
  - (c) the conformance of the Fatigue Management System with the seven (7) Fatigue Management Standards as attested to by an NHVR NHVAS approved auditor
  - (d) the applicant's ability to and the likelihood they will reliably manage the operations and fatigue risks as outlined in their application
  - (e) any advice about the application or suggested conditions received from a road authority or third party.
- (29) For the AFM option of the fatigue module, the NHVR must have regard to:

- (a) the adequacy of countermeasures to mitigate risks described in the safety case
- (b) the applicant's ability to reliably implement the countermeasures described in the Fatigue Management System, and the likelihood they will implement those measures
- (c) adequacy of the countermeasures described in the application, for which the NHVR may have regard, to the body of scientific knowledge around road safety, fatigue and risk management
- (d) advice from a road authority or a specialist third party, including any dissenting views.

## **5. Requirements for Risk Classification System (RCS) matrix and safety cases**

- (1) An applicant for AFM must develop a work schedule outlining work and rest arrangements they will use to direct driver activities.
- (2) Each element of the work schedule must specify frequencies to enable assessment of the seven (7) principles in the RCS matrix, and be scored as per the matrix.
- (3) To support their claim of safety, an applicant may provide additional evidence that addresses specific elements of their risk profile. This information would form the safety case which is developed to support the RCS matrix and application overall. The level of information to be included in the safety case would be commensurate with the level of innovation beyond that envisaged by the RCS.
- (4) A safety case would be required when the application has any one of the following features:
  - (a) more than two (2) high risks
  - (b) two (2) high risks and any medium risks
  - (c) one (1) high risk and more than two (2) medium risks
  - (d) more than three (3) medium risks
  - (e) has an element which exceeds the high risk description in the RCS
  - (f) is based on a published template which requires the provision of a safety case.

## **6. Referral of AFM applications for specialist advice**

- (1) The NHVR must confirm the RCS matrix risk scores and risk profile in the application.
- (2) The NHVR may refer an application to a road authority representative or to a third party for specialist advice in any of the following circumstances:
  - (a) Any of the proposed tasks exceeds the high fatigue likelihood/safety risk in any of the principles in the RCS matrix.
  - (b) The application contains any one of the following:
    - more than two (2) high risks
    - two (2) high risks and any medium risks
    - one (1) high risk and more than two (2) medium risks
    - more than three (3) medium risks.
  - (c) The application is based on a published template which requires the submission of a safety case.
  - (d) The NHVR determines that independent advice will be useful in assessing the safety risks associated with the application or seeks advice on conditions to mitigate anticipated safety risks associated with the application.
- (3) The NHVR must be satisfied the countermeasures described in the policy and procedures manual and/or safety case mitigate the safety risks.

- (4) The NHVR may consider any advice provided but is not obliged to follow it. Where advice is not followed, the reasons for that decision must be documented in the final decision.

## **7. Requirements for specialist advisors**

- (1) When the NHVR refers a matter to a road authority representative or a third party specialist for advice, the advisor is required to respond within 14 business days. It is recognised there may be circumstances in which this cannot be achieved, however all efforts are to be made to provide prompt advice and where delays are expected, these should be advised to the NHVR as soon as practical.
- (2) Without limiting the process advisors must follow in undertaking their assessment, the following are minimum areas of consideration:
  - (a) Determine the scope of the assessment based on the information sought by the NHVR.
  - (b) Review the application and any supporting information provided by the NHVR or applicant.
  - (c) Confirm risk scores and identify all risks and gaps in scientific knowledge of fatigue risks relevant to the application.
  - (d) Assess the adequacy of the applications proposed countermeasures and additional measures specified in their application.
  - (e) Assess the reasonableness of possible conditions, taking in to account desired safety outcomes.
- (3) Advice in relation to an AFM option of a fatigue module application must focus on the likely fatigue risks in the overall proposed AFM work schedule. Advisors should consider not only the hours of work and rest and the scores of the RCS, but also any mitigating factors which have been put forward by the applicant. The advisors must consider the circumstances of the specific application and determine, based on their expertise and knowledge and any additional information obtained during the course of consideration of the application, whether the level of risk in the proposed arrangements is acceptable and in general, is equivalent to that of standard or BFM work/rest options.
- (4) The advice may include commentary suggesting revisions of the application that may result in an acceptable safety level (e.g. through adjustment of work and rest hours, introduction of mitigating factors, or practices).
- (5) The advice provided must:
  - (a) address all questions or issues raised by the NHVR
  - (b) state any conditions which should be placed on the operator to promote the safety of the proposed work arrangements
  - (c) advise whether the advice was supported and if not document the dissenting views
  - (d) provide a rationale for the advice.
- (6) If the third party advisor requires additional information to complete their assessment, they must notify the NHVR who will ask the applicant to provide it.

## **8. Advice on the Risk Classification System (RCS)**

- (1) The NHVR may ask specialist advisors to assess an RCS to review the appropriateness of the referral thresholds, the RCS principles and the scores where:
  - (a) the NHVR believes there has been a relevant development in the scientific knowledge of fatigue management

- (b) the NHVR is of the view that the RCS principles and scoring categories are failing to correctly assess the risks associated with applicants' risk profiles
  - or
  - (c) more than two (2) years have passed since the RCS was last reviewed.
- (2) If specialist advisors are requested to reassess the RCS, they may consider:
  - (a) any new scientific evidence not available at the time of the last assessment
  - (b) the performance of current AFM members such as:
    - crash involvement
    - compliance with AFM Standards and participants' Fatigue Management Systems
    - compliance data
    - frequency of use of upper limits
    - other operator provided data.
  - (c) other matters determined to be relevant.
- (3) The NHVR or specialist advisors may consult with a range of stakeholders including:
  - the scientific community
  - the police
  - the transport industry
  - road freight customers
  - trade unions
  - road safety advocates.
- (4) The specialist advisor must provide a written statement to the NHVR outlining:
  - any proposed changes to the referral thresholds
  - the RCS principles
  - the categories
  - relative scores.

The rationale behind the proposed changes must be outlined. Any dissenting views must be included in the response to the NHVR.

- (5) The NHVR may accept the advice to alter the RCS and its operation within the AFM option if the NHVR considers the advice enhances AFM as a tool to promote safety and economic productivity.
- (6) If the NHVR proposes changing the RCS and its operation, they must brief TISOC.

## 9. Risk Classification System (RCS) templates

- (1) As AFM applications are approved, the NHVR may publish approved RCS templates. These templates will outline hours of work and rest based on risk offset combinations which have been approved for other operators, including any additional risk mitigations required and specific conditions that may have been placed on the operator. They will not include personal information of the original applicant. New applicants or existing applicants may refer to these templates as a basis from which to develop their own AFM applications.
- (2) Any approved AFM application may be considered for publication by the NHVR as a template. A condition of lodging an AFM application is the understanding that it may be used as the basis of a published template. In publishing the template, the intention is to improve access by other operators

to AFM work hours and conditions without impinging on the commercial in confidence nature of the original operator's contractual or business arrangements. Published templates would not provide origin or destination information or specific hours of operation.

- (3) The past approval of an AFM application based on a published template, does not automatically guarantee another applicant approval using the same template.
- (4) Adoption of a published template does not relieve an applicant of the obligation to consider their own operating conditions, risks, systems and processes in developing an AFM application.

## 10. Accreditation period

- (1) When accreditation is first granted, it is usually for a period of two (2) years.
- (2) Towards the end of the accreditation period, participants may apply to maintain their accreditation by notifying the NHVR in writing and following certain steps (see section 15 – Maintaining accreditation). This is essentially a new application for accreditation, but if the procedure is followed, the new period will commence immediately after the initial period expires, ensuring ongoing coverage.
- (3) A participant must provide written notice by way of a completed application form as intention to maintain the accreditation, or the accreditation will end on its expiry date. The accreditation certificate and labels must be returned, or written evidence provided, stating that they have been destroyed if the accreditation is not maintained.
- (4) Under the HVNL, an accreditation period may also be reduced (to a shorter period than two (2) years) on assessment for entry to the Scheme or if the performance of the participant has been unsatisfactory during the previous accreditation period.

## 11. Participant obligations

### Compliance audit – Scheduled

(See section 20 - NHVAS Standards and Audit Framework for detailed audit procedure information).

- (1) Throughout the accreditation period, the legal entity granted accreditation is responsible for the accreditation, including:
  - scheduling audits
  - engaging auditors
  - ensuring compliance with the safety management systems on which the accreditation is based.

A compliance audit assesses the effectiveness of a management system by examining and measuring the level of compliance achieved over a given period.

- (2) Compliance audits must be carried out by NHVAS approved auditors, engaged and paid for by the participant.

### Timing

- (3) When first granted accreditation, a participant's management system must undergo a scheduled audit (Initial compliance audit) of each module between six (6) and seven (7) months after the effective date of the accreditation. A second audit is undertaken within nine (9) months prior to the expiry of the accreditation period.

- (4) Example: For an accreditation granted on 1 January, an initial compliance audit must be completed by 31 July.
- (5) For subsequent periods of accreditation, where an application to maintain the accreditation is to be lodged, each module must be audited between nine (9) and one (1) month prior to expiry of the accreditation.
- (6) The participant must also ensure that scheduled checks and reviews are carried out and records maintained. While a participant might engage a consultant to assist in the process of applying for accreditation, or might engage them to complete and submit documents on their behalf, the participant's responsibilities under the NHVAS stay with them.
- (7) Whenever a participant wishes to have a compliance audit done, they must submit a Compliance Audit Notification (CAN) form to the NHVR no later than 28 days before the intended audit date. The form must state:
  - the proposed audit date
  - the address where the audit will be undertaken
  - a nominated auditor.

Approval of the nominated date, address and auditor is at the discretion of the NHVR.

- (8) If necessary, the NHVR will nominate the date, the address and the auditor who will conduct the audit.
- (9) A participant is free to have other audits conducted for their own purposes, but if the audit report is to be used to assess compliance with the NHVAS, then the procedure in section 11 (7) must be followed.
- (10) Participants must update relevant management systems in accordance with findings from quarterly compliance statements and annual internal reviews.
- (11) Each NHVAS module requires participants to complete quarterly compliance statements. These statements must contain a record of compliance with the key outcomes required for each NHVAS module.
- (12) All documents and records associated with an NHVAS accreditation must be retained for a minimum period of three (3) years.

## **Mass and Maintenance**

- (13) The interception report book issued to a nominated vehicle (or vehicle combination) must be carried in or on that vehicle at all times. Failure to produce an interception report book may result in sanctions against the participant.
- (14) Trailers nominated for Maintenance Management, may have an individual interception report book issued or operate under the interception report book issued to the prime mover.
- (15) A vehicle that is nominated for either the Maintenance or Mass Management modules must have current road transport authority vehicle registration that allows the vehicle to be used on a road.
- (16) Only the holder of Maintenance or Mass Management Accreditation or their authorised contact may nominate a new vehicle for inclusion in a module. Where the vehicle is not owned by the accreditation holder, it is listed as a sub-contracted vehicle.
- (17) The owner of a sub-contracted vehicle has the right to remove the vehicle from a module at any time.

- (18) Where a business that has accreditation in Mass or Maintenance modules is sold or transferred to a new owner, and the new owner is already a participant in Mass or Maintenance modules, then the new owner's accreditation may be amended to include the acquired vehicles as provided for in s466 of the HVNL. Otherwise, the purchaser must seek NHVAS accreditation in their own right.
- (19) Participants must notify the NHVR in the approved form of any changes to the nominated vehicle (such as plate changes) or accreditation details within 14 days of the changes taking place.

## Fatigue

- (20) Operators who are accredited in a Fatigue Management module are not required to identify vehicles driven by drivers operating under the accreditation with a label.
- (21) A participant granted Fatigue Management Accreditation must keep a register of all drivers who have, or who are operating under the accreditation. The register must record (at a minimum) the following:
  - (a) full name of the driver
  - (b) driver's date of birth
  - (c) driver's driver licence number, state of issue and expiry date
  - (d) date of the driver's last medical assessment.

## 12. Notifiable occurrences

- (1) Accredited operators must notify the NHVR of accidents or incidents associated with an NHVAS nominated vehicle or a driver operating under a fatigue module within the required timeframes as outlined in the Notifiable Occurrences framework. (Published on the NHVR website)
- (2) This includes any accident or incident that has, or could have, caused:
  - significant property damage  
or
  - serious injury  
or
  - death  
or
  - anything prescribed in the NHVAS Notifiable Occurrences framework.
- (3) The NHVAS Notifiable Occurrences framework is subject to review and may be updated at any time by the NHVR.

## 13. Identification for nominated vehicles

- (1) All vehicles nominated for Maintenance Management and Mass Management are to be identified by a colour coded label.
- (2) Accreditation labels identify the module or modules the vehicle has been nominated for. The label relevant to the accreditation will display the name or names of the relevant module.

For Mass Management, the presence of a label on the hauling unit indicates that the rigid truck or combination is nominated.

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**Note:** As trailers are not individually nominated for Mass Management, mass management labels are not issued to trailers.

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- (3) Each label will bear a unique number allocated by the NHVR. When the NHVR issues a label, it will notify the operator of the specific vehicle for which the label has been issued. Each label must only be affixed to the vehicle for which it has been issued.
- (4) The participant is responsible for maintaining an audit trail to ensure the labels issued are placed only on nominated vehicles.
- (5) In the event a label is lost or destroyed, the participant must notify the NHVR in the approved form within 14 days before replacements can be issued.
- (6) In the event a nominated vehicle is no longer operating in the NHVAS, the participant must remove and either return or destroy the label. The participant must provide written advice of the action taken, within 14 days of the vehicle no longer being in the NHVAS.

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**Note:** A vehicle can include a trailer.

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- (7) It is an offence to falsely claim accreditation through the use of a label or any other means. Participants who do so may be subject to a financial penalty and/or sanctions.

## 14. Performance monitoring

- (1) Participants' performance in the NHVAS is monitored by a combination of:
  - obligatory scheduled compliance audits that participants organise themselves (See sections 11 – Participant obligations and 21 – Scheduled compliance audits)
  - investigations, spot checks, and inspections carried out by NHVR staff or delegated authorised officers
  - review of all compliance history information available to the NHVR.
- (2) Performance may be monitored at any time throughout the accreditation period; however special attention is paid to participants' performance toward the end of the period if the participant has notified the NHVR that they intend to apply to maintain their accreditation.  
(See section 15 – Maintaining accreditation)
- (3) By agreement with other states and territories, the NVHR delegates some functions to authorised officers (delegated authorised officers) and auditors employed by road authorities. Those authorised officers and some NHVR staff members who administer the NHVAS, have powers under the HVNL to inspect vehicles, ask questions, and request documents and information. In some situations, the NVHR may request delegated authorised officers and auditors to carry out checks, inspections or investigations on their behalf.
- (4) The NVHR require participants to comply with their obligations under these Business Rules and the conditions of their accreditation.
- (5) The NHVR may randomly select NHVAS participants for performance monitoring.
- (6) The NVHR may also check particular participants on the basis of information it receives.
- (7) Information received by the NHVR about the performance of vehicles, operators and drivers, comes from multiple sources. The NHVR considers and assesses the information it receives, and where appropriate, takes steps to verify the information.
- (8) At its discretion, the NVHR may respond to information by taking any of a range of actions, including requesting delegated authorised officers to take actions. The NHVR may exercise its discretion to

take no further action on information that is demonstrably false or inaccurate, or that has been provided with malicious or vexatious intent.

### **Investigation of complaints**

- (9) The NHVR may take action to investigate a credible complaint that relates to the conditions of accreditation.
- (10) If the investigation substantiates the complaint, the NHVR may take further actions or consider sanctions against the participant.  
(See section 16 - NHVAS sanctions).

### **Information from on-road intercepts**

- (11) On-road intercepts provide information on compliance with the HVNL, conditions of accreditation and other relevant road transport legislation. On-road intercepts can be carried out by NHVR authorised officers, delegated authorised officers or police.
- (12) When a vehicle or driver of an accredited operator is intercepted on the road, an intercept report (hardcopy or electronic) is to be completed by the intercepting officer and forwarded to the NHVR.

### **Information supplied by participants**

- (13) Each NHVAS module requires participants to complete quarterly compliance statements. These statements must contain a record of compliance with the key outcomes required for each NHVAS module.  
(Refer to the NHVAS Audit Framework document for key outcomes)
- (14) The NVHR may request the participant to provide copies of the quarterly statements, or it may review them at the participant's premises.
- (15) Notifications under the Notifiable Occurrences framework are a further source of performance monitoring information for the NHVR.

### **Spot checks**

- (16) The NHVR staff may carry out a spot check of a participant's compliance with some or all of the relevant module standards. The NHVR may also request a delegated authorised officer to perform the check. The check may be carried out on-site, or as a desk-top review. Depending on any information that may have prompted the check, and on the findings made during the process, the scope of the review may be extended further, at the discretion of the NHVR and the authorised officer.

### **Vehicle inspections**

- (17) If the NHVR has information indicating that the condition of a vehicle(s) nominated for accreditation or driven by a person operating under a fatigue module accreditation, does not meet vehicle standard requirements, the NHVR may order an inspection of the nominated vehicle(s) at the participant's premises or at a location stipulated by the NVHR. This action may also be performed by a delegated authorised officer.
- (18) Vehicle inspections costs must be met by the participant.
- (19) Inspections must be carried out by competent persons recognised by the NHVR as experienced in the inspection of heavy vehicles and in accordance with the HVNL or relevant instruments.

- (20) The person who carries out the inspection must provide a report to the NHVR and a copy to the participant. The report must show findings and remedial actions required.

### **Use of results**

- (21) Any findings, outcomes or reports that result from investigations, spot checks or inspections, or from any other source, are retained by the NHVR and may be taken into consideration when any decision is made about the participant's accreditation.

## **15. Maintaining accreditation**

- (1) The maintenance of accreditation depends on a participant's history of compliance, not only with the NHVAS and the HVNL more generally, but also upon their compliance with overriding public safety and road infrastructure objectives as provided for in s3 and s473(1) of the HVNL.
- (2) An application to maintain accreditation must be submitted between six (6) and one (1) month before the expiry date of the accreditation. (The application satisfies the requirement of providing notice in writing as set out in section 10 (2) - Accreditation period).
- (3) The application must include a report of a compliance audit conducted no earlier than nine (9) months before the date on which the accreditation expires and which attests that the management system, if followed, meets the relevant standards.
- (4) When determining whether to allow a participant to continue in the NHVAS and the length of the next accreditation period, the NHVR must consider the following:
  - (a) the audit results over the accreditation period
  - (b) the history of compliance with the terms and conditions of the NHVAS
  - (c) the history of compliance with relevant road transport legislation
  - (d) evidence the applicant has the ability and the will to reliably manage the accreditation
  - (e) for the AFM option, any advice received from a road authority representative and/or specialist third party advice.
- (5) Where a participant's compliance management system has failed to identify a non-conformance and/or implement corrective action, the NHVR may amend, suspend or cancel the next accreditation period.
- (6) If, after review, a participant's performance is not considered satisfactory in a module or group of modules of the relevant management system, the NHVR may decide not to grant the participant accreditation in that module or group of modules within the NHVAS.
- (7) For the accreditation period to be increased to three (3) years, a participant's performance shall be assessed in terms of whether there has been any non-conformance over the previous accreditation period, which includes but is not limited to:
  - corrective actions  
or
  - any breach of the road transport laws  
or
  - notifiable incident  
or
  - instances of defective vehicle notices classified as major or a higher severity issued against a nominated vehicle.

## 16. NHVAS sanctions

- (1) When determining the sanction to apply to a substantiated non-compliance with the HVNL or NHVAS Business Rules and Standards, consideration should be given to the severity of the case, including any mitigating circumstances and public safety and infrastructure objectives. Sanctions that can be imposed on a participant, depending upon the circumstances, include:
  - (a) counselling
  - (b) a written warning notice
  - (c) an improvement notice
  - (d) issuing a notice to take corrective action within a specified period
  - (e) increasing the frequency of scheduled audits
  - (f) requiring vehicle(s) to be presented for inspection by a body stipulated by the NHVR and at the participant's cost.
  - (g) variation of the period or condition of an accreditation
  - (h) issuing a proposed action notice why accreditation should not be amended, suspended or cancelled
  - (i) issuing a notice for immediate suspension or cancellation of accreditation.
- (2) A participant must respond to all proposed action notices within the time specified in the notice (at least 14 days) after the posting of the proposed action notice, as specified in s473 of the HVNL. At the end of the specified response period, the NHVR must consider all information provided and make a decision.
- (3) The participant will be advised in writing of the NHVR's decision and, if necessary, of the appropriate mechanism, if any, for internal review of the decision.
- (4) A participant must keep a record of any imposed sanction and the reasons for making that determination.
- (5) Any sanction taken against a participant is in addition to the normal penalties incurred for a conviction under any relevant legislation.

## 17. Review

- (1) A participant wishing to contest any of the following decisions may apply for internal review of the decision:
  - (a) not to grant a new accreditation
  - or
  - (b) to vary, suspend or cancel accreditation prior to the end of the accreditation period.

A participant must lodge their application for internal review within 28 days of the posting of the notification. If the original decision is upheld, the participant may appeal to the relevant tribunal in the jurisdiction where their registered address is located.

- (2) In accordance with the provisions of the HVNL, sanctions may be held in abeyance during the internal review, but if the original decision is upheld, they are to be imposed and remain in force unless overturned by the appeal process.

## 18. Exit

- (1) A participant may leave the NHVAS or voluntarily give up accreditation to a particular module at any time, or the accreditation may be suspended or cancelled in accordance with s473 of the HVNL.
- (2) A participant voluntarily leaving the NHVAS or a module, must advise the NHVR in writing that they wish to do so and must return the accreditation certificate, any accreditation and identification labels and interception report books, or provide written advice that they have been destroyed.
- (3) Where a participant's accreditation has been suspended or cancelled, the participant must return the identification labels or provide written advice that they have been destroyed within 14 days of the posting of the notification.
- (4) The NHVR may require by notice under s476 the return of the accreditation certificate.
- (5) A person must comply with a request within seven (7) days after receiving the notice.
- (6) To ensure that all items have been returned or destroyed, the NHVR may request access to records or access to the vehicle/s to confirm that the accreditation labels have been removed. Where necessary, the NHVR may take reasonable steps to recover the labels.

## 19. Information exchange

- (1) The NHVR may transmit the following information, as authorised by the HVNL, to relevant agencies:
  - (a) details of entry (name of participant) into a module
  - (b) details of exits (voluntary, allowed to lapse, suspension, cancellation) from a module, after all appeals, if any, have been exhausted.
- (2) The NHVR will transmit the following information, as authorised by the HVNL, to other agencies as appropriate:
  - (a) the results of a 'triggered' audit
  - (b) the results of a vehicle(s) inspection
  - (c) an enquiry regarding an audit or vehicle inspection
  - (d) details of any bona fide complaint received about a participant
  - (e) a response to a complaint
  - (f) a response to an enquiry regarding accreditation status.
- (3) Road authorities may share relevant compliance information as authorised by the HVNL, including s660 of the HVNL, to support decision making by the NHVR.

## 20. NHVAS Standards and Audit Framework

- (1) The NHVAS Standards outline the performance standards that a participant is required to meet to become accredited and continue to meet while an active participant under an applicable module.  
The Mass, Maintenance and Fatigue Management Standards are outlined in the Appendices  
.
- (2) The NHVR may issue an approved NHVAS Audit Framework outlining the principles and procedures for conduct of audits under the NHVAS.
- (3) Audits must be carried out in accordance with the approved NHVAS Audit Framework as amended from time to time. The NHVAS Audit Framework is published by the NHVR, at [www.nhvr.gov.au](http://www.nhvr.gov.au).

## 21. Scheduled compliance audits

- (1) Auditing is a compulsory condition of establishing and maintaining accreditation under the NHVAS Business Rules and Standards. The Standards are deliberately set at a high benchmark so that the safety of heavy vehicles and management of driver fatigue is ensured.
- (2) Prior to or during an audit (excluding entry), participants must provide the external auditor with the following information from their own records (i.e. not from the NHVR):
  - (a) an up-to-date list of all drivers who have been approved for use under accreditation since the previous scheduled audit
  - (b) details of their compliance history (e.g. intercept reports, infringement notices/breach notices, details of participant's relevant compliance history since the previous accreditation/application period)
  - (c) the participant's previous audit report.
- (3) The provision of this information must be made prior to each audit; however information provided will be subject to the requirements of privacy legislation in the particular jurisdiction.
- (4) Audits must be carried out by an NHVAS approved auditor who is registered with the NHVR and is independent of and external to the participant.
- (5) The NHVAS approved auditor must carry out the entry and compliance audits in person and not by telephone.
- (6) An auditor conducting a compliance audit, including entry, must ensure that the findings of the audit of procedural and systems documentation are verified by observation of processes, inquiries made with personnel and/or physical inspection of vehicle/s and facilities.
- (7) Every audit must be conducted to meet the requirements of the Audit Framework and address the thresholds, tests, and criteria set by the standards for each accreditation module. Information regarding inquiries made may be required to be disclosed to the NHVR in the NHVAS Audit Summary Report.
- (8) An audit report is valid for nine (9) months from the date the audit is conducted, unless the participant makes changes to their relevant management systems because of the findings from a quarterly compliance statement or annual internal review.
- (9) Audit reports and matrices may be periodically reviewed by the NHVR for purposes of validation, or to further ensure audit consistency and identify where improvements may be made to the NHVAS audit system.
- (10) The NHVR will provide a point of contact via the NHVR website for participants to provide feedback on auditors and the audit process. The feedback will provide a mechanism for measuring issues with consistency of audit as well as the opportunity for the NHVR to improve processes. All feedback will be treated in confidence and will not impact on a participant's audit results or accreditation status.

## 22. Auditors

- (1) An auditor of a Mass, Maintenance or Fatigue Management System is a person who is registered by the NHVR and:
  - (a) holds a qualification in heavy vehicle auditing
  - (b) has transport industry experience and capability
  - (c) has excellent communication skills and the ability to build relationships and work collaboratively
  - (d) holds current professional indemnity and public liability insurances

- (e) is a fit and proper person
  - (f) if conducting an audit, wherein they lead one or more auditors or has in place a formal agreement to second a person with the technical competencies, as required under section 22 (2), they must also hold a relevant lead auditor qualification accepted by the NHVR.
- (2) For the purposes of carrying out an audit of a Mass or Maintenance Management System, in addition to the requirements of section 22 (1) above, an auditor must also:
- (a) have relevant technical competencies that are recognised under the Australian Qualifications and Training Framework (AQTF) or through training recognised by the NHVR or by another person or body authorised for that purpose by the NHVR.
  - (b) provide proof of a formal arrangement that enables the auditor to second a person or persons with such competencies, as is necessary to complete an audit.
- (3) NHVAS auditors are registered by the NHVR and a register of NHVAS auditors is maintained and published by the NHVR, at [www.nhvr.gov.au](http://www.nhvr.gov.au).
- (4) Providing false or misleading information by or about auditors to the NHVR is an offence under s478 of the HVNL. Persons who do so may be subject to a financial penalty of up to \$10,000. The NHVR may also impose sanctions on a participant (See section 16 - NHVAS sanctions).
- (5) The NHVR may direct the applicant to use a particular auditor, or one of a number of auditors nominated by the NHVR, for any given audit.
- (6) There are a number of factors that determine the allocation of an auditor/s to a participant. These include:
- (a) audit location, including remote area location
  - (b) type and cost of audit
  - (c) audit length
  - (d) auditor availability.
- (7) Auditors who are systems providers or consultants (individual or company) cannot conduct the entry or initial compliance audit on a participant's system that they have designed and/or implemented. After these two (2) audits have been conducted, they may then carry out further audits of that participant.
- (8) Consultants or auditors cannot act on behalf of an applicant or participant or be a nominated contact for a participant's accreditation, unless they are a full time employee of the applicant or participant and are subject to section 22 (9).
- (9) An auditor/consultant who is employed full time by an applicant or participant may be the nominated contact for that operator and no other.

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<b>Note:</b>	Full time employment is defined as an employee with ongoing employment who works in the capacity of the assigned position, on average around 38 hours each week. (Fair Work Ombudsman)
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- (10) An auditor must not carry out more than two (2) consecutive audits on the same module of an applicant or participant. For the third audit of the relevant module, a different auditor would be required. Entry and initial compliance audits are included when counting audits. These provisions may, after written application by an operator, be waived by the NHVR in extenuating circumstances, such as where audits take place in remote areas or in the case of an audit carried out for re-alignment of accreditation dates.

## Auditor compliance rules

- (11) The NHVR may issue and publish an approved Code of Conduct outlining the behaviours that auditors should uphold when conducting audits under the NHVAS.
- (12) Auditors must carry an identification (ID) card which is issued by the NHVR for formal identification purposes while auditing.
- (13) The NHVR may at its discretion, undertake or arrange to have undertaken, a review of an individual auditor's accreditation audit reports and/or undertake an observation of an auditor's competencies under on-site conditions during a heavy vehicle accreditation audit.
- (14) In the event of the NHVR receiving a formal complaint or negative report about the actions of an auditor, the NHVR may investigate or arrange an investigation of the circumstances.
- (15) As a result of a review of an auditor's report, observations of the auditor's actions or investigation, the NHVR may do one or more of the following:
  - (a) Provide the auditor with feedback, advice and/or counselling
  - (b) Recommend that the auditor undertakes remedial training
  - (c) Provide written warning advice
  - (d) Temporarily withhold approval and remove the person's name from the NHVAS register of auditors
  - (e) Permanently withdraw approval and remove the person's name from the NHVAS register of auditors
  - (f) Cause the relevant audit/s to be cancelled in all or part and require a new audit be conducted (having regard to the potential impact on the participant).
- (16) Decisions of the NHVR in relation to an approved auditor may be subject to internal review. The NHVR may affirm the decision, or set it aside and replace it by another decision it considers to be appropriate. An application for a review must be in writing and must be made within 28 days after a decision has been made or a statement of reasons for the decision is given.
- (17) The NHVR may have regard to disciplinary decisions made under the Western Australian Accreditation scheme.

## 23. Registered Training Organisation (RTO)

- (1) From 1 July 2018, Fatigue Management training is required to be completed for participation in the Fatigue Management modules and must be delivered by an NHVR approved RTO.
- (2) The eligibility requirements for an RTO to be recognised and approved by the NHVR are contained in *The Fatigue units of competency – RTO guide* (as amended from time to time) which is published by the NHVR, at [www.nhvr.gov.au](http://www.nhvr.gov.au).
- (3) The NHVR may monitor the delivery of courses by approved RTOs to ensure course content is consistently delivered in accordance with training and assessment material that the RTO provided to the NHVR when it applied for approval.
- (4) The NHVR will continue to recognise the validity of any fatigue unit of competency completed prior to 1 July 2018.

## 24. Re-publication of Business Rules and Standards

- (1) The Business Rules and Standards may be republished by the NHVR in formats that are accessible to industry and interested parties and in which the Standards or Business Rules may be accompanied by contextual information, such as an explanation of heavy vehicle regulations, cross-references to relevant NHVR publications, information regarding compliance strategy or other operational matters.

## Appendices

### Appendix 1: Maintenance Management Standards

#### 1. Daily Check

Standard	
The Maintenance Management System must include a Daily Check for each vehicle when it is in use.	
Description	
The Daily Check is a documented instruction of simple safety checks. The operator shall define when the inspection is carried out, by whom and how it is recorded. The individual completing the Daily Check shall acknowledge the vehicle to be safe to the limits of the inspection, or report any faults found.	
Criteria	
An operator would need to demonstrate the following:	
(1)	A documented instruction exists that details when the check is carried out, who carries it out and how the check is recorded.
(2)	<p>The Daily Check covers, as a minimum, the inspection of:</p> <ul style="list-style-type: none"> <li>(a) <b>Wheels and tyres:</b> tyres for pressure (visual check) and tread integrity wheels security.</li> <li>(b) <b>Lights and reflectors:</b> all lights, including clearance lights (where applicable) are fitted and operating all reflectors and lenses.</li> <li>(c) <b>Windows, mirrors and wipers:</b> windows and mirrors for security, damage and grime windscreen wipers and washers operate effectively ensuring clear forward vision.</li> <li>(d) <b>Structure and bodywork:</b> all panels and readily visible structural members are secure and free from cracks fluid or air leaks (For example, oil, fuel, water, refrigerant/coolant, hydraulic fluid, brake fluid or other).</li> <li>(e) <b>Brakes:</b> brake failure indicators pressure/vacuum gauges drain air tanks.</li> <li>(f) <b>Tow couplings and drawbars:</b> tow couplings and drawbars to be visually inspected for security and integrity.</li> <li>(g) <b>NHVAS label and Intercept report book:</b> fitted not obscured</li> </ul>

- free of damage
- Intercept report book is kept with the vehicle.
- (h) On-Road Vehicle Fault Report:  
Any faults found during the Daily Check are to be recorded within the On-Road Vehicle Fault Report.

- (3) That the individual(s) who carried out the check understands they are certifying that the vehicle is safe to the limits of the inspection prior to the vehicle being used on a road.

**Note:** Records for completion of the Daily Check may be retained in any format.

## 2. Fault recording and reporting

### Standard

The Maintenance Management System must ensure that provision is made to record and report vehicle faults on both the hauling and trailing equipment.

### Description

The driver should be able to record and report any recognisable fault occurring during the course of a journey so that it may be assessed and rectified.

### Criteria

An operator would need to demonstrate the following:

- (1) A means to record faults occurring during a journey that is retained in the vehicle and covers both trailing and hauling equipment.
- (2) A documented instruction exists that details how a driver records faults occurring during a journey and how faults are reported to the maintenance provider, as soon as reasonably practicable.
- (3) A documented instruction exists that provides direction to fix major or serious faults as soon as reasonably practicable, even if the vehicle is away from home base.
- (4) A documented instruction exists which provides for faults occurring at any other time to be reported to the maintenance provider as soon as reasonably practicable.

**Note:** Records for completion of the fault repair may be in any format acceptable.

## 3. Fault repair

### Standard

The Maintenance Management System provides for the identification, assessment and action on reported faults.

### Description

The Maintenance Management System has a method of identifying, assessing and taking action on reported faults from any source (i.e. driver, maintenance provider or manager) and determines the priority placed on repair of the fault.

Criteria	
An operator would need to demonstrate the following:	
(1)	A documented instruction exists to identify and assess the nature of a fault and give priority to its repair.
(2)	Where the fault is deferred, the person making the decision to defer must be identified on the record.
(3)	Where a decision is made to monitor the condition of a fault, the decision to monitor must be recorded. The system must also set the time frames at which monitoring will occur and the upper limit for when a fault is repaired (e.g. at no more than 1000km, when parts are received or when the part's designated service limit is reached).
(4)	Where a decision is made to monitor the condition of a fault, the identity of the person who makes the decision must be recorded.
(5)	At the completion of the repair, records show the fault has been rectified and tested, where appropriate.
<b>Note:</b> Records for completion of the fault repair may be in any format acceptable.	

#### 4. Maintenance schedules and methods

Standard	
The Maintenance Management System must include Periodic Maintenance Schedules with identified service periods that describe the tasks to be completed.	
Description	
Evidence the vehicle is being systematically maintained. This will be through a series of work schedules pertinent to various vehicle and system components. Within the maintenance schedules, or available to the maintenance provider, will be a description of the tasks for the inspection, service, repair or replacement of components utilised within the vehicle.	
Criteria	
An operator would need to demonstrate the following:	
(1)	Evidence that at the time of entry into the scheme, the nominated fleet has been certified roadworthy with a Heavy Vehicle Inspection Report issued by a road transport authority or where applicable by a qualified person experienced in the inspection of heavy vehicles in accordance with the National Heavy Vehicle Inspection Manual (NHVIM) and the Australian Design Rules (ADRs).
<b>Note:</b> The evidence cannot be more than 12 months old.	
(2)	Maintenance schedules provide for the periodic maintenance of a vehicle at defined intervals of time, distance or hours of use. Schedules must include a description of the tasks to be completed during the service.
(3)	That a table of tolerances and wear limits for major components exists and that it complies at least with the National Vehicle Standards.
(4)	All nominated vehicles must undergo an annual mechanical inspection that is recorded using the <a href="#">NHVR Heavy Vehicle Inspection Checklist</a> . The inspection must be conducted by a suitably qualified person or

by a person supervised by a suitably qualified person.

## 5. Records and documentation

### Standard

Documented evidence must be maintained to demonstrate the effective operation of the Maintenance Management System in accordance with the Maintenance Management Standards.

### Description

Essential to the maintenance system is the keeping and preservation of pertinent records.

### Criteria

To satisfy the standard an operator would need to demonstrate the following:

- (1) A documented procedure to record the details of each vehicle nominated in the module.
- (2) A register of nominated vehicles inclusive of any sub-contractors is kept and regularly updated and at a minimum, the details for each nominated vehicle must include:
  - (a) the name of the owner of the vehicle (identified as subcontracted if applicable)
  - (b) registration number
  - (c) state of registration
  - (d) manufacturer
  - (e) VIN unique identifier
  - (f) type of unit (For example, prime mover, trailer, dolly, rigid truck)
  - (g) date of construction/manufacture
  - (h) vehicle tare weight
  - (i) manufacturer's (technical) specifications of GVM and GCM or ATM
  - (j) NHVAS label number
  - (k) date of joining and exiting NHVAS Maintenance Management Scheme.
- (3) At a minimum, documentary evidence of the following:
  - (a) That the daily check is being completed in accordance with the documented procedure.
  - (b) That faults occurring on the road are being recorded and reported in accordance with the documented procedures.
  - (c) That reported faults are being repaired in accordance with appropriate procedures and nominated deferred time frames.
  - (d) That for any notice issued against a vehicle for contravening a vehicle standards regulation, a register is kept that details:
    - the registration and VIN number of the vehicle to which the notice was issued
    - the date, time and place the notice was issued
    - the nature of the contravention (description of the defect)
    - the date the defect must be repaired by

	<p>who conducted the repairs the date the repair was completed the authorised entity that cleared the notice.</p>
(e)	That vehicles are maintained in accordance with the set periodic service schedules.
(f)	That the persons maintaining vehicles under the Maintenance Management System are suitably qualified or experienced to do so.
(g)	Documents are approved, issued, reviewed, modified and accounted for in accordance with the operator’s prescribed control procedures.
(4)	A register of all persons with a designated responsibility under the accreditation is kept and regularly updated.
(5)	Current documentation is available to all relevant personnel and at all locations where operations essential to the effective functioning of the system are performed.

## 6. Responsibilities

<b>Standard</b>	
The authorities, responsibilities and duties of all positions involved in the management, operation, administration, participation and verification of the Maintenance Management System are current, clearly defined and documented and carried out accordingly.	
<b>Description</b>	
Responsibility for each operation of the Maintenance Management System is to rest with appropriate people within the road transport operation as nominated by the operator.	
<b>Criteria</b>	
To satisfy the standard an operator would need to demonstrate the following:	
(1)	The appropriateness of each person’s position, qualifications or training for the responsibilities allocated to him or her.

## 7. Internal review

<b>Standard</b>	
The Maintenance Management System must be subject to quarterly and annual internal review to verify that all results and activities comply with the systems policies, procedures, instructions and reflect current business activities.	
<b>Description</b>	
An annual internal review of the Maintenance Management System is a regular look at the system against the standards to see that it complies. An effective review will pick up problem areas in the basic requirements, show failures to comply with procedures, and identify non-compliances that should be fixed as soon as possible.	
<b>Criteria</b>	

An operator would be able to demonstrate the following:

- (1) There is a documented procedure for conducting an internal review of the Maintenance Management Standards at least every twelve (12) months.
- (2) An internal review schedule.
- (3) Internal reviews are undertaken by persons independent of the activity being reviewed, where practical.
- (4) A documented instruction exists that identifies and corrects all non-conformances detected from all sources to make sure the incidents are not repeated.
- (5) That the responsibilities for identifying and correcting all non-conformances are current, clearly defined and documented.
- (6) That all non-conformances and action taken to correct them are recorded.
- (7) A Quarterly Compliance Statement is produced, accepted and signed by the responsible person containing advice of the key outcomes of the module including the number of:
  - vehicles in the nominated fleet
  - daily checks undertaken on nominated vehicles and the number of daily checks that were missed, (Daily checks are counted on a per vehicle basis, not per vehicle combination basis. (For example, for a B-Double combination, it comprises three (3) daily checks),
  - services completed and the number of services that were missed
  - fault request repairs lodged and the number of those that were not actioned and/or rectified
  - notices issued for vehicles not complying with vehicle standards regulations
  - infringements notices received relating to vehicle standards regulations.
- (8) That changes to documents and procedures are recorded and the original documents and procedures are kept for a minimum of three (3) years for external audit purposes.

## 8. Training and education

### Standard

The persons who hold a position of responsibility under the Maintenance Management System are trained in and familiar with the specific policy procedure and instructions they are to carry out.

### Description

Training and education is essential to ensure all employees, including managers, and other persons that are not employees (i.e. subcontractor, agency staff), understand the Maintenance Management System, and have the appropriate knowledge and skills to carry out the tasks given to them.

### Criteria

To satisfy the standard, an operator would need to demonstrate the following:

- (1) A documented instruction exists that details how persons assigned a role of responsibility within the Maintenance Management System are trained in the specific policies, procedures and responsibilities they are to carry out.
- (2) Relevant records for those in a role of responsibility within the Maintenance Management System that detail:

the name and signature of the person who received the training and on what date  
 the subject material covered during the training  
 the name and signature of the person who delivered the training and on what date.

## Appendix 2: Mass Management Standards

### 1. Responsibilities

#### Standard

The authorities, responsibilities and duties of all positions involved in the management, operation, administration, participation and verification of the Mass Management System are current, clearly defined and documented and carried out accordingly.

#### Description

Responsibility for the operation of the Mass Management System is to rest with appropriate people within the road transport operation, as nominated by the operator.

#### Criteria

To satisfy the standard an operator would need to demonstrate the following:

- (1) The appropriateness of each person’s position, qualifications or training for the responsibilities allocated to him or her.

### 2. Vehicle control

#### Standard

All vehicles nominated by the accredited operator and all trailers used in combination with nominated vehicles, must be operated in accordance with the Mass Management System.

#### Description

Sufficient evidence must be kept to prove that the nominated vehicles in the Mass Management System meet the necessary Mass Management Standards.

#### Criteria

To satisfy the standard, an operator would need to demonstrate the following:

- (1) A documented procedure to record details of each vehicle nominated in the module.
- (2) A register of nominated vehicles inclusive of any sub-contractors is kept and regularly updated and at a minimum, the details for each nominated vehicle must include:
  - (a) the name of the owner of the vehicle (identified as subcontracted if applicable)
  - (b) registration number
  - (c) state of registration
  - (d) manufacturer
  - (e) VIN unique identifier

(f)	type of unit (For example, prime mover, trailer, dolly, rigid truck)
(g)	date of construction/manufacture
(h)	vehicle tare weight
(i)	Road Friendly Suspension Certification Number (If applicable)
(j)	manufacturer's (technical) specifications of GVM and GCM or ATM
(k)	allowable (authorised) axle and gross mass limits applicable to the mass concession (i.e. CML or HML)
(l)	NHVAS label number (if applicable)
(m)	date of joining and exiting NHVAS Mass Management Scheme (If applicable)
(3)	That all nominated vehicles have the technical specifications to conform to the allowable mass limits.
(4)	That all nominated vehicles if required have mass authorisations to use the road network.
(5)	That vehicles sub-contracted to the operator are 'captive' or secured to the operator.

### 3. Vehicle use

<b>Standard</b>
The vehicle mass must be determined by weighing or by a method of assessment prior to departure allowing for any variation.
<b>Description</b>
Before each departure of a loaded vehicle it must be weighed or have its weight assessed by other means. The loading system must be objective and ensure axle and gross masses are within the allowable limits before the vehicle or combination goes on the road.
<b>Criteria</b>
To satisfy the standard, an operator would need to demonstrate the following:
(1) A documented instruction exists that objectively demonstrates that product loading is controlled to ensure that axle mass and gross mass remain within those limits allowable under the HVNL Mass Management System.
(2) The system should cater for all possible variations including density, number, volume etc.

### 4. Records and documentation

<b>Standard</b>
Documented evidence must be maintained to demonstrate the effective operation of the Mass Management System in accordance with the Mass Management Standards.
<b>Description</b>
Essential to the Mass Management System is keeping and preservation of pertinent records.
<b>Criteria</b>

To satisfy the standard, an operator would need to demonstrate the following:

- (1) Records for any trip that involves vehicle masses above GML (axle or gross) must be kept and include details that identify the trip and vehicles involved.
- (2) Documentation of each trip record captures (at a minimum) the following;
  - vehicle registration numbers, includes hauling and trailing units
  - date/s of trip
  - loading and destination locations
  - established gross mass (both axle and gross mass records are to be kept where practical)
- (3) That a register is kept of any vehicle defect notice or infringement notice issued for a vehicle in relation to its suspension. The register must include the following details:
  - the registration and VIN of the vehicle to which the notice was issued
  - the date, time and place the notice was issued
  - the nature of the contravention (description of the notice and or defect)
  - if a notice is in relation to vehicle standards
  - the date the defect must be repaired by
  - who conducted the repairs
  - the date the repair was completed
  - the authorised entity that cleared the notice.
- (4) A register of all persons with a designated responsibility under the accreditation is kept and regularly updated.
- (5) Current documentation is available to all relevant personnel and at all locations where operations essential to the effective functioning of the system are performed.
- (6) Documents are approved, issued, reviewed, modified and accounted for in accordance with the operator's prescribed control procedures.

## 5. Verification

### Standard

The weight of the vehicle and load must be verified to produce an auditable record.

### Description

The methods used for assessing the weight of vehicle loads are accurate and reliable.

A certified/calibrated method of weighing the vehicle is completed to confirm the weight assessed at each departure is accurate.

### Criteria

To satisfy the standard, an operator would need to demonstrate the following:

- (1) A documented instruction exists that demonstrates that the system produces and records evidence of weight specific to a vehicle or combination.
- (2) The verification of a vehicle's mass when loaded according to procedures described as part of Standard 3 must be conducted at least bi-annually using a weighing device that has been certified/calibrated within the last twelve (12) months.

Note: Where the documented policies & procedures adopted for standard 3 can demonstrate that vehicle loading is controlled within allowable axle and gross limits for every load and trip it can be taken that the criteria for this standard have been met.

## 6. Internal review

Standard	
<p>The Mass Management System must be subject to quarterly and annual internal review to verify that all results and activities comply with the systems policies, procedures, instructions and current business activities.</p>	
Description	
<p>An internal review of the Mass Management System is a regular look at the system against the standards to see that it complies. An effective review will identify problem areas in the basic requirements, show failures to comply with procedures, and identify non-compliances that should be fixed as soon as possible.</p>	
Criteria	
<p>To satisfy the standard, an operator would be able to demonstrate the following:</p>	
(1)	There is a documented procedure for conducting an internal review of the Mass Management Standards at least every twelve (12) months.
(2)	An annual internal review schedule.
(3)	Internal reviews are undertaken by persons who are independent of the activity being reviewed, where practical.
(4)	That there is a documented method to identify and correct all non-conformances detected from all sources to make sure the incidents are not repeated.
(5)	That the person(s) responsibility for identifying and correcting all non-conformances is current, clearly defined and documented.
(6)	That all non-conformances and action taken to correct them are recorded.
(7)	<p>A Quarterly Compliance Statement is produced, accepted and signed by the responsible person containing advice of the key outcomes of the module including:</p> <ul style="list-style-type: none"> <li>the number of vehicles in the nominated fleet</li> <li>the number of trips undertaken above GML limits</li> <li>the number of trips undertaken which were non-compliant with concessional mass limits</li> <li>the level of excess mass for each non-compliant trip</li> <li>the number of defect notices issued for vehicles not complying with a vehicle standards regulation in relation to the suspension of the vehicle</li> <li>the number of charges or infringement notices issued against the mass, dimension and loading regulation.</li> </ul>
(8)	That changes to documents and procedures are recorded and the original documents and procedures are kept for a minimum of three (3) years for external audit purposes.

## 7. Training and education

<b>Standard</b>	
Persons who hold positions of responsibility under the Mass Management Systems are trained in and familiar with the specific policy, procedure and instruction they are to carry out.	
<b>Description</b>	
Training and education is essential to ensure all employees, including managers, understand the Mass Management System and have the appropriate knowledge and skills to carry out the tasks given to them.	
<b>Criteria</b>	
To satisfy the standard, an operator would need to demonstrate the following:	
(1)	Documented procedures exist that detail how persons assigned a role of responsibility within the Mass Management System are trained in the specific policies, procedures and responsibilities they are to carry out.
(2)	Relevant records for those in a role of responsibility within the Mass Management System that detail: the name and signature of the person who received the training and on what date the subject material covered during the training the name and signature of the person who delivered the training and on what date.

## 8. Maintenance of suspension

<b>Standard</b>	
All vehicles subject to this accreditation, including vehicles and trailers supplied by other parties, must have their suspension systems maintained and replaced according to manufacturer's or a qualified mechanical engineer's specification and taking into account the Australian Road Transport Suppliers Association (ARTSA) Air Suspension Code (where applicable).	
<b>Description</b>	
For all vehicles operating under the accreditation, including trailers being hauled by nominated vehicles, evidence is kept that shows that the suspension has been properly maintained in accordance with either manufacturer specifications, the ARTSA Air Suspension Code of Practice or the National Heavy Vehicle Inspection Manual (NHVIM).	
<b>Criteria</b>	
To satisfy the standard, an operator would need to demonstrate the following:	
(1)	Documented procedures exist that detail the instructions and specifications for the maintenance and repair of the suspension systems utilised in the nominated vehicles and evidence of certification for any suspension claimed to be road friendly under VSB 11.
(2)	Documented procedures exist that detail when the suspension is to be checked (based on manufacturer's or a qualified mechanical engineer's specifications of time and/or distance and taking into account the ARTSA Air Suspension Code), by whom and how it is to be recorded.
(3)	Documented procedures exist for:

	<ul style="list-style-type: none"> <li>a) recording faults to the suspension during a journey</li> <li>b) how the faults are reported to the maintenance provider</li> <li>c) placing a priority on its repair</li> <li>d) the repair, as soon as possible, of major or serious faults that may affect the performance of the suspension system, even if the vehicle is away from home base</li> <li>e) the repair of other faults in a timely manner</li> </ul>
(4)	Documented procedures exist for decision making with respect to suspension maintenance. This is to include the final sign-off of the repair when completed.
(5)	Evidence that any repairs to suspensions are only carried out by persons having suitable qualifications or experience to competently complete any maintenance tasks, or are done so under qualified supervision with recent experience.
(6)	For a vehicle supplied by another party, the accredited operator must have a statement of compliance for the vehicle that demonstrates the suspension is maintained to the appropriate standard. Note: For vehicles supplied by another party that are nominated under the maintenance management module a statement of compliance is not required.

## Appendix 3: Fatigue Management Standards

### 1. Scheduling and rostering

Standard	
Scheduling of individual trips and rostering of drivers will incorporate fatigue management measures and be in accordance within either prescribed legislative limits or approved operator limits.	
Description	
<p>Scheduling and rostering practices are to ensure trip schedules and driver rosters are planned and assigned in accordance with the legislated operating limits or operator’s approved operating limits. Scheduling and rostering practices will include an assessment of the driver’s recent work history, ability, welfare and preference (where appropriate), and time for the transport task to be completed safely.</p> <p>Both legislated operating limits and approved operating limits, will include the:</p> <ul style="list-style-type: none"> <li>time required to perform the transport task safely under all reasonably foreseeable circumstances</li> <li>rest periods required to recover from the fatigue effects of work</li> <li>cumulative effects of fatigue over several days of work</li> <li>effects of time of day on fatigue risks and quality of sleep.</li> </ul>	
Criteria	
To satisfy the standard, an operator must demonstrate the following:	
(1)	Schedules and rosters are documented.
(2)	Schedules and rosters are monitored and regularly reviewed.
(3)	Action is taken to minimise fatigue risks when altering schedules and rosters.
(4)	Drivers are given the flexibility to alter trip schedules within legislative limits or normal and outer operating limits to maximise rest opportunities and minimise fatigue risk.
(5)	Guidelines are in place for the use of relief/casual drivers where required.
(6)	The increased fatigue risk for a driver returning from leave is considered in scheduling and rostering of the driver.
(7)	Drivers have input into schedules where practicable, to ensure trip plans are reasonable.
(8)	On an occasion when a driver is permitted to exceed normal approved operating limits (AFM only), they are managed with the appropriate counter measures.
(9)	Schedulers provide sufficient advance pre-trip notification to ensure drivers can comply with legislation.
(10)	No schedules or rosters are to be planned to extend beyond any normal operating frequencies and legislative or approved operating limits.

## 2. Health and wellbeing for performed duty

Standard	
Drivers are in a fit state to safely perform required duties and meet the specified medical requirements.	
Description	
<p>This standard requires that a system be developed to ensure drivers are in a fit state to safely perform required duties and meet the specified medical requirements. Operators are to ensure that time off is provided for drivers to recover from or to prepare for the fatigue effects of work.</p> <p>Drivers are to ensure that they consider the impact of activities such as recreational activities and personal life on their wellbeing and capacity to work safely, and use time off responsibly to prepare for, or to recover from, the fatigue effects of work.</p>	
Criteria	
To satisfy the standard, an operator must demonstrate the following:	
(1)	Drivers are certified as being fit to drive a heavy vehicle by a medical practitioner according to <i>Austrroads' Assessing Fitness to Drive</i> guidelines (or an equivalent document approved by the NHVR). The examination must include an assessment to detect drivers in the high risk group for sleep disorders. Examinations are to be conducted, as a minimum, once every three (3) years for drivers aged 49 or under, and yearly for drivers aged 50 or over.
(2)	Documented procedures exist for driver fitness for duty which address driver health, use of drugs/alcohol, medical condition, well-being and state of fatigue.
(3)	Documented procedures exist for drivers to assess their fitness for duty prior to commencing and during work.
(4)	Documented procedures exist for the drivers to notify the operator if they are unfit for duty due to any lifestyle, health or medical issue both before and during work.
(5)	Any medical advice to drivers is taken into account when assigning duties.
(6)	Drivers are provided information to promote and encourage optimal management of their health.
(7)	Operators with two-up driving operations are to have procedures in place for undertaking two-up driver recruitment and team selection, and for optimising the alternative driver's comfort while resting in a moving vehicle.

## 3. Training and Education

Standard	
All personnel involved in the management, operation, administration, participation and verification of the Fatigue Management System can demonstrate appropriate knowledge and skills in fatigue management relevant to their position.	
Description	
Fatigue knowledge and awareness is essential to ensure all persons (including managers), who are involved in the Fatigue Management System, understand fatigue management issues and have the knowledge and skills to practice fatigue management and to comply with the operator's Fatigue Management System.	

Criteria	
To satisfy the standard, an operator must demonstrate the following:	
(1)	That the operator has steps in place to ensure anyone involved in the management, operation, administration, participation and verification of the Fatigue Management System is made aware of the operator’s current fatigue management policies and procedures.
(2)	That all persons who hold a position of responsibility under the operator’s Fatigue Management System are identified and: <ul style="list-style-type: none"> <li>(a) have been inducted and regularly updated in the operator’s fatigue management policies and procedures.</li> <li>(b) are able to demonstrate competence in managing driver fatigue, including understanding the causes, effects and symptoms of fatigue, and being able to apply strategies to better manage fatigue.</li> <li>(c) if the person drives a heavy vehicle under the Fatigue Management System – that person is able to demonstrate competence with TLIF0005 (or any supersession). Apply a fatigue risk management system.</li> <li>(d) if the person is a scheduler, as described in the heavy vehicle driver fatigue legislation, or who supervises or manages drivers and schedules staff – that person is able to demonstrate competence with TLIF0006 (or any supersession). Administer a fatigue risk management system.</li> </ul>
(3)	That they have documented procedures for maintaining the currency of knowledge in fatigue management for all people who hold a position of responsibility, including identifying any knowledge needs and if, and when, any re-assessment of competence is to be conducted, and ensuring that this has occurred.
(4)	That records of competence of drivers, schedulers or those who supervise or manage drivers and scheduling staff have been maintained, including: <ul style="list-style-type: none"> <li>details of what, if any, training was undertaken, who delivered the training and when this training occurred</li> <li>if, and when any re-training is required</li> <li>a record of the qualifications of workers, including any units of competence achieved.</li> </ul>
<b>Note:</b>	For the purposes of assessment, the evidence required to demonstrate competence must be relevant to, and satisfy all the elements and performance criteria of, the specified unit. Performance must be demonstrated consistently over a period of time and in a suitable range of contexts including through written and oral tests, appropriate simulated activities and/or in an appropriate range of situations in the workplace.

## 4. Responsibilities and management practices

Standard
<p>The authorisations, responsibilities and duties of all positions involved in the management, operation, administration, participation and verification of their operations under the Fatigue Management System are current, clearly defined and documented and carried out accordingly, to minimise the risk relating to driver fatigue.</p> <p>The Fatigue Management System ensures effective communication between management and drivers on matters that affect the safe operation of the business.</p>

Description	
The effective operation of the Fatigue Management System is dependent on all relevant personnel knowing and fulfilling their responsibilities to ensure that the requirements of the standards are met.	
Criteria	
To satisfy the standard, an operator must demonstrate the following:	
(1)	All relevant personnel are carrying out their duties and responsibilities in compliance with the Fatigue Management Standards and the operator’s Fatigue Management System.
(2)	Authorities, responsibilities and duties relating to the Fatigue Management System are current, clearly defined and communicated to all appropriate personnel.
(3)	Fatigue Management Systems are in place to deter non-compliance and implement corrective actions.
(4)	Personnel performance management practices, including counselling and disciplinary action, are in place to deter non-compliance and implement corrective actions.
(5)	A communication process (For example, in-trip communication with drivers, meetings, notices, newsletters) is in place to facilitate the exchange of information between drivers and management where practical and appropriate.

## 5. Internal review

Standard	
The Fatigue Management System must be subject to quarterly and annual internal review to verify that all results and activities comply with the system’s policies, procedures, instructions and current business activities.	
Description	
The internal review process is an essential management tool that checks that procedures are being followed and indicates how the Fatigue Management System is working. Fundamental to the management of the fatigue risk is the capacity of the system to enable assessment of fatigue risks and the identification, reporting and investigation of incidents of non-compliance with the standards, so that the necessary corrective action may be taken.	
Criteria	
To satisfy the standard, an operator must demonstrate the following:	
(1)	There is a documented procedure for conducting an internal review of the Fatigue Management Standards at least every twelve (12) months.
(2)	Internal reviews are undertaken by competent persons not responsible for the activity being reviewed, where practical.
(3)	Documented procedures exist to monitor, identify, report, investigate and record non-compliances and take the necessary corrective action to prevent further occurrences.
(4)	A Quarterly Compliance Statement is produced, accepted and signed by the responsible person containing advice of the key outcomes of the module including the number of: drivers operating under the accreditation

	<p>new drivers inducted for the quarter</p> <p>work and rest hour records reviewed</p> <p>compliant and non-compliant work and rest hour records</p> <p>driver medicals that are current</p> <p>driver medicals that have expired</p> <p>fatigue related incidents</p> <p>notices received for breaching fatigue regulations</p>
(5)	Documented procedures exist to investigate incidents to determine whether fatigue was a contributing factor.
(6)	Records of drivers' work and rest times are regularly reviewed at least every twelve (12) months to ensure they are still relevant and comply with legislative and approved operator limits
(7)	That changes to documents and procedures are recorded and the original documents and procedures are kept for a minimum of three (3) years for external audit purposes.

## 6. Records and documentation

Standard	
<p>The operator will implement, authorise, maintain and review documented policies and procedures that ensure the management, performance and verification of the Fatigue Management System in accordance with the standards. Records that demonstrate the compliant operation of the Fatigue Management System are collected, stored and maintained to verify compliance.</p>	
Description	
<p>This standard requires a system to manage and maintain records that relate to the requirements of the Fatigue Management Standards. Documented evidence must be maintained to demonstrate the level of compliance with the Fatigue Management Standards. Policies, procedures and instructions are to be authorised, current and clearly identify and describe the Fatigue Management System's operation, administration, participation and verification activities.</p>	
Criteria	
<p>To satisfy the standard, an operator must demonstrate the following:</p>	
(1)	Policies, procedures and instructions covering all activities required to meet the Fatigue Management Standards are authorised, current, clearly defined and available to all relevant personnel and at all locations where operations essential to the effective functioning of the system are performed.
(2)	All records are legible, stored, maintained and available for management and audit purposes for at least three (3) years.
(3)	A register of all persons with a designated responsibility under the accreditation is kept and regularly updated.
(4)	Documents are approved, issued, reviewed, modified and accounted for in accordance with the operator's prescribed control procedures.
(5)	Records must include individual driving hours' records for all nominated drivers (For example, work diaries, rosters, and schedules).
(6)	Driver work and rest records for each driver are reviewed each quarter.

## 7. Workplace conditions

### Standard

The operator will ensure workplaces comply with the Work Health and Safety legislation and relevant vehicle ADR to assist in the prevention of fatigue.

### Description

A Fatigue Management System must ensure that workplaces including vehicles provide for adequate restorative sleep and proper rest, using practices and facilities or equipment that meets with Work Health and Safety legislation and Australian vehicle design rules.

### Criteria

To satisfy the standard, an operator must demonstrate the following:

- (1) Policies and procedures exist that ensure the working conditions assists in the prevention of fatigue. This must include where applicable specific provisions relating to vehicle cabin optimisation such as driver seating, driver sleeping facilities, depot facilities and air conditioning of driver cabs.
- (2) If drivers are required as part of their duties to sleep in a vehicle when away from their home location (including two-up drivers), then the vehicle they are sleeping in must conform to the requirements of ADR 42 and be optimised for driver rest.

## Appendix 4: Definitions

Most definitions are derived or taken from the HVNL and Regulations. As a general statement, where ambiguity arises, the HVNL meaning and intent prevails over this business rule.

Term	Acronym	Definition
Accreditation		Approval of a participant’s relevant management system under Chapter 8 of the HVNL to the NHVAS Standards and approval of their proposed operating arrangements against the Risk Classification System (RCS).
Accreditation Compliance History		Action taken by way of amendment, suspension or cancellation of an HVNL accreditation held by the applicant or an associate of the applicant in the previous five (5) years (also referred to as ‘Compliance History’).
Accrediting Agency		The National Heavy Vehicle Regulator.
Advanced Fatigue Management	AFM	Brings a genuine risk management approach to managing heavy vehicle driver fatigue. Rather than prescribing work and rest hours, AFM offers more flexibility than Standard Hours or BFM in return for the operator demonstrating greater accountability for managing their drivers’ fatigue risks.
Appeal		An appeal against an internal review decision as provided for in Chapter 11 and Schedule 3 of the HVNL.
Approved Outer Limits		The minimum rest and maximum work limits that have been approved for use by an Advanced Fatigue Management Accreditation.
Audit Matrix		A compilation of questions to be assessed while conducting an NHVAS audit.
Auditor		Where the context permits, a reference to an auditor in these rules means a reference to an approved auditor.
Approved Auditor		An auditor of a class approved by the responsible ministers under the HVNL.
Associate (of an Operator)		See section 5 of the HVNL and Compliance History.
Auditor - External		A person certified as an Auditor by Exemplar Global (formerly known as RABQSA) to undertake heavy vehicle audits.
Basic Fatigue Management	BFM	Operators with BFM accreditation can operate under more flexible work and rest hours, allowing for (among other things) work of up to 14 hours in a 24-hour period. BFM gives operators a greater say in when drivers can work and rest, as long as the risks of driver fatigue are properly managed.
Breach (or Contravention)		A non-compliance with the NHVAS standards established for a module or the requirements relating to heavy vehicles specified in relevant road transport legislation.
Certification		Evidence that a compliance management system has been

Term	Acronym	Definition
		examined by an auditor and is eligible for accreditation.
Certifying body		A body granted powers under the Scheme to certify persons as being auditors for the purposes of the Scheme.
Concessional Mass Limit	CML	CMLs allow an operator to operate at mass limits above the national general limits, provided the operator is accredited under the NHVAS.
Combination		A group of vehicles consisting of a motor vehicle connected to one or more other vehicles.
Compliance Audit		An independent audit which assesses the effectiveness of the relevant management systems by examining and measuring the level of compliance actually achieved over a given period.
Compliance Audit Notification	CAN	The form that must be submitted at least 28 days before the intended audit date that provides approval for the elected auditor.
Compliance History		See section 459 of HVNL.
Compliance Management System		The organisational structure, responsibilities, procedures, activities, capabilities, resources and records established by an operator with the aim of ensuring compliance with a set of NHVAS Standards and is part of the relevant management systems.
Entry audit		An audit which assesses the documented processes of compliance with the relevant Business Rules and Standards.
Evidence of Identity	EOI	Documents that provide suitable evidence of a person's identity to reasonably satisfy the requirements for a vehicle registration or driver licensing transaction in the jurisdiction of accreditation.
Fatigue Expert Reference Group	FERG	Provides advice to the NHVR on applications for AFM and may also be asked by the NHVR to provide information on developments in fatigue research.
Fatigue Management System		An operator's management system for ensuring compliance with the Fatigue Management Standards (Advanced and Basic Fatigue Management) as defined in the HVNL.
Fatigue Regulated Heavy Vehicle	FRHV	See definition in s8, Heavy Vehicle National Law Act 2013.
Gross Vehicle Mass	GVM	As defined in section 5 of the HVNL, a GVM of a vehicle, means the maximum loaded mass of the vehicle— (a) if the Regulator has specified the vehicle's maximum loaded mass under section 57—specified by the Regulator under that section; or (b) otherwise—stated by the vehicle's manufacturer.
Heavy Vehicle National Law	HVNL	The Heavy Vehicle National Law commencing 10 February

Term	Acronym	Definition
		2014, as applied by the participating jurisdictions and by which the NHVR is established under section 656.
Independent Audit		A systematic and independent planned and documented activity performed by external auditors to verify for external purposes by investigation, and the examination and evaluation of objective evidence, that applicable elements of a system have been developed, documented and effectively implemented in accordance with the relevant standards applicable to a particular module.
Interception Report Book	IRP	Every mass and maintenance nominated vehicle is issued an IRP that is completed by authorised officers during intercept as a record of the level of compliance detected during the intercept.
Internal Review		A request to the NHVR to review a decision. The capacity to 'internally' review a relevant decision is governed by Chapter 11 and Schedule 3 of the HVNL. An internal review must be in writing and lodged with the NHVR within 28 days of the posting (giving) of the notification of the decision.
Incident		An event occurring while a vehicle is being operated on a road or a road related area. It may involve damage to the vehicle and/or damage to another vehicle or third-party property, or matters relating to the loading of a vehicle, or matters relating to the relevant management system module, or any other matter relating to the operation of the vehicle.
National Heavy Vehicle Accreditation Scheme	NHVAS	Heavy vehicle accreditation as defined in section 5 of the HVNL.
NHVAS Audit Framework		A description and list of criteria for how NHVAS approved auditors conduct an NHVAS audit.
NHVAS Standards		The standards prescribed by the NHVR.
NHVAS Notifiable Occurrences Framework		The criteria and required response timeframe for notification to the NHVR of an incident involving a heavy vehicle.
National Heavy Vehicle Regulator	NHVR	Means the entity (the Regulator) established under section 656 of the HVNL.
Nominated Contact		A person who the applicant or participant has given authority to conduct NHVAS related business on their behalf.
Nominated Vehicle		A vehicle nominated for operation by NHVAS for participation in the NHVAS.
Operator		A natural person, body politic or corporation controlling the operation of relevant management systems and nominated vehicles and/or drivers. As context requires, will also be a

Term	Acronym	Definition
		participant in the NHVAS and an applicant for new grant of accreditation.
Participant		An individual or company approved by the NHVR to operate under a certified Fatigue Management System for a period nominated by the NHVR depending upon performance.
Participating Driver		A driver inducted into the participant’s relevant management system module of the NHVAS.
Prescribed Criminal History		A criminal history for the operation listing: breaches against the HVNL or its predecessors an offence involving fraud or dishonesty punishable on conviction by imprisonment of six (6) months or more.
Public Road		‘Public road’ or ‘road’ has the same meaning as ‘road’ under the Australian Road Rules.
Quarterly Compliance Report		Each quarter a report is compiled that accounts for the number of key outcomes that have and ought to have been completed for the quarter.
Record		As defined by schedule 1 of the HVNL, ‘record’ includes information stored or recorded by means of a computer.
Referral Threshold		The criteria based on the RCS Matrix, for referral of an AFM application to the FERG for advice. This is outlined in section 4.11.2 of these rules.
Registered Training Organisation	RTO	Approved by the NHVR to deliver the fatigue units of competency.
Relevant Management System		As defined by section 457 of the HVNL means: (a) for Maintenance Management accreditation—a Mass Management System or (b) for Mass Management accreditation—a Mass Management System or (c) for BFM accreditation—a BFM Fatigue Management System or (d) for AFM accreditation —an AFM Fatigue Management System.
Risk Classification System	RCS	The description of work and rest options across seven principles and the scores applicable to work and rest arrangements.
Risk Classification System Matrix (RCS Matrix)		The assessment tool used to assess the compliance of the proposed Advanced Fatigue Management (AFM) System with the AFM standards.

Term	Acronym	Definition
Safety Case		A document produced by the transport operator seeking accreditation which: identifies the hazards and risks of a particular proposed AFM schedule describes how the risks are controlled and mitigated.
Suitably Qualified Person		A person who holds mechanical qualifications relevant to the service and repair of heavy vehicles.
System Accreditation Audit		A System Accreditation Audit (Entry Audit) is an Independent audit which examines the underlying management controls including documented procedures and records management systems. It is designed to ensure adequate procedures are in place to effectively and consistently achieve the outcomes required.
Transport and Infrastructure Senior Officials Committee	TISOC	The key function of TISOC is to develop, coordinate and progress the strategic agenda of the Transport and Infrastructure Council.
Transport and Infrastructure Council	TIC	Play a key role in delivering national reforms to improve the efficiency and productivity of Australia’s infrastructure and transport systems, and ensure these systems drive economic growth, increase employment opportunities, support social connectivity and enhance quality of life for all Australians.
Vehicle		A vehicle includes: (a) a motor vehicle (b) a trailer (c) combination.
Vehicle Inspection		An examination of a vehicle to evaluate compliance to the national Vehicle Roadworthiness Guidelines. This may be a requirement for the Maintenance Management module.
Writing		As defined by Schedule 1 of the HVNL, ‘writing’ includes any mode of representing or reproducing words in a visible form.