

## **Registered Industry Codes of Practice – FAQ’s**

Codes written under the NHVR’s Guidelines are completely different to previous codes of practice written for heavy vehicle transport and considerably different from WH&S codes.

### **What is a Registered Industry Code of Practice?**

Registered Industry Codes of Practice (RICPs) define national standards for best practice risk assessment and treatment for heavy vehicle safety and compliance. They serve as a means of translating the requirements of the Heavy Vehicle National Law (HVNL) into a framework of known risk types, risk assessment information, and risk controls for parties in the Chain of Responsibility to implement in their operations. Adoption of an RICP is voluntary, and represents the application of best practice risk assessment and treatment responses by an operator or other party in the Chain of Responsibility. RICPs will provide clarity to industry, investigators, and courts in regards to the known risks around road transport operations, and the best practice response measures that may be installed to minimise.

To use a code of practice is to apply the industry-identified best practice risk management framework contained in an RICP to your own operations, and implement business practices and compliance tools to minimise risks as low as is reasonably practicable. RICPs will be published on the NHVR’s website and made freely available to anyone who wishes to use them, subject to the terms of use.

When the HVNL is amended in mid-2018, RICPs may be used as evidence in court to determine what is reasonably practicable in a given circumstance to which the code relates. [RICPs must be developed in accordance with the NHVR’s Industry Codes of Practice Guidelines.](#)

### **What are the *Industry Codes of Practice Guidelines*? What are they for?**

The Guidelines were published by the NHVR in February 2017 and contain the rules developers must follow to create an RICP. They are designed to ensure RICPs deliver industry-identified best practice risk assessment and responses for a particular sector of the heavy vehicle industry. They are intentionally designed to move away from prescriptive heavy vehicle codes of practice from the past, and instead encourage the implementation of risk management systems to monitor and ensure safety and compliance in a proactive way.

### **What is required by the *Industry Codes of Practice Guidelines*?**

Code developers must research and consult within the industry to build a comprehensive view on the state of safety and compliance risks. The content of the code must follow the format of a risk management process to:

- Identify the types of risk relevant to the industry
- Assess the risks (likelihood and consequence information)
- Suggest measures to control risks
  - **Suggested control measures must be broad enough to apply to all participants in the sector to which the code relates**
  - **Specific or prescriptive treatments may be included only as examples**

All of the risk types and controls outlined by an RICP must be linked to specific provisions of the HVNL. This is to ensure that the requirements of RICPs are limited only to what is required by the law.

Guidance must be provided for adopters of the code to use the content contained in the code to develop and document a risk management process of their own. The Guidelines also mandate other requirements such as establishing a system for monitoring, feedback, and review, re-training after changes are made, and the incorporation of new information into the risk management process.

### **What is a “Code Adopter”?**

A code adopter is a party in the supply chain who has applied the risk framework provided by an RICP to their operations. They have applied the industry-identified best practice risk identification, assessment information, and control methods outlined in the code to their business, and implemented compliance tools to minimise their transport risks as low as reasonably practicable.

Adoption of an RICP is voluntary, and represents the application of best practice risk assessment and treatment responses by an operator or other party in the Chain of Responsibility.

### **Industry Specific vs. the Master Registered Industry Code of Practice**

The Australian Trucking Association (ATA) and Australian Logistics Council (ALC) have formed a joint venture to develop the Master Registered Industry Code of Practice (Master Code). While industry specific codes address very specific sectors of the heavy vehicle industry, the Master Code will identify safety and compliance risk assessment and response measures for the heavy vehicle industry as a whole. It primarily addresses the four principal areas of Chain of Responsibility legislation: Speed; Fatigue; Mass, Dimension, and Loading; and Vehicle Standards & Maintenance. The information contained in the Master Code can apply to all heavy vehicle supply chain operations in Australia.

Industry-specific codes of practice address risks in the exact same way, but only for risks that are specific and unique to an industry sector, and lie outside the scope of the Master Code. For example, the Log Haulage code identifies risk types and control measures for significant risks specific to log haulage transport, such as rollover, loss of vehicle control, and log loading related activities.

### **What is the Risk Management Process? What does it have to do with RICPs?**

The risk management process includes establishing context to identify, assess, treat, and review risks. This process serves as the foundation for RICPs in two distinct ways:

1. During the development of the RICP
  - a. The Guidelines require the developer of an RICP to consult widely and use a risk management process to identify risks, assess them, and suggest indicative best practice control measures
  - b. This information forms the content of the code and acts as the risk framework for code adopters to implement into their own operations
2. By adopters
  - a. To use a code of practice is to conduct a risk assessment and install control measures using the framework provided by an RICP.

- b. Code adopters must apply the framework to their transport operations, and implement the actual business practices and tools to reduce risks as low as is reasonably practicable.

There is no required format, but it should be consistent with *AS/NZ ISO 31000:2009 Risk Management – Principles and Guidelines*.